



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

STATE ONLY NATURAL MINOR OPERATING PERMIT

Issue Date: September 24, 2024 Effective Date: January 1, 2025
Expiration Date: December 31, 2029

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable unless otherwise designated.

State Only Permit No: 36-03209

Natural Minor

Federal Tax Id - Plant Code: 23-2529540-1

Owner Information

Name: BAREVILLE WOODCRAFT CO
Mailing Address: 70 FARMLAND RD
LEOLA, PA 17540-1905

Plant Information

Plant: BAREVILLE WOODCRAFT CO/LEOLA
Location: 36 Lancaster County 36954 Upper Leacock Township
SIC Code: 2511 Manufacturing - Wood Household Furniture

Responsible Official

Name: EDWARD OBERHOLTZER
Title: GENERAL MGR
Phone: (717) 656 - 6261 Email:

Permit Contact Person

Name: EDWARD OBERHOLTZER
Title: GENERAL MGR
Phone: (717) 656 - 6261 Email:

[Signature] _____
WILLIAM R. WEAVER, SOUTH CENTRAL REGION AIR PROGRAM MANAGER



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Source ID	Source Name	Capacity/Throughput	Fuel/Material
031	MESSERSMITH/BCS BIOMASS BOILER, 4.97 MMBTU/HR	4.970 MMBTU/HR	
		0.344 Tons/HR	WOOD
C031	CLARAGE MULTICLONE COLLECTOR		
FML01	WOOD		
S031	BIOMASS BOILER STACK		

PERMIT MAPS

**SECTION B. General State Only Requirements****#001 [25 Pa. Code § 121.1]****Definitions.**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and in 25 Pa. Code § 121.1.

#002 [25 Pa. Code § 127.446]**Operating Permit Duration.**

(a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.

(b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

#003 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446 & 127.703(b)]**Permit Renewal.**

(a) The permittee shall submit a timely and complete application for renewal of the operating permit to the appropriate Regional Air Program Manager. The application for renewal of the operating permit shall be submitted at least six (6) months and not more than 18 months before the expiration date of this permit.

(b) The application for permit renewal shall include the current permit number, a description of any permit revisions that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

(c) The permittee shall submit with the renewal application a fee for the processing of the application as specified in 25 Pa. Code § 127.703(b). The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.

(d) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413.

(e) The application for renewal of the operating permit shall also include submission of supplemental compliance review forms in accordance with the requirements of 25 Pa. Code § 127.412(b) and § 127.412(j).

(f) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information as necessary to address any requirements that become applicable to the source after the permittee submits a complete application, but prior to the date the Department takes action on the permit application.

#004 [25 Pa. Code § 127.703]**Operating Permit Fees under Subchapter I.**

(a) The permittee shall pay the annual operating permit maintenance fee according to the following fee schedule in either paragraph (1) or (2) in accordance with 25 Pa. Code § 127.703(d) on or before December 31 of each year for the next calendar year.

(1) For a synthetic minor facility, a fee equal to:

(i) Four thousand dollars (\$4,000) for calendar years 2021—2025.

(ii) Five thousand dollars (\$5,000) for calendar years 2026—2030.

(iii) Six thousand three hundred dollars (\$6,300) for the calendar years beginning with 2031.

**SECTION B. General State Only Requirements**

(2) For a facility that is not a synthetic minor, a fee equal to:

- (i) Two thousand dollars (\$2,000) for calendar years 2021—2025.
- (ii) Two thousand five hundred dollars (\$2,500) for calendar years 2026—2030.
- (iii) Three thousand one hundred dollars (\$3,100) for the calendar years beginning with 2031.

(b) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

#005 [25 Pa. Code §§ 127.450 (a)(4) and 127.464]**Transfer of Operating Permits.**

(a) This operating permit may not be transferred to another person, except in cases of transfer-of-ownership that are documented and approved by the Department.

(b) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership of the source shall be treated as an administrative amendment if the Department determines that no other change in the permit is required and a written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee and a compliance review form has been submitted to, and the permit transfer has been approved by, the Department.

(c) This operating permit is valid only for those specific sources and the specific source locations described in this permit.

#006 [25 Pa. Code § 127.441 and 35 P.S. § 4008]**Inspection and Entry.**

(a) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Department or authorized representatives of the Department to perform the following:

(1) Enter at reasonable times upon the permittee's premises where a source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, any facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;

(4) Sample or monitor, at reasonable times, any substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act or regulations adopted thereunder including denying the Department access to a source at this facility. Refusal of entry or access may constitute grounds for permit revocation and assessment of criminal and/or civil penalties.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

#007 [25 Pa. Code §§ 127.441 & 127.444]**Compliance Requirements.**

(a) The permittee shall comply with the conditions of this operating permit. Noncompliance with this permit constitutes a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one or more of the following:

**SECTION B. General State Only Requirements**

- (1) Enforcement action
- (2) Permit termination, revocation and reissuance or modification
- (3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source which is subject to 25 Pa. Code Article III unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued for the source is operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this State-Only permit. Nothing in this sub-condition shall be construed to create an independent affirmative duty upon the permittee to obtain a predetermination from the Department for physical configuration or engineering design detail changes made by the permittee.

