



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM

STATE ONLY OPERATING PERMIT

Issue Date: November 28, 2012

Effective Date: December 1, 2012

Expiration Date: November 30, 2017

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: 50-03003

Federal Tax Id - Plant Code: 23-6050621-2

Owner Information

Name: NEWPORT SCH DIST  
Mailing Address: PO BOX 9  
NEWPORT, PA 17074-0009

Plant Information

Plant: NEWPORT AREA SCH DIST/NEWPORT ELEM SCH  
Location: 50 Perry County 50918 Newport Borough  
SIC Code: 8211 Services - Elementary And Secondary Schools

Responsible Official

Name: NORMAN E SHEA  
Title: SUPERINTENDENT  
Phone: (717) 567 - 2501

Permit Contact Person

Name: JOSEPH W STROUP  
Title: DIRECTOR OF EDUCATION SER  
Phone: (717) 567 - 2612

[Signature] \_\_\_\_\_  
WILLIAMR. WEAVER, SOUTHCENTRAL REGION AIR PROGRAM MANAGER

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Note: These same sub-sections are repeated for each source!

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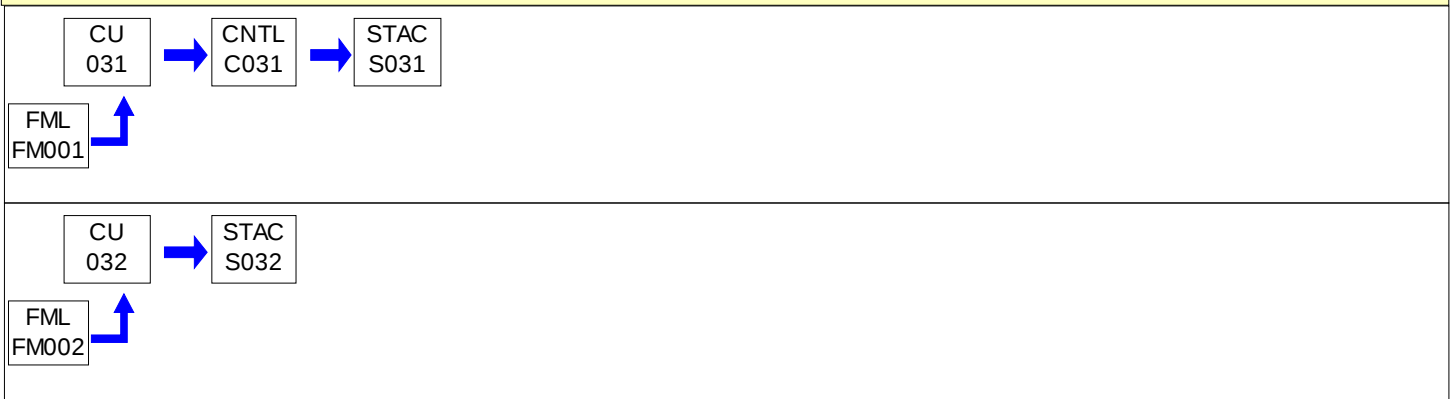
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| Source ID | Source Name         | Capacity/Throughput | Fuel/Material   |
|-----------|---------------------|---------------------|-----------------|
| 031       | BURNHAM COAL BOILER | 4.600 MMBTU/HR      |                 |
|           |                     | 370.000 Lbs/HR      | ANTHRACITE COAL |
| 032       | BURNHAM OIL BOILER  | 4.500 MMBTU/HR      |                 |
|           |                     | 33.000 Gal/HR       | #2 Oil          |
| C031      | COAL DROPOUT BOX    |                     |                 |
| FM001     | ANTHRACITE COAL     |                     |                 |
| FM002     | NO 2 FUEL OIL TANK  |                     |                 |
| S031      | COAL BOILER STACK   |                     |                 |
| S032      | OIL 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)&(c)]

#### 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 and an additional annual administrative fee as specified in 25 Pa. Code § 127.703(b) and (c). The fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund" and shall be for the amount specified in the following schedule specified in 25 Pa. Code § 127.703(b) and (c).
  - (1) Three hundred dollars for applications filed during the 2000-2004 calendar years.
  - (2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.
- (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 fees according to the following schedule specified in 25 Pa. Code § 127.703(b):
  - (1) Three hundred dollars for applications filed during the 2000-2004 calendar years.
  - (2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.

