



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

STATE ONLY NATURAL MINOR OPERATING PERMIT

Issue Date: October 21, 2024

Effective Date: February 1, 2025

Expiration Date: January 31, 2030

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: 22-03099

Natural Minor

Federal Tax Id - Plant Code: 23-0691590-12

Owner Information

Name: HERSHEY CO
Mailing Address: 19 E CHOCOLATE AVE
HERSHEY, PA 17033-1314

Plant Information

Plant: HERSHEY CO/WWTP
Location: 22 Dauphin County 22912 Derry Township
SIC Code: 4953 Trans. & Utilities - Refuse Systems

Responsible Official

Name: TIMOTHY LEH
Title: DIR, BLDG SERVICES
Phone: (717) 534 - 4368 Email: tleh@hersheys.com

Permit Contact Person

Name: ANDREW HOCK
Title: MAINTENANCE MGR
Phone: (717) 350 - 6287 Email: ahock@hersheys.com

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



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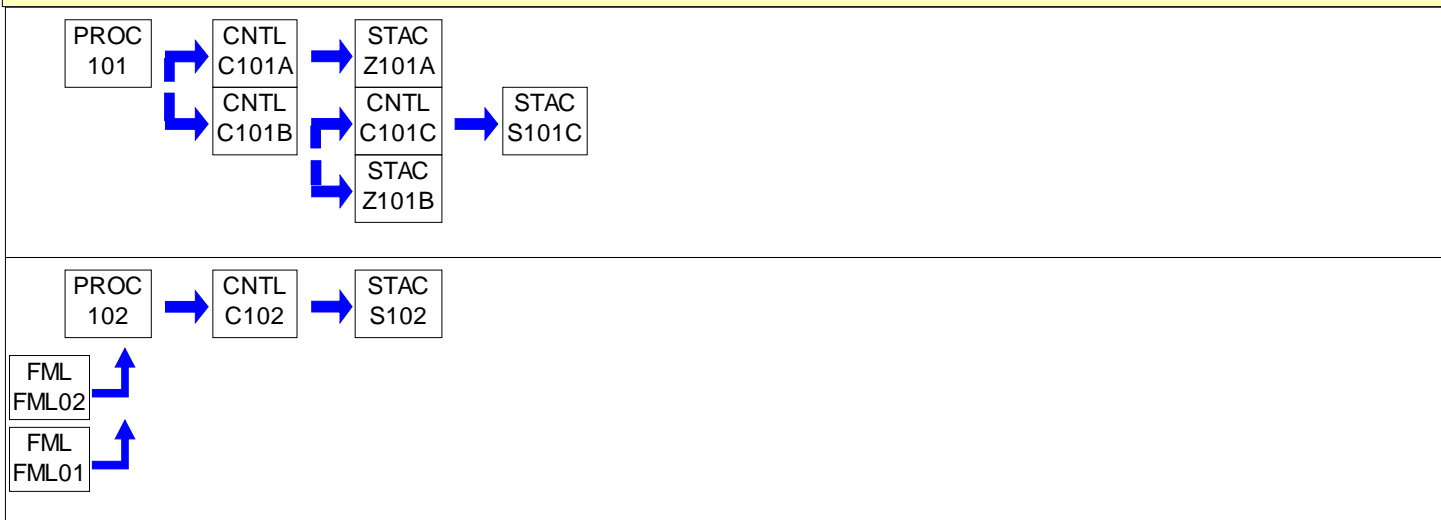
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Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	WWTP OPERATIONS		
102	1153 HP CHP ENGINE	10.901 MCF/HR	DIGESTER GAS
		8.016 MCF/HR	Natural Gas
C101A	BIOAIR SCRUBBER		
C101B	SULFOTHANE H2S SCRUBBER		
C101C	ENCLOSED FLARE		
C102	CO CATALYST		
FML01	DIGESTER GAS		
FML02	NATURAL GAS		
S101C	FLARE STACK		
S102	CHP ENGINE STACK		
Z101A	BIOAIR VENTS		
Z101B	SULFOTHANE FUGITIVES		

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:

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- (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)

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(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:

- (a) Construction or demolition of buildings or structures.
- (b) Grading, paving and maintenance of roads and streets.
- (c) 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.
- (d) Clearing of land.
- (e) Stockpiling of materials.
- (f) Open burning operations.
- (g) Sources and classes of sources other than those identified in part (a) through (f), 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:
 - (1) The emissions are of minor significance with respect to causing air pollution; and
 - (2) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air 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:

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

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

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

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

**SECTION C. Site Level Requirements****II. TESTING REQUIREMENTS.****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) Unless otherwise approved in writing by DEP, the permittee shall:

(1) Conduct performance tests in accordance with 25 Pa Code Section 139 and the Department's Source Testing Manual and any applicable federal regulations.

(2) Submit to DEP a test protocol for review and approval within 120 days of commencing an emissions testing program, and not conduct the test that is the subject of the protocol until the protocol has been approved by DEP.

(3) If DEP finds deficiencies in the protocol, the permittee shall provide a response to DEP addressing the deficiencies within 30 days of being notified of the deficiencies.

(4) Complete the performance test within 120 days of DEP's approval of the test protocol.

(b) Pursuant to 25 Pa. Code § 139.3 at least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the appropriate Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 25 Pa. Code Section 139.53(a)(3) within 15 calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring and the appropriate Regional Office indicating the completion date of the on-site testing.

(d) Pursuant to 40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g) a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test

(e) Pursuant to 25 Pa. Code Section 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

(1) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

(2) Permit number(s) and condition(s) which are the basis for the evaluation.

(3) Summary of results with respect to each applicable permit condition.

(4) Statement of compliance or non-compliance with each applicable permit condition.

(f) Pursuant to 25 Pa. Code § 139.3 to all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(g) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(h) Pursuant to 25 Pa. Code Section 139.53(a)(1) and 139.53(a)(3) all submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecommm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, one digital copy of each submittal shall be made to each of the following:

Regional Office:

Digital copy: RA-epscstacktesting@pa.gov



SECTION C. Site Level Requirements

Bureau of Air Quality:
Digital copy: RA-epstacktesting@pa.gov

(i) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.

III. MONITORING REQUIREMENTS.

007 [25 Pa. Code §123.43]

Measuring techniques

Visible emissions may be measured using either of the following:

- (a) A device approved by the Department and maintained to provide accurate opacity measurements.
- (b) Observers, trained and certified in EPA 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 emissions, and malodorous air contaminants. Monthly inspections are necessary to determine:

- (a) The presence of visible emissions as stated in Section C, Condition #004. Visible emissions may be measured according to the methods specified in Section C, Condition #007. Alternately, plant personnel who observe visible emissions may report the incident 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 emission beyond the plant property boundaries, as stated in Section C, Condition #002.
- (c) The presence of odorous 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 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) A description of the emissions and/or malodors observed and actions taken to mitigate them.
- (3) The date and time of the observation.
- (4) The wind direction during each observation.

V. REPORTING REQUIREMENTS.

010 [25 Pa. Code §127.441]

Operating permit terms and conditions.

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

**SECTION C. Site Level Requirements**

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 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 a source identified in Section C, Condition #001 from becoming airborne, as per §123.1(c). These actions shall include, but are not limited to, the following:

- (a) 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.
- (b) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (c) Paving and maintenance of roadways.
- (d) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earthmoving equipment, erosion by water, or other means.

VII. ADDITIONAL REQUIREMENTS.**# 012 [25 Pa. Code §129.14]****Open burning operations**

- (a) No person shall conduct open burning of materials in such 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 and property.
 - (4) The emissions cause damage to vegetation or property.
 - (5) The emissions are or may be deleterious to human or animal health.
- (b) These limits do not apply where the open burning operations result from the following:
 - (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) Any fire set for the propose 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 in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

**SECTION C. Site Level Requirements**

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

(6) 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.

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.