#008 [25 Pa. Code § 127.441]**Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for the permittee in an enforcement action that it was necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

#009 [25 Pa. Code §§ 127.442(a) & 127.461]**Duty to Provide Information.**

(a) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of each source at the facility.

(b) The permittee shall furnish to the Department, in writing, information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to maintain in accordance with this permit.

#010 [25 Pa. Code § 127.461]**Revising an Operating Permit for Cause.**

This operating permit may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

- (1) The permittee constructs or operates the source subject to the operating permit so that it is in violation of the Air Pollution Control Act, the Clean Air Act, the regulations thereunder, a plan approval, a permit or in a manner that causes air pollution.
- (2) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.
- (3) The permittee has failed to submit a report required by the operating permit or an applicable regulation.
- (4) The EPA determines that the permit is not in compliance with the Clean Air Act or the regulations thereunder.

#011 [25 Pa. Code §§ 127.450, 127.462, 127.465 & 127.703]**Operating Permit Modifications**

(a) The permittee is authorized to make administrative amendments, minor operating permit modifications and significant operating permit modifications, under this permit, as outlined below:

**SECTION B. General State Only Requirements**

(b) Administrative Amendments. The permittee shall submit the application for administrative operating permit amendments (as defined in 25 Pa. Code § 127.450(a)), according to procedures specified in § 127.450 unless precluded by the Clean Air Act or its regulations.

(c) Minor Operating Permit Modifications. The permittee shall submit the application for minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Significant Operating Permit Modifications. The permittee shall submit the application for significant operating permit modifications in accordance with 25 Pa. Code § 127.465.

(e) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

#012 [25 Pa. Code § 127.441]**Severability Clause.**

The provisions of this permit are severable, and if any provision of this permit is determined by a court of competent jurisdiction to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

#013 [25 Pa. Code § 127.449]**De Minimis Emission Increases.**

(a) This permit authorizes de minimis emission increases in accordance with 25 Pa. Code § 127.449 so long as the permittee provides the Department with seven (7) days prior written notice before commencing any de minimis emissions increase. The written notice shall:

(1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.

(2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

(b) The Department may disapprove or condition de minimis emission increases at any time.

(c) Except as provided below in (d), the permittee is authorized to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

(1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

(2) One ton of NO_x from a single source during the term of the permit and 5 tons of NO_x at the facility during the term of the permit.

(3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) In accordance with § 127.14, the permittee is authorized to install the following minor sources without the need for a plan approval or permit modification:

**SECTION B. General State Only Requirements**

- (1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.
 - (2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.
 - (3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code §123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.
 - (4) Space heaters which heat by direct heat transfer.
 - (5) Laboratory equipment used exclusively for chemical or physical analysis.
 - (6) Other sources and classes of sources determined to be of minor significance by the Department.
- (e) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:
- (1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (c)(4) and (5) of this permit condition.
 - (2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.
 - (3) Violate any applicable requirement of this permit, the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.
- (f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.
- (g) Except for de minimis emission increases, installation of minor sources made pursuant to this permit condition and Plan Approval Exemptions under 25 Pa. Code § 127.14 (relating to exemptions), the permittee is prohibited from making changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.
- (h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

#014 [25 Pa. Code § 127.3]**Operational Flexibility.**

The permittee is authorized to make changes within the facility in accordance with the regulatory provisions outlined in 25 Pa. Code § 127.3 (relating to operational flexibility) to implement the operational flexibility requirements provisions authorized under Section 6.1(i) of the Air Pollution Control Act and the operational flexibility terms and conditions of this permit. The provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements include the following:

- (1) Section 127.14 (relating to exemptions)
- (2) Section 127.447 (relating to alternative operating scenarios)
- (3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)
- (4) Section 127.449 (relating to de minimis emission increases)
- (5) Section 127.450 (relating to administrative operating permit amendments)

**SECTION B. General State Only Requirements**

(6) Section 127.462 (relating to minor operating permit modifications)

(7) Subchapter H (relating to general plan approvals and general operating permits)

#015 [25 Pa. Code § 127.11a]**Reactivation of Sources**

(a) The permittee may not reactivate a source that has been out of operation or production for at least one year unless the reactivation is conducted in accordance with a plan approval granted by the Department or in accordance with reactivation and maintenance plans developed and approved by the Department in accordance with 25 Pa. Code § 127.11a(a).