This fee schedule shall apply to the processing of an application for an operating permit as well as the extension,

## SECTION B. General State Only Requirements

modification, revision, renewal, and re-issuance of each operating permit or part thereof.

(b) The permittee shall pay an annual operating permit administrative fee according to the fee schedule established in 25 Pa. Code § 127.703(c).

(1) Two hundred fifty dollars for applications filed during the 1995-1999 calendar years.

(2) Three hundred dollars for applications filed during the 2000-2004 calendar years.

(3) Three hundred seventy-five dollars for applications filed during the years beginning in 2005.

(c) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund".

### #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

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a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one or more of the following:

- (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]

#### Operating Permit Modifications

- (a) The permittee is authorized to make administrative amendments, minor operating permit modifications and

## SECTION B. General State Only Requirements

significant operating permit modifications, under this permit, as outlined below:

(b) Administrative Amendments. The permittee shall make 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 make minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Permit modifications which do not qualify as minor permit modifications under 25 Pa. Code § 127.541 will be treated as a significant operating permit revision subject to the public notification procedures in §§ 127.424 and 127.425.

### #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<sub>x</sub> from a single source during the term of the permit and 5 tons of NO<sub>x</sub> 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 PM<sub>10</sub> from a single source during the term of the permit and 3.0 tons of PM<sub>10</sub> 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 § 127.11]

#### Reactivation

(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 C. Site Level Requirements

### I. RESTRICTIONS.

#### Emission Restriction(s).

##### # 001 [25 Pa. Code §123.1]

##### **Prohibition of certain fugitive emissions**

No person shall permit the emission into the outdoor atmosphere of any fugitive air contaminant from a source other than the following:

- (a) Construction or demolition of a building or structure.
- (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 material.
- (f) Sources and classes of sources other than those identified above, for which the operator has obtained a determination from the Department, in accordance with 25 Pa. Code Section 123.1(b), 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.
  - (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**

No person shall emit particulate matter into the outdoor atmosphere from a source specified in Condition # 001 if the emissions are visible at the point the emissions pass outside the person's property.

##### # 003 [25 Pa. Code §123.31]

##### **Limitations**

No person shall permit 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 property of the person on whose land the source is being operated.

##### # 004 [25 Pa. Code §123.41]

##### **Limitations**

No person shall permit 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% for a period or periods aggregating more than three minutes in any 1 hour.
- (b) Equal to or greater than 60% at any time.

##### # 005 [25 Pa. Code §123.42]

##### **Exceptions**

The emission limitation of 25 Pa. Code Section 123.41 shall not apply when:

- (a) The presence of uncombined water is the only reason for failure of the emission to meet the limitation.
- (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.

The Department reserves the right to require exhaust stack testing of the sources referenced in this permit as necessary during the permit term to verify emissions for purposes including emission fees, malfunctions or permit condition violations.

### 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.
- 2) Observers, trained and certified, to measure plume opacity with the naked eye or with the aid of devices approved by the Department.

#### # 008 [25 Pa. Code §127.441]

##### Operating permit terms and conditions.

The permittee shall conduct a monthly inspection around the facility periphery during daylight hours when the boilers are in operation to detect visible emissions, fugitive visible emissions and malodors as follows:

- (a) Visible emissions in excess of the limits stated in Section C, Condition # 004. Visible emissions may be measured according to the methods specified in Section C, Condition # 007, or alternately, plant personnel who observe such emissions may report the incidence of visible emissions to the Department within two hours of each incident and make arrangements for a certified observer to verify the visible emissions.
- (b) The presence of fugitive visible emissions 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.

All records required by this operating permit and subsequent issuances shall be maintained for the most recent five-year period and made available to Department representatives upon request.

