



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM**

STATE ONLY NATURAL MINOR OPERATING PERMIT

Issue Date: July 26, 2022

Effective Date: July 26, 2022

Expiration Date: June 30, 2027

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: 32-00375

Natural Minor

Federal Tax Id - Plant Code: 25-1359034-16

Owner Information

Name: ROSEBUD MINING CO
Mailing Address: 301 MARKET ST
KITTANNING, PA 16201-1504

Plant Information

Plant: ROSEBUD MINING CO/LOWRY DEEP MINE
Location: 32 Indiana County 32937 White Township
SIC Code: 1241 Mining - Coal Mining Services

Responsible Official

Name: JAMES R. BARKER
Title: PRESIDENT
Phone: (724) 545 - 6222 Email: Jim.Barker@rosebudmining.com

Permit Contact Person

Name: JOHN J. ST. CLAIR
Title: MGR - PERMITTING
Phone: (724) 545 - 6222 Ext.225 Email: john.st.clair@rosebudmining.com

[Signature] _____
ERIC A. GUSTAFSON, NORTHWEST REGION AIR PROGRAM MANAGER



SECTION A. Table of Contents

Section A. Facility/Source Identification

Table of Contents
Site Inventory List

Section B. General State Only Requirements

- #001 Definitions.
- #002 Operating Permit Duration.
- #003 Permit Renewal.
- #004 Operating Permit Fees under Subchapter I.
- #005 Transfer of Operating Permits.
- #006 Inspection and Entry.
- #007 Compliance Requirements.
- #008 Need to Halt or Reduce Activity Not a Defense.
- #009 Duty to Provide Information.
- #010 Revising an Operating Permit for Cause.
- #011 Operating Permit Modifications
- #012 Severability Clause.
- #013 De Minimis Emission Increases.
- #014 Operational Flexibility.
- #015 Reactivation
- #016 Health Risk-based Emission Standards and Operating Practice Requirements.
- #017 Circumvention.
- #018 Reporting Requirements.
- #019 Sampling, Testing and Monitoring Procedures.
- #020 Recordkeeping.
- #021 Property Rights.
- #022 Alternative Operating Scenarios.
- #023 Reporting
- #024 Report Format

Section C. Site Level State Only Requirements

- C-I: Restrictions
- C-II: Testing Requirements
- C-III: Monitoring Requirements
- C-IV: Recordkeeping Requirements
- C-V: Reporting Requirements
- C-VI: Work Practice Standards
- C-VII: Additional Requirements
- C-VIII: Compliance Certification
- C-IX: Compliance Schedule

Section D. Source Level State Only Requirements

- D-I: Restrictions
- D-II: Testing Requirements
- D-III: Monitoring Requirements
- D-IV: Recordkeeping Requirements
- D-V: Reporting Requirements
- D-VI: Work Practice Standards
- D-VII: Additional Requirements

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

Section E. Source Group Restrictions

- E-I: Restrictions



SECTION A. Table of Contents

- E-II: Testing Requirements
- E-III: Monitoring Requirements
- E-IV: Recordkeeping Requirements
- E-V: Reporting Requirements
- E-VI: Work Practice Standards
- E-VII: Additional Requirements

Section F. Alternative Operating Scenario(s)

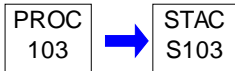
- F-I: Restrictions
- F-II: Testing Requirements
- F-III: Monitoring Requirements
- F-IV: Recordkeeping Requirements
- F-V: Reporting Requirements
- F-VI: Work Practice Standards
- F-VII: Additional Requirements

Section G. Emission Restriction Summary

Section H. Miscellaneous

**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	COAL PREPARATION PLANT	200.000 Tons/HR	
103	670 BHP CUMMINS DFEG EMERGENCY DIESEL ENGINE	38.000 Gal/HR	Diesel Fuel
C01	WATER SPRAYS / PRESSURIZED WATER TRUCK		
S103	EMERGENCY DIESEL ENGINE STACK		
Z101	FUGITIVE EMISSIONS		

PERMIT MAPS

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

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

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

- (a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.
- (b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

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

- (a) The permittee shall submit a timely and complete application for renewal of the operating permit to the appropriate Regional Air Program Manager. The application for renewal of the operating permit shall be submitted at least six (6) months and not more than 18 months before the expiration date of this permit.
- (b) The application for permit renewal shall include the current permit number, a description of any permit revisions that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.
- (c) The permittee shall submit with the renewal application a fee for the processing of the application as specified in 25 Pa. Code § 127.703(b). The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.
- (d) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413.
- (e) The application for renewal of the operating permit shall also include submission of supplemental compliance review forms in accordance with the requirements of 25 Pa. Code § 127.412(b) and § 127.412(j).
- (f) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information as necessary to address any requirements that become applicable to the source after the permittee submits a complete application, but prior to the date the Department takes action on the permit application.