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

#016 [25 Pa. Code § 127.36]**Health Risk-based Emission Standards and Operating Practice Requirements.**

(a) When needed to protect public health, welfare and the environment from emissions of hazardous air pollutants from new and existing sources, the permittee shall comply with the health risk-based emission standards or operating practice requirements imposed by the Department, except as precluded by §§ 6.6(d)(2) and (3) of the Air Pollution Control Act [35 P.S. § 4006.6(d)(2) and (3)].

(b) A person challenging a performance or emission standard established by the Department has the burden to demonstrate that performance or emission standard does not meet the requirements of Section 112 of the Clean Air Act.

#017 [25 Pa. Code § 121.9]**Circumvention.**

No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of 25 Pa. Code Article III, except that with prior approval of the Department, the device or technique may be used for control of malodors.

#018 [25 Pa. Code §§ 127.402(d) & 127.442]**Reporting Requirements.**

(a) The permittee shall comply with the applicable reporting requirements of the Clean Air Act, the regulations thereunder, the Air Pollution Control Act and 25 Pa. Code Article III including Chapters 127, 135 and 139.

(b) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of any air contamination source.

(c) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager
PA Department of Environmental Protection
(At the address given in the permit transmittal letter, or otherwise notified)

(d) Any records or information including applications, forms, or reports submitted pursuant to this permit condition shall contain a certification by a responsible official as to truth, accuracy and completeness. The certifications submitted under this permit shall require a responsible official of the facility to certify that based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate and complete.

(e) Any records, reports or information submitted to the Department shall be available to the public except for such

**SECTION B. General State Only Requirements**

records, reports or information which meet the confidentiality requirements of § 4013.2 of the Air Pollution Control Act and §§ 112(d) and 114(c) of the Clean Air Act. The permittee may not request a claim of confidentiality for any emissions data generated for the facility.

#019 [25 Pa. Code §§ 127.441(c) & 135.5]**Sampling, Testing and Monitoring Procedures.**

(a) The permittee shall comply with the monitoring, recordkeeping or reporting requirements of 25 Pa. Code Chapter 139 and the other applicable requirements of 25 Pa. Code Article III and additional requirements related to monitoring, reporting and recordkeeping required by the Clean Air Act and the regulations thereunder including the Compliance Assurance Monitoring requirements of 40 CFR Part 64, where applicable.

(b) Unless alternative methodology is required by the Clean Air Act and regulations adopted thereunder, sampling, testing and monitoring required by or used by the permittee to demonstrate compliance with any applicable regulation or permit condition shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139.

#020 [25 Pa. Code §§ 127.441(c) and 135.5]**Recordkeeping.**

(a) The permittee shall maintain and make available, upon request by the Department, the following records of monitored information:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of the analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of any required monitoring data and supporting information for at least five (5) years from the date of the monitoring, sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions.

#021 [25 Pa. Code § 127.441(a)]**Property Rights.**

This permit does not convey any property rights of any sort, or any exclusive privileges.

#022 [25 Pa. Code § 127.447]**Alternative Operating Scenarios.**

The permittee is authorized to make changes at the facility to implement alternative operating scenarios identified in this permit in accordance with 25 Pa. Code § 127.447.

**SECTION B. General State Only Requirements****#023 [25 Pa. Code §135.3]****Reporting**

(a) If the facility is a Synthetic Minor Facility, the permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator of a Synthetic Minor Facility may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

#024 [25 Pa. Code §135.4]**Report Format**

If applicable, the emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

The permittee shall not allow the emission into the outdoor atmosphere of a fugitive air contaminant from a source other than the following:

- (1) Construction or demolition of buildings or structures.
- (2) Grading, paving, and maintenance of roads and streets.
- (3) Use of roads and streets. Emissions from material in or on trucks, railroad cars, and other vehicular equipment are not considered as emissions from use of roads and streets.
- (4) Clearing of land.
- (5) Stockpiling of materials.
- (6) Open burning operations.
- (7) Sources and classes of sources other than those identified in (1)-(6), above, for which the permittee has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:
 - (i) The emissions are of minor significance with respect to causing air pollution; and
 - (ii) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

002 [25 Pa. Code §123.2]**Fugitive particulate matter**

The permittee shall not allow the emission of fugitive particulate matter into the outdoor atmosphere from a source specified in Section C, Condition #001, if the emissions are visible at the point the emissions pass outside the permittee's property.

003 [25 Pa. Code §123.31]**Limitations**

The permittee shall not allow the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the permittee's property.

004 [25 Pa. Code §123.41]**Limitations**

The permittee shall not allow the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any one hour.
- (2) Equal to or greater than 60% at any time.

005 [25 Pa. Code §123.42]**Exceptions**

The emission limitations of Section C, Condition #004, shall not apply when:

- (1) The presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) The emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) The emission results from sources specified in Section C, Condition #001(1)-(7).