#### # 010 [25 Pa. Code §127.441]

##### Operating permit terms and conditions.

The permittee shall maintain a logbook and record, on a monthly basis during the months the boilers are in operation, instances of odorous air emissions, fugitive visible emissions and instances of visible emissions, the name of the facility representative monitoring each instance, the date and time of each occurrence, and the wind direction during each instance.

### V. REPORTING REQUIREMENTS.

#### # 011 [25 Pa. Code §127.442]

##### Reporting requirements.

- a) The owner or operator shall report each malfunction to the Department that occurs at this facility. For purposes of this condition, a malfunction is defined as 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 may result in an increase in air emissions.
- b) When the malfunction poses an imminent and substantial danger to the public health and safety or harm to the environment, the notification shall be submitted to the Department no later than two hours after the incident is detected by

## SECTION C. Site Level Requirements

the company.

- (1) The notice shall describe the:
  - (i) name and location of the facility;
  - (ii) nature and cause of the malfunction or breakdown;
  - (iii) time when the malfunction or breakdown was first observed;
  - (iv) expected duration of excess emissions; and
  - (v) estimated rate of emissions.

- (2) The owner or operator shall notify the Department immediately when corrective measures have been accomplished.

(3) Subsequent to the malfunction, the owner or operator shall submit a full report of the malfunction to the Department within 15 days, if requested.

(4) The owner or operator shall submit reports on the operation and maintenance of the source to the Regional Air Program Manager at such intervals and in such form and detail as may be required by the Department. Information required in the reports may include, but is not limited to, process weight rates, firing rates, hours of operation, and maintenance schedules.

c) Malfunctions shall be reported to the Department at the following address:

PADEP  
Air Quality Program  
909 Elmerton Avenue  
Harrisburg, PA 17110

Telephone reports can be made to the Air Quality Program at (717) 705-4702 during normal business hours or the Department's Emergency Hotline at (877) 333-1904.

### # 012 [25 Pa. Code §135.4]

#### Report format

All source reports shall contain sufficient information to enable the Department to complete its emission inventory. Source reports shall be made by the source owner or operator in a format specified by the Department.

## 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.

### # 013 [25 Pa. Code §123.1]

#### Prohibition of certain fugitive emissions

The permittee shall take all reasonable actions to prevent particulate matter from the sources identified in Section C, Condition # 001(a) through (e) from becoming airborne. 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 create 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 earth moving equipment, erosion by water, or other means.

## SECTION C. Site Level Requirements

### # 014 [25 Pa. Code §127.441]

#### Operating permit terms and conditions.

Operation of any air emissions source is contingent upon proper operation of its associated emissions control system, unless otherwise approved by the Department.

### # 015 [25 Pa. Code §127.441]

#### Operating permit terms and conditions.

All air pollution sources and air pollution control devices referenced in this permit shall be operated and maintained in accordance with the manufacturer's general recommendations and good air pollution control practices.

### # 016 [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) Exceptions. The requirements of Subsection (a) 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) Any 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 in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

(5) A fire set for the purpose of burning domestic refuse, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of the structure.