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

- (a) The permittee shall pay the annual operating permit maintenance fee according to the following fee schedule in either paragraph (1) or (2) in accordance with 25 Pa. Code § 127.703(d) on or before December 31 of each year for the next calendar year.
- (1) For a synthetic minor facility, a fee equal to:
- (i) Four thousand dollars (\$4,000) for calendar years 2021—2025.
 - (ii) Five thousand dollars (\$5,000) for calendar years 2026—2030.
 - (iii) Six thousand three hundred dollars (\$6,300) for the calendar years beginning with 2031.

**SECTION B. General State Only Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION B. General State Only Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION B. General State Only Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION B. General State Only Requirements**

(1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.

(2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.

(3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code §123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.

(4) Space heaters which heat by direct heat transfer.

(5) Laboratory equipment used exclusively for chemical or physical analysis.

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

(e) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:

(1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (c)(4) and (5) of this permit condition.

(2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.

(3) Violate any applicable requirement of this permit, the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

(f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.

(g) Except for de minimis emission increases, installation of minor sources made pursuant to this permit condition and Plan Approval Exemptions under 25 Pa. Code § 127.14 (relating to exemptions), the permittee is prohibited from making changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

(h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

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

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

(1) Section 127.14 (relating to exemptions)

(2) Section 127.447 (relating to alternative operating scenarios)

(3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)

(4) Section 127.449 (relating to de minimis emission increases)

(5) Section 127.450 (relating to administrative operating permit amendments)

**SECTION B. General State Only Requirements**

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

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

#015 [25 Pa. Code § 127.11]**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 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 §121.7]****Prohibition of air pollution.**

No person may permit air pollution as that term is defined in the act.

002 [25 Pa. Code §123.1]**Prohibition of certain fugitive emissions**

(a) No person may permit the emission into the outdoor atmosphere of fugitive air contaminant from a source other than the following:

- (1) Construction or demolition of buildings or structures.
- (2) Grading, paving and maintenance of roads and streets.
- (3) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.

(4) Clearing of land.

(5) Stockpiling of materials.

(6) Open burning operations.

(7) - (8) N/A.

(9) Sources and classes of sources other than those identified in paragraphs (1)-(5), for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:

(i) the emissions are of minor significance with respect to causing air pollution; and

(ii) the emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

(b) An application form for requesting a determination under either subsection (a)(9) or 129.15(c) is available from the Department. In reviewing these applications, the Department may require the applicant to supply information including, but not limited to, a description of proposed control measures, characteristics of emissions, quantity of emissions, and ambient air quality data and analysis showing the impact of the source on ambient air quality. The applicant shall be required to demonstrate that the requirements of subsections (a)(9) and (c) and 123.2 (relating to fugitive particulate matter) or of the requirements of 129.15(c) have been satisfied. Upon such demonstration, the Department will issue a determination, in writing, either as an operating permit condition, for those sources subject to permit requirements under the act, or as an order containing appropriate conditions and limitations.

(c) See WORK PRACTICE REQUIREMENTS in this section of the permit.

(d) N/A.

003 [25 Pa. Code §123.2]**Fugitive particulate matter**

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in PA Code Title 25, Section 123.1 (a)(1) -- (9) (relating to prohibition of certain fugitive emissions) if such emissions are visible at the point the emissions pass outside the persons property.

004 [25 Pa. Code §123.31]**Limitations**

(a) Limitations are as follows:

**SECTION C. Site Level Requirements**

(1) - (2) N/A.

(b) A person may not 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.

(c) N/A.

005 [25 Pa. Code §123.41]**Limitations**

A person may not 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:

(1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.

(2) Equal to or greater than 60% at any time.

[Compliance with this condition is assured by conformance with Section C, Condition #002 and Source ID 103, Condition #001.]

006 [25 Pa. Code §129.14]**Open burning operations**

(a) AIR BASINS. N/A.