**SECTION C. Site Level Requirements****# 006 [25 Pa. Code §129.14]****Open burning operations**

(a) No person may permit the open burning of material in an area outside of air basins in a manner that:

(1) The emissions are visible, at any time, at the point such emissions pass outside the property of the person on whose land the open burning is being conducted.

(2) Malodorous air contaminants from the open burning are detectable outside the property of the person on whose land the open burning is being conducted.

(3) The emissions interfere with the reasonable enjoyment of life or property.

(4) The emissions cause damage to vegetation or property.

(5) The emissions are or may be deleterious to human or animal health.

(b) Exceptions: The requirements of subsections (a) and (b) do not apply where the open burning operations result from:

(1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.

(2) A fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.

(3) A fire set for the prevention and control of disease or pests, when approved by the Department.

(4) A fire set solely for recreational or ceremonial purposes.

(5) A fire set solely for cooking food.

(c) This permit does not constitute authorization to burn solid waste pursuant to Section 610 (3) of the Solid Waste Management Act, 35 P.S. Section 6018.610 (3), or any other provision of the Solid Waste Management Act.

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

III. MONITORING REQUIREMENTS.**# 007 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions may be measured using either of the following:

(1) A device approved by the Department and maintained to provide accurate opacity measurements (e.g. Continuous Opacity Monitor).

(2) Observers trained and certified in EPA Reference Method 9 to measure plume opacity with the naked eye; or with the aid of any device(s) approved by the Department.

008 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall conduct a monthly inspection around the plant periphery during daylight hours when the plant is in production to detect visible emissions, fugitive particulate matter emissions, and malodorous air contaminants. Monthly inspections are necessary to determine:

(a) The presence of visible emissions. Visible emissions may be measured according to the methods specified in Section



SECTION C. Site Level Requirements

C, Condition #007. Alternately, plant personnel who observe visible emissions may report the incidence of visible emissions to the Department within two (2) hours of the incident and make arrangements for a certified observer to measure the visible emissions.

(b) The presence of fugitive particulate matter emissions beyond the plant property boundaries, as stated in Section C, Condition #002.

(c) The presence of malodorous air contaminants beyond the plant property boundaries, as stated in Section C, Condition #003.

IV. RECORDKEEPING REQUIREMENTS.

009 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The permittee shall maintain records of the monthly inspections referenced in Section C, Condition #008. The records shall include, at a minimum, the following information:

- (1) The name of the company representative monitoring these instances.
- (2) The date and time of the observation.
- (3) The wind direction during each observation.
- (4) A description of the emissions and/or malodors observed (if any) and actions taken to mitigate them.

The permittee shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

V. REPORTING REQUIREMENTS.

010 [25 Pa. Code §127.442]

Reporting requirements.

The permittee shall report malfunctions to the Department. A malfunction is any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner that affects the facility's ability to comply with a permit term. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. Malfunctions shall be reported as follows:

- (a) Malfunctions which pose an imminent danger to public health, safety, welfare and the environment, shall be immediately reported to the Department by telephone. The telephone report of such malfunctions shall occur no later than two hours after discovery of the incident. Telephone reports can be made to the Reading District Office at (610) 916-0100 during normal business hours, or to the Department's Emergency Hotline at any time. The Emergency Hotline phone number is changed/updated periodically. The current Emergency Hotline phone number can be found at <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Pages/default.aspx>. The permittee shall submit a written report of instances of such malfunctions to the Department within three (3) days of the telephone report.
- (b) Unless otherwise required by this permit, any other malfunction that is not subject to the reporting requirement of subsection (a) above, shall be reported to the Department, in writing, within five (5) days of malfunction discovery.
- (c) Unless otherwise approved by DEP, all malfunctions shall be reported through the Department's Greenport PUP system available through: <https://greenport.pa.gov/ePermitPublicAccess/PublicSubmission/Home>

VI. WORK PRACTICE REQUIREMENTS.

011 [25 Pa. Code §123.1]

Prohibition of certain fugitive emissions

The permittee shall take all reasonable actions to prevent particulate matter from becoming airborne from any source specified in Section C, Condition #001(1)-(7). These actions shall include, but not be limited to, the following:



SECTION C. Site Level Requirements

- (1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (2) Application of asphalt, oil, water, or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (3) Paving and maintenance of roadways.
- (4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

012 [25 Pa. Code §127.444]

Compliance requirements.

The permittee shall operate and maintain all sources and any air cleaning devices identified in this operating permit in accordance with the manufacturer's recommendations/specifications, as well as in a manner consistent with good operating practices.

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

VIII. COMPLIANCE CERTIFICATION.

No additional compliance certifications exist except as provided in other sections of this permit including Section B (relating to State Only General Requirements).