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

(7) 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: 031

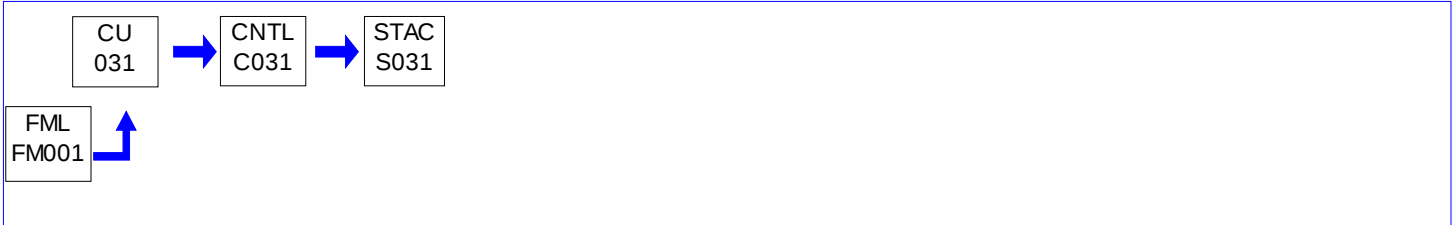
Source Name: BURNHAM COAL BOILER

Source Capacity/Throughput: 4.600 MMBTU/HR

370.000 Lbs/HR

ANTHRACITE COAL

Conditions for this source occur in the following groups: 001EXISTING BOILERS



### I. RESTRICTIONS.

#### Emission Restriction(s).

# 001 [25 Pa. Code §123.11]

##### Combustion units

No person shall permit the emission into the outdoor atmosphere of Particulate Matter (PM) from the source in excess of 0.4 pounds per million Btu of heat input.

# 002 [25 Pa. Code §123.22]

##### Combustion units

No person may permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO<sub>2</sub>, from a combustion unit in excess of the rate of 4 pounds per million Btu of heat input over any 1-hour period.

[Compliance with the above streamlined requirement assures compliance with the SIP-approved sulfur dioxide emission limit specified in 40 CFR 52.2020(c)(1).]

#### Fuel Restriction(s).

# 003 [25 Pa. Code §127.441]

##### Operating permit terms and conditions.

The sulfur content of the anthracite coal combusted in the boilers shall be less than or equal to 0.8%. Compliance with this limit may be demonstrated based on a certification from the coal supplier.

The permittee shall keep coal certification records on site for the most recent 5 year period and made available to the Department upon request.

### 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.

No additional monitoring 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).

### 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) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level 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) and/or Section E (Source Group Restrictions).

**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) and/or Section E (Source Group Restrictions).

**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 D. Source Level Requirements

Source ID: 032

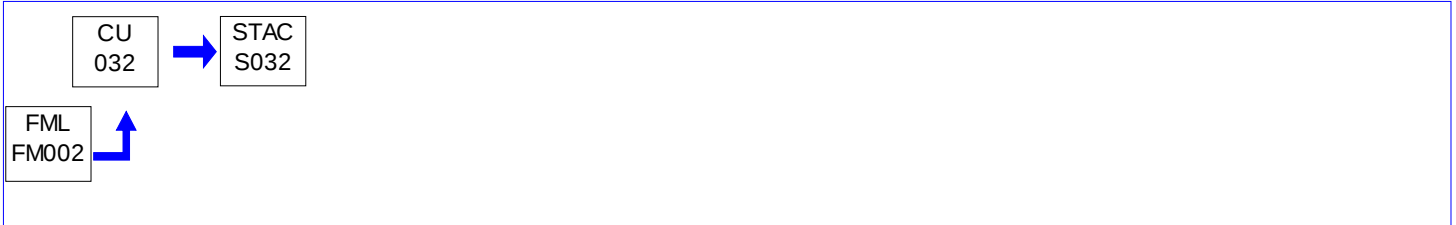
Source Name: BURNHAM OIL BOILER

Source Capacity/Throughput: 4.500 MMBTU/HR

33.000 Gal/HR

#2 Oil

Conditions for this source occur in the following groups: 001EXISTING BOILERS



### I. RESTRICTIONS.

#### Emission Restriction(s).

# 001 [25 Pa. Code §123.11]

##### Combustion units

No person shall permit the emission into the outdoor atmosphere of Particulate Matter (PM) from the source in excess of 0.4 pound per million Btu of heat input.

# 002 [25 Pa. Code §123.22]

##### Combustion units

No person may permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO<sub>2</sub>, from a combustion unit in excess of the rate of 4 pounds per million Btu of heat input over any 1-hour period.

[Compliance with the above streamlined requirement assures compliance with the SIP-approved sulfur dioxide emission limit specified in 40 CFR 52.2020(c)(1).]