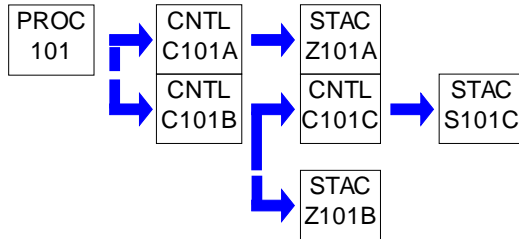
No compliance milestones exist.

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: WWTP OPERATIONS

Source Capacity/Throughput:

**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.**# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall maintain instrumentation (differential manometer or equivalent) to measure and display the pressure differential across the Sulfothane H₂S Scrubber (Control ID C101B).

IV. RECORDKEEPING REQUIREMENTS.**# 002 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Unless otherwise approved by the Department in writing, the permittee shall record the following:

(a) The concentration of H₂S in the digester gas exiting the Sulfothane H₂S Scrubber (Control ID C101B) once per week while Source ID 101 is operating. Sampling shall be conducted using Draeger Tubes or equivalent.

(b) The pressure differential across the Sulfothane H₂S Scrubber (Control ID C101B) once per week while Source ID 101 is operating.

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

(a) Control ID C101C, Enclosed Flare, shall be:

**SECTION D. Source Level Requirements**

- (1) Equipped with an automatic pilot ignition source.
- (2) Equipped with a flame detection device.
- (3) Equipped with an automatic shut-off mechanism designed to immediately stop the flow of gases when a flame-out occurs.
- (4) Operated with no visible emissions

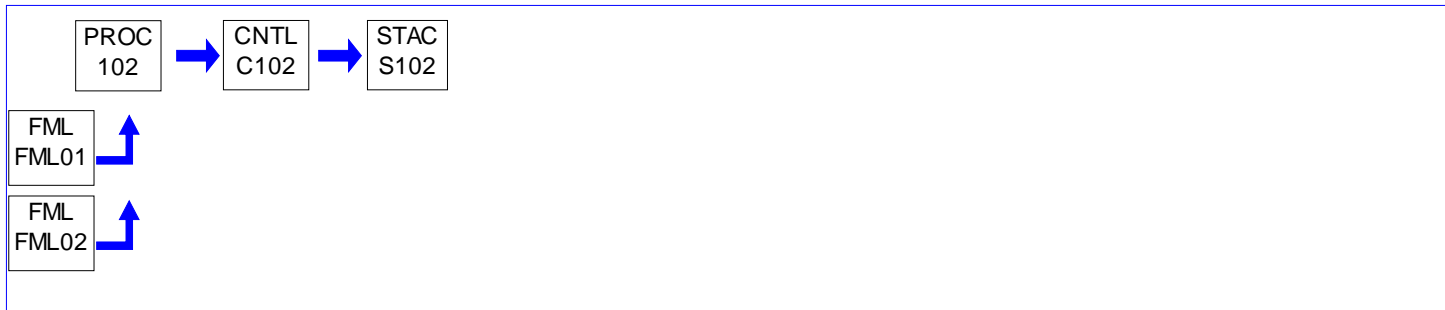
**SECTION D. Source Level Requirements**

Source ID: 102

Source Name: 1153 HP CHP ENGINE

Source Capacity/Throughput:	10.901 MCF/HR	DIGESTER GAS
	8.016 MCF/HR	Natural Gas

Conditions for this source occur in the following groups: GRP01

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

The permittee may not permit the emission into the outdoor atmosphere of particulate matter (PM) from any source in a manner that the particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot.

002 [25 Pa. Code §123.21]**General**

No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO₂, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

003 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

(a) Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code Section 127.1, the permittee shall not allow the emission of air pollutants into the outdoor atmosphere from Source ID 102 in excess of the following limits:

- (1) CO - 0.4 g/bhP-hr
- (2) NO_x - 0.5 g/bhP-hr
- (3) VOC - 0.25 g/bhP-hr
- (4) Particulate (PM₁₀) (filterable & condensable) - 0.15 g/hp-hr
- (5) Visible emissions shall not exceed either of the following:
 - (i) Equal to or greater than 10 percent for a period or periods aggregating more than three (3) minutes in any one (1)-hour; and
 - (ii) Equal to or greater than 30 percent at any time.