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

**SECTION D. Source Level Requirements**

Source ID: 031

Source Name: MESSERSMITH/BCS BIOMASS BOILER, 4.97 MMBTU/HR

Source Capacity/Throughput:

4.970 MMBTU/HR

0.344 Tons/HR

WOOD

Conditions for this source occur in the following groups: 001

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall limit the emissions to no more than:

- (a) PM 0.25 lbs/mmbtu
- (b) NO_x 0.49 lbs/mmbtu
- (c) CO 0.30 lbs/mmbtu
- (d) SO_x 0.025 lbs/mmbtu
- (e) VOC 0.017 lbs/mmbtu

Fuel Restriction(s).**# 002 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The boiler shall be fired on fuel that may consist of wet or dry wood, wood waste or wood residue that includes hogged wood, bark, sawdust, wood shavings, chips, mill rejects, sanderdust or wood trim, as well as wood waste from crates and pallets, wood from brush and yard waste, wood from land clearing and agricultural materials. No coated or treated wood, laminated wood, particleboard or flakeboard shall be burned in this boiler. During startup, newspaper may be used to aid in the ignition of the boiler.

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

III. MONITORING REQUIREMENTS.**# 003 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The multi-clone collector shall be equipped with instrumentation to measure the pressure drop across the collector on a continuous basis.

IV. RECORDKEEPING REQUIREMENTS.**# 004 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall keep records of the following information:

- (a) The pressure drop across the multiclone (ID C031) at least once per week, when the boiler (ID 031) is operating.
- (b) The number of hours the boiler (ID 031) is operated each month.

**SECTION D. Source Level Requirements**

These records shall be retained for a minimum of five years and shall be presented to the Department upon request.

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

VI. WORK PRACTICE REQUIREMENTS.

005 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The source and control device listed above shall be operated and maintained as per manufacturer's specifications.

VII. ADDITIONAL REQUIREMENTS.

006 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Upon Department request, the permittee shall provide analyses or samples of the wood burned in the boiler.

**SECTION E. Source Group Restrictions.**

Group Name: 001

Group Description: 40 CFR Part 63 Subpart JJJJJ Requirements

Sources included in this group

ID	Name
031	MESSERSMITH/BCS BIOMASS BOILER, 4.97 MMBTU/HR

I. RESTRICTIONS.

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

VII. ADDITIONAL REQUIREMENTS.**# 001 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11193]****SUBPART JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources****Am I subject to this subpart?**

§ 63.11193 Am I subject to this subpart?

You are subject to this subpart if you own or operate an industrial, commercial, or institutional boiler as defined in § 63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in § 63.2, except as specified in § 63.11195.

§ 63.11194 What is the affected source of this subpart?

(a) This subpart applies to each new, reconstructed, or existing affected source as defined in paragraphs (a)(1) and (2) of this section.

(1) The affected source of this subpart is the collection of all existing industrial, commercial, and institutional boilers within a subcategory, as listed in § 63.11200 and defined in § 63.11237, located at an area source.

(2) The affected source of this subpart is each new or reconstructed industrial, commercial, or institutional boiler within a subcategory, as listed in § 63.11200 and as defined in § 63.11237, located at an area source.

**SECTION E. Source Group Restrictions.**

(b) [NA – THE SOURCE(S) IN THIS GROUP ARE NEW]

(c) An affected source is a new source if you commenced construction of the affected source after June 4, 2010, and the boiler meets the applicability criteria at the time you commence construction.

(d) [NA – THE SOURCE(S) IN THIS GROUP ARE NEW]

(e) [NA – THE SOURCE(S) IN THIS GROUP ARE NEW]

(f) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or part 71 as a result of this subpart. You may, however, be required to obtain a title V permit due to another reason or reasons. See 40 CFR 70.3(a) and (b) or 71.3(a) and (b). Notwithstanding the exemption from title V permitting for area sources under this subpart, you must continue to comply with the provisions of this subpart.

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7506, Feb. 1, 2013]

§ 63.11195 Are any boilers not subject to this subpart?

The types of boilers listed in paragraphs (a) through (k) of this section are not subject to this subpart and to any requirements in this subpart.

(a) [NA – NO UNITS PART OF SOURCES SUBJECT TO OTHER PART 63 SUBPART]

(b) [NA – NO CAA SECTION 129 UNITS]

(c) [NA – UNITS DO NOT BURN HAZARDOUS WASTE].

(d) [NA – UNITS ARE NOT R&D]

(e) [NA – UNITS ARE NOT DEFINED AS GAS-FIRED]

(f) [NA – UNITS NOT DEFINED AS HOT WATER HEATERS]

(g) [NA – UNITS NOT USED AS CONTROL DEVICES]

(h) [NA – UNITS DO NOT QUALIFY AS TEMPORARY UNITS]

(i) [NA – UNITS ARE NOT DEFINED AS RESIDENTIAL]

(j) [NA – UNITS ARE NOT DEFINED AS ELECTRIC]

(k) [NA – UNITS ARE NOT EGUs]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7506, Feb. 1, 2013; 81 FR 63125, Sept. 14, 2016]

§ 63.11196 What are my compliance dates?