#### Fuel Restriction(s).

# 003 [25 Pa. Code §127.441]

##### Operating permit terms and conditions.

The sulfur content of the No. 2 fuel oil fired in the boiler shall not exceed 0.5 percent by weight. Compliance with this limit may be demonstrated based on a certification from the fuel supplier.

The permittee shall keep fuel certification records on site for the most recent 5 year period and made available to the Department upon request.

### 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.

No additional monitoring 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).

### 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) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level 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) and/or Section E (Source Group Restrictions).

**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) and/or Section E (Source Group Restrictions).

**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: 001EXISTING BOILERS

Group Description: MACT Subpart JJJJJ

Sources included in this group

| ID  | Name                |
|-----|---------------------|
| 031 | BURNHAM COAL BOILER |
| 032 | BURNHAM OIL BOILER  |

### 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.

**# 001 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11225]**

**SUBPART JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

**What are my notification, reporting, and recordkeeping requirements?**

Sections 63.11225(a) and 63.11225(b) are found in Reporting Requirements.

63.11225(c) - You must maintain the records specified in paragraphs (c)(1) through (5) of this section.

63.11225(c)(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.

63.11225(c)(2) - You must keep records to document conformance with the work practices, emission reduction measures, and management practices required by § 63.11214 as specified in paragraphs (c)(2)(i) and (ii) of this section.

63.11225(c)(2)(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.

63.11225(c)(2)(ii) - Records documenting the fuel type(s) used monthly by each boiler, including, but not limited to, a description of the fuel, including whether the fuel has received a non-waste determination by you or EPA, and the total fuel usage amount with units of measure. If you combust non-hazardous secondary materials that have been determined not to be solid waste pursuant to § 241.3(b)(1), you must keep a record which documents how the secondary material meets each of the legitimacy criteria. If you combust a fuel that has been processed from a discarded non-hazardous secondary material pursuant to § 241.3(b)(4), you must keep records as to how the operations that produced the fuel satisfies the definition of processing in § 241.2. If the fuel received a non-waste determination pursuant to the petition process submitted under § 241.3(c), you must keep a record that documents how the fuel satisfies the requirements of the petition process.

63.11225(c)(3) - N/A - THERE IS NO COMPLIANCE DEMONSTRATION VIA FUEL ANALYSIS.

63.11225(c)(4) - Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.

63.11225(c)(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

## SECTION E. Source Group Restrictions.

pollution control, or monitoring equipment to its normal or usual manner of operation.

63.11225(c)(6) - N/A - 63.11221 AND 63.11222 ARE NOT APPLICABLE.

63.11225(c)(7) - N/A - THERE ARE NO BAG LEAK DETECTION SYSTEMS.

63.11225(d) - Your records must be in a form suitable and readily available for expeditious review, according to § 63.10(b)(1). As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each recorded action. You must keep each record onsite for at least 2 years after the date of each recorded action according to § 63.10(b)(1). You may keep the records off site for the remaining 3 years.

Sections 63.11225(e), 63.11225(f) and 63.11225(g) are found in Reporting Requirements.

## V. REPORTING REQUIREMENTS.

**# 002 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11225]**

**SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

**What are my notification, reporting, and recordkeeping requirements?**

63.11225(a) - You must submit the notifications specified in paragraphs (a)(1) through (a)(5) of this section to the delegated authority.

63.11225(a)(1) - You must submit all of the notifications in §§ 63.7(b): 63.8(e) and (f); 63.9(b) through (e); and 63.9(g) and (h) that apply to you by the dates specified in those sections.

63.11225(a)(2) - As specified in § 63.9(b)(2), you must submit the Initial Notification no later than 120 calendar days after May 20, 2011 or within 120 days after the source becomes subject to the standard. N/A (SUBMITTED ON SEPTEMBER 21, 2012.)

63.11225(a)(3) - N/A - PERFORMANCE STACK TEST IS NOT REQUIRED.