(b) The emission limitations specified in (a) above shall apply at all times except during periods of start-up and shut-down provided that the duration of start-up and shut down does not exceed 30 minutes per occurrence. The owner or operator shall operate the engine in a manner consistent with good air pollution control practices for minimizing emissions at all times, including periods of startup and shutdown. The emissions from start-up and shut-down shall be included in the 12-month rolling sum of emissions. The owner or operator of the engine shall comply with all applicable start-up and shutdown requirements in accordance with 40 CFR Part 60, Subpart JJJJ and 40 CFR Part 63, Subpart ZZZZ.

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).

**SECTION D. Source Level Requirements****III. MONITORING REQUIREMENTS.****# 004 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The engine shall be equipped with a non-resettable hour meter.

005 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

(a) Unless otherwise approved in writing by DEP, the permittee shall conduct periodic monitoring annually for NO_x and CO emissions to verify that the engine is in compliance with the limits in Condition #003, above. If a Department-approved test has been performed within 45 calendar days prior to the scheduled periodic monitoring, this test may be used in lieu of the periodic monitoring for that time period.

(b) A portable gas analyzer may be used to satisfy the requirements of this condition utilizing three 20-minute test runs. The Department may alter the frequency of portable analyzer tests based on the results. The portable gas analyzer shall be maintained according to the manufacturer's specifications and the procedures specified in ASTM D 6522 or equivalent as approved by the Department. The Department may also waive all or parts of this requirement if the owner or operator demonstrates compliance, in lieu of testing, through alternate means satisfactory to the Department.

IV. RECORDKEEPING REQUIREMENTS.**# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The owner or operator shall record the following monthly:

- (1) The number of hours the engine is operated,
- (2) The amount of digester gas combusted in the engine.
- (3) The amount of natural gas combusted in the engine.

(b) The records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

007 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall record each start-up, shut down, and malfunction of the IC engine. The record shall include the date, time, duration and type of event.

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

When the engine is not operating, all digester gas from the Sulfothane H₂S Scrubber (Source ID C101B) shall be directed and combusted in the flare (Control ID C101C).

VII. ADDITIONAL REQUIREMENTS.

No additional 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).

**SECTION E. Source Group Restrictions.**

Group Name: GRP01

Group Description: 40 CFR 60, Subpart JJJJ Engine(s)

Sources included in this group

ID	Name
102	1153 HP CHP ENGINE

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

Regulatory Changes

Individual sources within this source group that are subject to 40 CFR Part 60 Subpart JJJJ 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

**SECTION E. Source Group Restrictions.**

the subpart as their authority, to the extent that such permit provisions would be inconsistent with the applicable provisions of the revised subpart.

**# 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4230]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
Am I subject to this subpart?**

60.4230(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (5) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

60.4230(a)(1) [NA - NOT AN ENGINE MANUFACTURER]

60.4230(a)(2) [NA - NOT AN ENGINE MANUFACTURER]

60.4230(a)(3) [NA - NOT AN ENGINE MANUFACTURER]

60.4230(a)(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

60.4230(a)(4)(i) [NA - LEAN BURN ENGINE]

60.4230(a)(4)(ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

60.4230(a)(4)(iii) [NA - NON-EMERGENCY ENGINE >500 HP]

60.4230(a)(4)(iv) [NA - NO EMERGENCY ENGINES]

60.4230(a)(5) [NA - ENGINE(S) NOT MODIFIED OR RECONSTRUCTED]

60.4230(a)(6) The provisions of § 60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

60.4230(b) [NA - ENGINE TEST CELL NOT RELEVANT HERE]

60.4230(c) 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 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

60.4230(d) [NA - UNIT NOT GASOLINE FUELED]

60.4230(e) [NA - NO NATIONAL SECURITY EXEMPTION]

60.4230(f) [NA - NOT A TEMPORARY REPLACEMENT UNIT]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011; 86 FR 34360, June 29, 2021]

**# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4231]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
stationary SI internal combustion engines or equipment containing such engines?**

[NA - NOT AN ENGINE MANUFACTURER]