(a) [NA – THE SOURCE(S) IN THIS GROUP ARE NEW]

(b) [NA – THE SOURCE(S) IN THIS GROUP DID NOT START UP BEFORE 5/20/11]

(c) If you start up a new affected source after May 20, 2011, you must achieve compliance with the provisions of this subpart upon startup of your affected source.

(d) [NA – NSPS 4C AND 4D EXEMPTIONS NOT INVOKED]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7506, Feb. 1, 2013]

**SECTION E. Source Group Restrictions.**

Emission Limits, Work Practice Standards, Emission Reduction Measures, and Management Practices

§ 63.11200 What are the subcategories of boilers?

The subcategories of boilers, as defined in § 63.11237 are:

(a) [NA - SOURCES IN THIS GROUP ARE BIOMASS, AND ARE NOT SEASONAL OR LIMITED USE]

(b) Biomass.

(c) – (g) [NA - SOURCES IN THIS GROUP ARE BIOMASS, AND ARE NOT SEASONAL OR LIMITED USE]

[78 FR 7506, Feb. 1, 2013]

§ 63.11201 What standards must I meet?

(a) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(b) You must comply with each work practice standard, emission reduction measure, and management practice specified in Table 2 to this subpart that applies to your boiler. An energy assessment completed on or after January 1, 2008 that meets or is amended to meet the energy assessment requirements in Table 2 to this subpart satisfies the energy assessment requirement. A facility that operates under an energy management program established through energy management systems compatible with ISO 50001, that includes the affected units, also satisfies the energy assessment requirement.

TABLE 2 REQUIREMENTS:

As stated in § 63.11201, you must comply with the following applicable work practice standards, emission reduction measures, and management practices:

7. If your boiler is in this subcategory: New biomass-fired boilers that do not meet the definition of seasonal boiler or limited-use boiler, or use an oxygen trim system that maintains an optimum air-to-fuel ratio, you must meet the following: Conduct a tune-up of the boiler biennially as specified in § 63.11223.

END OF TABLE 2 REQUIREMENTS

(c) [NA – SOURCES IN THIS GROUP ARE NOT SUBJECT TO OPERATING LIMITS]

(d) These standards apply at all times the affected boiler is operating, except during periods of startup and shutdown as defined in § 63.11237, during which time you must comply only with Table 2 to this subpart.

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7506, Feb. 1, 2013]

General Compliance Requirements

§ 63.11205 What are my general requirements for complying with this subpart?

(a) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that 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.

(b) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

**SECTION E. Source Group Restrictions.**

(c) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7506, Feb. 1, 2013]

Initial Compliance Requirements

§ 63.11210 What are my initial compliance requirements and by what date must I conduct them?

(a) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(b) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(c) [NA – THE SOURCE(S) IN THIS GROUP ARE NEW]

(d) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(e) –(f) [NA – THE SOURCES IN THIS GROUP DO NOT BURN OIL OR LIQUID FUEL]

(g) For new or reconstructed affected boilers that have applicable work practice standards or management practices, you are not required to complete an initial performance tune-up, but you are required to complete the applicable biennial or 5-year tune-up as specified in § 63.11223 no later than 25 months or 61 months, respectively, after the initial startup of the new or reconstructed affected source.

(h) [NA – NSPS 4C AND 4D EXEMPTIONS NOT INVOKED]

(i) For affected boilers that switch fuels or make a physical change to the boiler that results in the applicability of a different subcategory within subpart JJJJJJ or the boiler becoming subject to subpart JJJJJJ, you must demonstrate compliance within 180 days of the effective date of the fuel switch or the physical change. Notification of such changes must be submitted according to § 63.11225(g).

(j) [NA – FACILITY IS MINOR FOR HAP]

(k) [NA – THE SOURCE(S) IN THIS GROUP ARE NEW]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7507, Feb. 1, 2013; 81 FR 63125, Sept. 14, 2016]

§ 63.11211 How do I demonstrate initial compliance with the emission limits?

[NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

§ 63.11212 What stack tests and procedures must I use for the performance tests?

[NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO PERFORMANCE TESTING]

§ 63.11213 What fuel analyses and procedures must I use for the performance tests?

[NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO PERFORMANCE TESTING]

§ 63.11214 How do I demonstrate initial compliance with the work practice standard, emission reduction measures, and management practice?

(a) [NA – SOURCES IN THIS GROUP ARE BIOMASS]

(b) If you own or operate an existing or new biomass-fired boiler or an existing or new oil-fired boiler, you must conduct a performance tune-up according to §63.11210(c) or (g), as applicable, and §63.11223(b). If you own or operate an existing biomass-fired boiler or existing oil-fired boiler, you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted an initial tune-up of the boiler.