63.11225(a)(4) - You must submit the Notification of Compliance Status in accordance with § 63.9(h) no later than 120 days after the applicable compliance date specified in § 63.11196 unless you must conduct a performance stack test. If you must conduct a performance stack test, you must submit the Notification of Compliance Status within 60 days of completing the performance stack test. In addition to the information required in § 63.9(h)(2), your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

63.11225(a)(4)(i) - "This facility complies with the requirements in § 63.11214 to conduct an initial tune-up of the boiler."

63.11225(a)(4)(ii) - N/A - ENERGY ASSESSMENT IS NOT REQUIRED.

63.11225(a)(4)(iii) - N/A - THERE ARE NO BAG LEAK DETECTION SYSTEMS.

63.11225(a)(4)(iv) - 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."

63.11225(a)(5) - N/A - THE BOILERS HAVE NO APPLICABLE EMISSION LIMITS.

63.11225(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 a requirement to conduct a biennial tune-up according to § 63.11223(a) and not subject to emission limits or operating limits, you may prepare only a biennial compliance report as specified in paragraphs (b)(1) through (4) of this section, instead of a semi-annual compliance report.

63.11225(b)(1) - Company name and address.

63.11225(b)(2) - Statement by a responsible official, with the official's name, title, phone number, e-mail address, and

## SECTION E. Source Group Restrictions.

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.

63.11225(b)(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.

63.11225(b)(4) - N/A - THE BOILERS HAVE NO APPLICABLE EMISSION LIMITS.

Sections 63.11225(c) and 63.11225(d) are found in Recordkeeping Requirements.

63.11225(e) - N/A - PERFORMANCE STACK TEST IS NOT REQUIRED.

63.11225(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:

63.11225(f)(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.

63.11225(f)(2) - The currently applicable subcategory under this subpart.

63.11225(f)(3) - The date on which you became subject to the currently applicable emission limits.

63.11225(f)(4) - The date upon which you will commence combusting solid waste.

63.11225(g) - If you intend to switch fuels, and this fuel switch may result in the applicability of a different subcategory or a switch out of subpart JJJJJJ due to a switch to 100 percent natural gas, you must provide 30 days prior notice of the date upon which you will switch fuels. The notification must identify:

63.11225(g)(1) - The name of the owner or operator of the affected source, the location of the source, the boiler(s) that will switch fuels, and the date of the notice.

63.11225(g)(2) - The currently applicable subcategory under this subpart.

63.11225(g)(3) - The date on which you became subject to the currently applicable standards.

63.11225(g)(4) - The date upon which you will commence the fuel switch.

## VI. WORK PRACTICE REQUIREMENTS.

**# 003 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11201]**

**SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

**What standards must I meet?**

63.11201(a) - N/A - THE BOILERS ARE NOT SUBJECT TO ANY EMISSION LIMITS.

63.11201(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 the requirements in Table 2 to this subpart satisfies the energy assessment portion of this requirement. N/A (THE BOILERS HAVE HEAT INPUT LESS THAN 10 MILLION BTU/HR)

Per Table 2, the permittee shall conduct a tune-up of the boiler biennially as specified in 63.11223.

63.11201(c) - N/A - THE BOILERS ARE NOT SUBJECT TO ANY EMISSION LIMITS.

63.11201(d) - These standards apply at all times.

**# 004 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11205]**

**SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

## SECTION E. Source Group Restrictions.

### What are my general requirements for complying with this subpart?

63.11205(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.

63.11205(b) - N/A - THE MERCURY EMISSION LIMIT IS NOT APPLICABLE.

63.11205(c) - N/A - THERE ARE NO APPLICABLE EMISSION LIMITS.

### # 005 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11214]

#### SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources

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

63.11214(a) - If you own or operate an existing or new coal-fired boiler with a heat input capacity of less than 10 million Btu per hour, you must conduct a performance tune-up according to § 63.11223(b) and you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted a tune-up of the boiler.

63.11214(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 § 63.11223(b) and you must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted a tune-up of the boiler.

63.11214(c) - N/A - THE BOILERS HAVE HEAT INPUT CAPACITY LESS THAN 10 MILLION BTU/HR.