**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4232]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
How long must my engines meet the emission standards if I am a manufacturer of stationary SI internal combustion engines?**

**SECTION E. Source Group Restrictions.**

[NA - NOT AN ENGINE MANUFACTURER]

**# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4233]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?**

60.4233(a) [NA - UNIT >25 HP]

60.4233(b) [NA - UNIT DOES NOT BURN GASOLINE]

60.4233(c) [NA - UNIT DOES NOT BURN LPG]

60.4233(d) [NA - UNIT >100 HP]

60.4233(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

TABLE 1 REQUIREMENTS:

Table 1 to Subpart JJJJ of Part 60—NOX, CO, and VOC Emission Standards for Stationary Non-Emergency SI Engines >=100 HP (Except Gasoline and Rich Burn LPG), Stationary SI Landfill/Digester Gas Engines, and Stationary Emergency Engines >25 HP

Engine type and fuel: Landfill/Digester Gas Lean Burn

Maximum engine power: HP >= 500

Manufacture date: 7/1/2010

Emission standards:

NOx: 2.0 (g/HP-hr) [150 ppmvd @ 15% O₂]

CO: 5.0 (g/HP-hr) [610 ppmvd @ 15% O₂]

VOC*: 1.0 (g/HP-hr) [80 ppmvd @ 15% O₂]

Engine type and fuel: Non-Emergency SI Natural Gas

Maximum engine power: HP >= 500

Manufacture date: 7/1/2010

Emission standards:

NOx: 1.0 (g/HP-hr) [82 ppmvd @ 15% O₂]

CO: 2.0 (g/HP-hr) [270 ppmvd @ 15% O₂]

VOC*: 0.7 (g/HP-hr) [60 ppmvd @ 15% O₂]

*For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included

END OF TABLE 1 REQUIREMENTS

60.4233(f) [NA - UNIT NOT MODIFIED OR RECONSTRUCTED]

60.4233(g) [NA - STATIONARY WELLHEAD GAS NOT USED]

60.4233(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

**SECTION E. Source Group Restrictions.**

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4234]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?**

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in § 60.4233 over the entire life of the engine.

**# 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4235]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?**

[NA - UNIT DOES NOT BURN GASOLINE]

**# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4236]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
What is the deadline for importing or installing stationary SI ICE produced in the previous model year?**

60.4236(a) After July 1, 2010, owners and operators may not install stationary SI ICE with a maximum engine power of less than 500 HP that do not meet the applicable requirements in § 60.4233.

60.4236(b) After July 1, 2009, owners and operators may not install stationary SI ICE with a maximum engine power of greater than or equal to 500 HP that do not meet the applicable requirements in § 60.4233, except that lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP that do not meet the applicable requirements in § 60.4233 may not be installed after January 1, 2010.

60.4236(c) For emergency stationary SI ICE with a maximum engine power of greater than 19 KW (25 HP), owners and operators may not install engines that do not meet the applicable requirements in § 60.4233 after January 1, 2011.

60.4236(d) In addition to the requirements specified in § 60.4231 and 60.4233, it is prohibited to import stationary SI ICE less than or equal to 19 KW (25 HP), stationary rich burn LPG SI ICE, and stationary gasoline SI ICE that do not meet the applicable requirements specified in paragraphs (a), (b), and (c) of this section, after the date specified in paragraph (a), (b), and (c) of this section.

60.4236(e) The requirements of this section do not apply to owners and operators of stationary SI ICE that have been modified or reconstructed, and they do not apply to engines that were removed from one existing location and reinstalled at a new location.

[Amended at 76 FR page 37974, June 28, 2011]

**# 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4237]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?**

[NA - NO EMERGENCY ENGINES]

**# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4243]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?**

60.4243(a) [NA - NOT SUBJECT TO § 60.4233(a) THROUGH (c)]

60.4243(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

60.4243(b)(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

**SECTION E. Source Group Restrictions.**

60.4243(b)(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in § 60.4233(d) or (e) and according to the requirements specified in § 60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

60.4243(b)(2)(i) [NA - ENGINE > 500 HP]

60.4243(b)(2)(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance. [INITIAL PERFORMANCE TEST CONDUCTED ON 4/16/19]

60.4243(c) [NA - NOT SUBJECT TO § 60.4233(f)]

60.4243(d) [NA - NOT AN EMERGENCY ENGINE]

60.4243(e) Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of § 60.4233.