**SECTION E. Source Group Restrictions.**

(c) [NA – ENERGY ASSESSMENT NOT REQUIRED]

(d) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7508, Feb. 1, 2013; 81 FR 63126, Sept. 14, 2016]

Continuous Compliance Requirements

§ 63.11220 When must I conduct subsequent performance tests or fuel analyses?

[NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO PERFORMANCE TESTING OR FUEL ANALYSES]

§ 63.11221 Is there a minimum amount of monitoring data I must obtain?

[NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

§ 63.11222 How do I demonstrate continuous compliance with the emission limits?

[NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

§ 63.11223 How do I demonstrate continuous compliance with the work practice and management practice standards?

(a) For affected sources subject to the work practice standard or the management practices of a tune-up, you must conduct a performance tune-up according to paragraph (b) of this section and keep records as required in § 63.11225(c) to demonstrate continuous compliance. You must conduct the tune-up while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.

(b) Except as specified in paragraphs (c) through (f) of this section, you must conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in paragraphs (b)(1) through (7) of this section. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. For a new or reconstructed boiler, the first biennial tune-up must be no later than 25 months after the initial startup of the new or reconstructed boiler.

(1) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection.

(2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.

(3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection.

(4) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.

(5) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.

(6) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (b)(6)(i) through (iii) of this section.

(i) The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured

**SECTION E. Source Group Restrictions.**

at high fire or typical operating load, before and after the tune-up of the boiler.

(ii) A description of any corrective actions taken as a part of the tune-up of the boiler.

(iii) The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit.

(7) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

(c) [NA – NO OXYGEN TRIM SYSTEM]

(d) [NA – SOURCES IN THIS GROUP ARE NOT DEFINED AS SEASONAL]

(e) [NA - SOURCES IN THIS GROUP ARE BIOMASS]

(f) [NA – SOURCES IN THIS GROUP ARE NOT DEFINED AS LIMITED USE]

(g) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7509, Feb. 1, 2013; 81 FR 63127, Sept. 14, 2016]

§ 63.11224 What are my monitoring, installation, operation, and maintenance requirements?

(a) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(b) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(c) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(d) [NA – SOURCES IN THIS GROUP ARE NOT SUBJECT TO OPERATING LIMITS]

(e) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(f) [NA – BLDS NOT USED OR REQUIRED]

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7510, Feb. 1, 2013]

§ 63.11225 What are my notification, reporting, and recordkeeping requirements?

(a) You must submit the notifications specified in paragraphs (a)(1) through (5) of this section to the administrator.

(1) You must submit all of the notifications in §§ 63.7(b) [NA – NO PERFORMANCE TEST REQUIRED]; 63.8(e) and (f) [NA – NO CMS REQUIRED]; and 63.9(b) through (e), (g), and (h) that apply to you [ONLY (b) AND (h) APPLY—INITIAL NOTIFICATION AND NOCS RESPECTIVELY] by the dates specified in those sections except as specified in paragraphs (a)(2) and (4) of this section.

(2) An Initial Notification must be submitted no later than January 20, 2014 or within 120 days after the source becomes subject to the standard. [RECEIVED IN THE PAST]

(3) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO PERFORMANCE TESTING]

(4) You must submit the Notification of Compliance Status no later than 120 days after the applicable compliance date specified in §63.11196 unless you own or operate a new boiler subject only to a requirement to conduct a biennial or 5-year tune-up or you must conduct a performance stack test. If you own or operate a new boiler subject to a requirement to conduct a tune-up, you are not required to prepare and submit a Notification of Compliance Status for the tune-up. If you must conduct a performance stack test, you must submit the Notification of Compliance Status within 60 days of completing

**SECTION E. Source Group Restrictions.**

the performance stack test. You must submit the Notification of Compliance Status in accordance with paragraphs (a)(4)(i) and (vi) of this section. The Notification of Compliance Status must include the information and certification(s) of compliance in paragraphs (a)(4)(i) through (v) of this section, as applicable, and signed by a responsible official. [NOCS NOT REQUIRED SINCE THE ONLY REQUIREMENT IS BIENNIAL TUNE-UP]]

(5) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(b) You must prepare, by March 1 of each year, and submit to the delegated authority upon request, an annual compliance certification report for the previous calendar year containing the information specified in paragraphs (b)(1) through (4) of this section. You must submit the report by March 15 if you had any instance described by paragraph (b)(3) of this section. For boilers that are subject only to the energy assessment requirement and/or a requirement to conduct a biennial or 5-year tune-up according to §63.11223(a) and not subject to emission limits or operating limits, you may prepare only a biennial or 5-year compliance report as specified in paragraphs (b)(1) and (2) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) "This facility complies with the requirements in § 63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."

(ii) For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."

(iii) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(3) If the source experiences any deviations from the applicable requirements during the reporting period, include a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken.