63.11214(d) - N/A - THE BOILERS HAVE NO APPLICABLE EMISSION LIMITS.

### # 006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11223]

#### SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources

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

63.11223(a) - For affected sources subject to the work practice standard or the management practices of a tune-up, you must conduct a biennial performance tune-up according to paragraphs (b) of this section and keep records as required in § 63.11225(c) to demonstrate continuous compliance. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up.

63.11223(b) - 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.

63.11223(b)(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, but you must inspect each burner at least once every 36 months).

63.11223(b)(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.

63.11223(b)(3) - Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly.

63.11223(b)(4) - Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available.

63.11223(b)(5) - Measure the concentrations in the effluent stream of carbon monoxide 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

## SECTION E. Source Group Restrictions.

basis, as long as it is the same basis before and after the adjustments are made).

63.11223(b)(6) - Maintain onsite and submit, if requested by the Administrator, biennial report containing the information in paragraphs (b)(6)(i) through (iii) of this section.

63.11223(b)(6)(i) - The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler.

63.11223(b)(6)(ii) - A description of any corrective actions taken as a part of the tune-up of the boiler.

63.11223(b)(6)(iii) - The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler.

63.11223(b)(7) - If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup.

63.11223(c) - N/A - THE BOILERS HAVE HEAT INPUT CAPACITY LESS THAN 10 MILLION BTU/HR.

## VII. ADDITIONAL REQUIREMENTS.

### # 007 [25 Pa. Code §127.441]

#### Operating permit terms and conditions.

In the event that the Federal Subpart that is the subject of this Source Group is revised by EPA, 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.

### # 008 [25 Pa. Code §127.441]

#### Operating permit terms and conditions.

On March 13, 2012 U.S. EPA issued a nation-wide "No Action Assurance Letter" to all owners and/or operators of existing industrial, commercial and institutional boilers at area sources that are subject to the requirement to conduct a tune-up by March 21, 2012 in 40 CFR Part 63, Subpart JJJJJJ (MACT Subpart JJJJJJ). This No Action Assurance was subsequently modified via a U.S. EPA memorandum dated July 18, 2012.

Specifically, the modified No Action Assurance establishes that U.S. EPA will exercise its enforcement discretion to not pursue enforcement action for failure to complete the initial tune-up identified in 40 CFR § 63.11196(a)(1) by the compliance date of March 21, 2012 subject to certain specified terms and conditions. The modified No Action Assurance also establishes that U.S. EPA will exercise its enforcement discretion to not pursue enforcement action for failure to complete a Notification of Compliance Status by the compliance date of July 19, 2012 regarding the initial tune-up, subject to certain specified terms and conditions.

This No Action Assurance applies only to the timeliness of the initial tune-up and to the timeliness of submission of a Notification of Compliance Status regarding the initial tune-up. Nothing in this No Action Assurance affects any other provisions in MACT Subpart JJJJJJ.

This exercise of discretion is subject to the following conditions:

The No Action Assurance is to remain in effect until either (1) 11:59 PM EDT, December 31, 2012 or (2) the effective date of a final rule addressing the proposed reconsideration of MACT Subpart JJJJJJ, whichever occurs earlier. U.S. EPA has proposed new deadlines for initial tune-ups in its proposed reconsideration of MACT Subpart JJJJJJ and, if the Agency takes final action to adopt those proposed deadlines, they will control.

U.S. EPA reserves the right to revoke or modify this No Action Assurance.

### # 009 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.1]

#### Subpart A--General Provisions

##### Applicability.

Source IDs 031 & 032 are subject to 40 CFR Part 63, Subpart JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The permittee shall comply with 40 CFR § 63.13(a), which requires submission of copies of all requests, reports, applications, submittals, and other communications

## SECTION E. Source Group Restrictions.

to both the U.S. Environmental Protection Agency (U.S. EPA) and the Department. The U.S. EPA copies shall be forwarded to:

Director  
Air Protection Division  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

The Department copies shall be forwarded to:

Regional Air Program Manager  
PA Department of Environmental Protection  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200

### # 010 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11193]

#### **SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources** **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.