60.4243(f) [NA - ENGINE > 500 HP]

60.4243(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

60.4243(h) [NA - ENGINE MANUFACTURED AFTER 7/1/2008]

60.4243(i) [NA - NOT A MODIFIED OR RECONSTRUCTED SI ICE]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4244]

Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

60.4244(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

60.4244(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

60.4244(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

60.4244(d) To determine compliance with the NOX mass per unit output emission limitation, convert the concentration of NOX in the engine exhaust using Equation 1 of this section:

**SECTION E. Source Group Restrictions.**

$$ER = (Cd \times 1.912 \times 10^{-3} \times Q \times T) / \text{HP-hr}$$

Where:

ER = Emission rate of NOX in g/HP-hr.

Cd= Measured NOX concentration in parts per million by volume (ppmv).

1.912×10^{-3} = Conversion constant for ppm NOX to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, horsepower-hour (HP-hr).

60.4244(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

$$ER = (Cd \times 1.164 \times 10^{-3} \times Q \times T) / \text{HP-hr}$$

Where:

ER = Emission rate of CO in g/HP-hr.

Cd= Measured CO concentration in ppmv.

1.164×10^{-3} = Conversion constant for ppm CO to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

60.4244(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

$$ER = (Cd \times 1.833 \times 10^{-3} \times Q \times T) / \text{HP-hr}$$

Where:

ER = Emission rate of VOC in g/HP-hr.

Cd= VOC concentration measured as propane in ppmv.

1.833×10^{-3} = Conversion constant for ppm VOC measured as propane, to grams per standard cubic meter at 20 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meters per hour, dry basis.

T = Time of test run, in hours.

HP-hr = Brake work of the engine, in HP-hr.

60.4244(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

$$RF_i = CM_i / CA_i$$

Where:

RF_i= Response factor of compound i when measured with EPA Method 25A.

CM_i= Measured concentration of compound i in ppmv as carbon.

CA_i= True concentration of compound i in ppmv as carbon.

$$C_{i\text{corr}} = RF_i \times C_{i\text{meas}}$$

Where:

C_icorr= Concentration of compound i corrected to the value that would have been measured by EPA Method 25A, ppmv as carbon.

C_imeas= Concentration of compound i measured by EPA Method 320, ppmv as carbon.

**SECTION E. Source Group Restrictions.**

$$C_{Peq} = 0.6098 \times C_{icorr}$$

Where:

C_{Peq} = Concentration of compound i in mg of propane equivalent per DSCM.

012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4245]

Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

60.4245(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

60.4245(a)(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

60.4245(a)(2) Maintenance conducted on the engine.

60.4245(a)(3) [NA - ENGINE NOT CERTIFIED]

60.4245(a)(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards.

60.4245(b) [NA - NOT AN EMERGENCY SI ICE]

60.4245(c) [NA - INITIAL NOTICE ALREADY SUBMITTED]

60.4245(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference—see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7.

60.4245(e) [NA - NOT AN EMERGENCY SI ICE]

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 78 FR 6697, Jan. 30, 2013; 81 FR 59809, Aug. 30, 2016; 86 FR 34362, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4246]

Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

What parts of the General Provisions apply to me?

60.4246(a) Click to open paragraph tools Table 3 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

60.4246(b) The provisions of 40 CFR 1068.10 and 1068.11 apply for engine manufacturers. For others, the general confidential business information (CBI) provisions apply as described in 40 CFR part 2.

[88 FR 4471, Jan. 24, 2023]



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. 22-03099, issued on 1/6/20.

#002

The following sources and activities are not subject to any specific work practice standards, testing, monitoring, recordkeeping, or reporting requirements:

- one (1) 0.399 mmBtu/hr natural gas fired boiler



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