(4) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(c) You must maintain the records specified in paragraphs (c)(1) through (7) of this section.

(1) As required in § 63.10(b)(2)(xiv), you must keep a copy of each notification and report that you submitted to comply with this subpart and all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted.

(2) You must keep records to document conformance with the work practices, emission reduction measures, and management practices required by § 63.11214 and § 63.11223 as specified in paragraphs (c)(2)(i) through (vi) of this section.

(i) Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.

(ii) For operating units that combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to § 241.3(b)(1) of this chapter, you must keep a record which documents how the secondary material meets each of the legitimacy criteria under § 241.3(d)(1). If you combust a fuel that has been processed from a discarded non-hazardous secondary material pursuant to § 241.3(b)(4) of this chapter, you must keep records as to how the operations that produced the fuel satisfies the definition of processing in § 241.2 and each of the legitimacy criteria in § 241.3(d)(1) of this chapter. If the fuel received a non-waste determination pursuant to the petition process submitted under § 241.3(c) of this chapter, you must keep a record that documents how the fuel satisfies the requirements of the petition process. For operating units that combust non-hazardous secondary materials as fuel per § 241.4, you must keep records documenting that the material is a listed non-waste under § 241.4(a).

**SECTION E. Source Group Restrictions.**

(iii) [NA – ENERGY ASSESSMENT NOT REQUIRED]

(iv) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(v) [NA – SOURCES IN THIS GROUP ARE NOT DEFINED AS SEASONAL]

(vi) [NA – SOURCES IN THIS GROUP ARE NOT DEFINED AS LIMITED USE]

(3) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO FUEL ANALYSES]

(4) Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in § 63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.

(6) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO EMISSION LIMITS]

(7) [NA – BLDS NOT USED OR REQUIRED]

(d) Your records must be in a form suitable and readily available for expeditious review. You must keep each record for 5 years following the date of each recorded action. You must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. You may keep the records off site for the remaining 3 years.

(e) [NA - SOURCES IN THIS GROUP ARE NOT SUBJECT TO PERFORMANCE TESTING]

(f) If you intend to commence or recommence combustion of solid waste, you must provide 30 days prior notice of the date upon which you will commence or recommence combustion of solid waste. The notification must identify:

(1) The name of the owner or operator of the affected source, the location of the source, the boiler(s) that will commence burning solid waste, and the date of the notice.

(2) The currently applicable subcategory under this subpart.

(3) The date on which you became subject to the currently applicable emission limits.

(4) The date upon which you will commence combusting solid waste.

(g) If you have switched fuels or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within this subpart, in the boiler becoming subject to this subpart, or in the boiler switching out of this subpart due to a fuel change that results in the boiler meeting the definition of gas-fired boiler, as defined in §63.11237, or you have taken a permit limit that resulted in you becoming subject to this subpart or no longer being subject to this subpart, you must provide notice of the date upon which you switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify:

(1) The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice.

(2) The date upon which the fuel switch, physical change, or permit limit occurred.

[76 FR 15591, Mar. 21, 2011, as amended at 78 FR 7511, Feb. 1, 2013; 81 FR 63127, Sept. 14, 2016]

§63.11226 [Reserved]

Other Requirements and Information

**SECTION E. Source Group Restrictions.**

§ 63.11235 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you.

§ 63.11236 Who implements and enforces this subpart? [INCORPORATED BY REFERENCE]

§ 63.11237 What definitions apply to this subpart? [INCORPORATED BY REFERENCE]

Regulatory Changes

Individual sources within this source group that are subject to 40 CFR Part 63 Subpart JJJJJJ shall comply with all applicable requirements of the Subpart. 40 CFR 63.13(a) requires submission of copies of all requests, reports and other communications to both the Department and the EPA. The EPA copies shall be forwarded to:

Associate Director
United States Environmental Protection Agency
Region III, Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

Unless otherwise approved by DEP, the DEP copies shall be reported through the Department's Greenport PUP system available through:

<https://greenport.pa.gov/ePermitPublicAccess/PublicSubmission/Home>

In the event that the Federal Subpart that is the subject of this Source Group is revised, the permittee shall comply with the revised version of the subpart, and shall not be required to comply with any provisions in this permit designated as having the subpart as their authority, to the extent that such permit provisions would be inconsistent with the applicable provisions of the revised subpart.



SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this State Only facility.



SECTION G. Emission Restriction Summary.

No emission restrictions listed in this section of the permit.

**SECTION H. Miscellaneous.**

#001

This permit supersedes State-Only Operating Permit No. 36-03209, issued 12/10/19.

#002

The following sources have been exempted from work practice standards, testing, monitoring, record keeping, and reporting requirements:

- The fine and coarse milling operations, which are controlled by a cyclone and baghouse. Reference RFD 2081.



***** End of Report *****