### # 011 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11194]

#### **SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources** **What is the affected source of this subpart?**

63.11194(a) - This subpart applies to each new, reconstructed, or existing affected source as defined in paragraphs (a)(1) and (2) of this section.

63.11194(a)(1) - The affected source is the collection of all existing industrial, commercial, and institutional boilers within a subcategory (coal, biomass, oil), as listed in § 63.11200 and defined in § 63.11237, located at an area source.

63.11194(a)(2) - N/A - THE BOILERS ARE EXISTING SOURCES.

63.11194(b) - An affected source is an existing source if you commenced construction or reconstruction of the affected source on or before June 4, 2010.

63.11194(c) - N/A - THE BOILERS WERE CONSTRUCTED PRIOR TO JANUARY 1990.

63.11194(d) - N/A - UNLESS THE BOILERS SWITCH FUEL.

63.11194(e) - 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.

### # 012 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11196]

#### **SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources** **What are my compliance dates?**

63.11196(a) - If you own or operate an existing affected boiler, you must achieve compliance with the applicable provisions in this subpart as specified in paragraphs (a)(1) through (3) of this section.

63.11196(a)(1) - If the existing affected boiler is subject to a work practice or management practice standard of a tune-up, you must achieve compliance with the work practice or management standard no later than March 21, 2012.

## SECTION E. Source Group Restrictions.

63.11196(a)(2) - N/A - THE BOILERS ARE NOT SUBJECT TO EMISSIONS LIMITS.

63.11196(a)(3) - N/A - THE BOILERS ARE NOT SUBJECT TO THE ENERGY ASSESSMENT REQUIREMENT.

63.11196(b) - N/A - THE BOILERS ARE EXISTING AFFECTED SOURCES.

63.11196(c) - N/A - THE BOILERS ARE EXISTING AFFECTED SOURCES.

63.11196(d) - N/A - THE BOILERS ARE NOT SOLID WASTE INCINERATION UNITS.

**# 013 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11200]**

**SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

**What are the subcategories of boilers?**

The subcategories of boilers are coal, biomass, and oil. Each subcategory is defined in § 63.11237.

**# 014 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11210]**

**SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

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

63.11210(a) - N/A - THERE ARE NO APPLICABLE EMISSION LIMITS.

63.11210(b) - N/A - THERE ARE NO APPLICABLE EMISSION LIMITS.

63.11210(c) - For existing affected boilers that have applicable work practice standards, management practices, or emission reduction measures, you must demonstrate initial compliance no later than the compliance date that is specified in § 63.11196 and according to the applicable provisions in § 63.7(a)(2).

63.11210(d) - N/A - THE BOILERS ARE DEFINED AS EXISTING AFFECTED SOURCES.

63.11210(e) - N/A - THE BOILERS ARE NOT SOLID WASTE INCINERATION UNITS.

**# 015 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.11235]**

**SUBPART JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources**

**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.

**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.

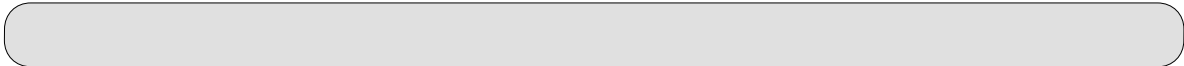
**SECTION G. Emission Restriction Summary.**

No emission restrictions listed in this section of the permit.

## **SECTION H. Miscellaneous.**

The following source is not subject to any specific work practice standards, testing, monitoring, recordkeeping, or reporting requirements:

- One (1), 150 kW, diesel fired emergency generator;
- Air conditioning and ventilation systems;
- Office equipment;
- Janitorial equipment;
- Plant maintenance (painting, welding, woodworking, cleaning, etc.);
- Mobile sources (trucks, forklifts, snow-blowers, etc.);
- Fuel oil, propane and other storage tanks;
- Emergency equipment (generators, lights, pumps, etc., and training);
- Materials handling and storage; and
- Laboratory/analytical activities.



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

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