(b) OUTSIDE OF AIR BASINS. No person may permit the open burning of material in an area outside of air basins in a manner that:

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

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

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

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

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

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

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

(2) 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.

**SECTION C. Site Level Requirements**

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

(7) A fire set solely for cooking food.

(d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:

(1) As used in this subsection the following terms shall have the following meanings:

Air curtain destructor—A mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

Clearing and grubbing wastes—Trees, shrubs and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and dirt laden roots.

(2) N/A

(3) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:

(i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b).

(ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.

(4) During an air pollution episode, open burning is limited by Chapter 137 (relating to air pollution episodes) and shall cease as specified in that chapter.

[The Lowry Mine Coal Preparation Plant is not located in an air basin.]

[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.].

Throughput Restriction(s).

007 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Maximum throughput of the plant shall be limited to 800,000 tons of raw coal in any consecutive 12-month period, updated monthly.

[Authorization from plan approval 32-00375B]

II. TESTING REQUIREMENTS.

008 [25 Pa. Code §127.441]

Operating permit terms and conditions.

If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this Plan Approval may be in excess of the limitations specified in, or established pursuant to this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Such testing shall be conducted in accordance with Title 25 PA Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required.

009 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The operators of the Lowry Mine Coal Preparation Plant shall conduct upwind/downwind dustfall monitoring, should the Department request this sampling.

**SECTION C. Site Level Requirements****III. MONITORING REQUIREMENTS.****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Operators of the Lowry Mine Coal Preparation Plant shall observe and record the following:

1. Visible stack emissions
2. Malodors
3. Visible fugitive emissions

Of the plant, at least once per day, only on days when the facility is in operation. This observation does not require that it be performed by a person certified as a qualified observer for EPA Method 9 for Visual Determination of the Opacity of Emissions from Stationary Sources.

Should visible stack emissions, malodors, or visible fugitive emissions be observed, the permittee shall take immediate action to correct them.

Equipment at the plant shall not operate in violation of 25 Pa. Code §§123.1 and 123.2.

[Conformance with this condition will ensure compliance with the limitations and other requirements for opacity in 40 CFR Part 60, Subpart Y.]

[Authorization from plan approval 32-00375B per 25 Pa. Code 127.12b and SOOP issued on January 26, 2012]

IV. RECORDKEEPING REQUIREMENTS.**# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

All logs and required records shall be maintained on site for a minimum of five years and shall be made available to the Department upon request.

012 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain records of all visible stack, fugitive emission, and malodor surveys performed. The records shall include the date, time, name and title of the observer, whether emissions or malodors were observed, and any corrective action.

013 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The Owner/Operator shall maintain records of the following, on both a monthly and 12-month rolling total basis:

- a. Tons of raw coal processed at the Facility.
- b. Tons of clean coal shipped from the Facility by truck.
- c. Tons of oversize coal shipped from the Facility by truck.
- d. The number of hours of operation of the emergency diesel generator engine using a non-resettable hour meter.

Operation of water trucks and sweeper trucks onsite shall also be recorded. The record shall include date, time, area of operation, hours of operation of the water/sweeper truck and description of any maintenance to in plant roadways.

[These records shall be used to calculate emissions from the facility.]

[Authorization from plan approval 32-00375B per 25 Pa. Code 127.12b and SOOP issued on March 8, 2017]

014 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain a log of all dust control and road maintenance activities. The log shall include date, time, hours or mileage of the water truck and description of any maintenance activity to in-plant roadways.

**SECTION C. Site Level Requirements****# 015 [25 Pa. Code §135.5]****Recordkeeping**

Source owners or operators shall maintain and make available upon request by the Department records including computerized records that may be necessary to comply with 135.21 (relating to reporting; and emission statements). These 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. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed informed by indirect means.

V. REPORTING REQUIREMENTS.**# 016 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

- a. The Owner/Operator shall report to the Department each malfunction that may result in a potential exceedance of operating permit emission limits. For purposes of this condition, a malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control or process equipment, or, operating in a non-permitted manner.
- b. When the malfunction poses an imminent and substantial danger to the public health and safety, potential harm to the environment, or may result in citizen complaints, the Owner/Operator shall report the incident to the Department within one hour.
- c. The report shall describe the:
 - i. name and location of the facility;
 - ii. nature and cause of the malfunction;
 - iii. time when the malfunction or breakdown was first observed;
 - iv. expected duration of increased emissions; and
 - v. estimated rate of emissions.
- d. The Owner/Operator shall notify the Department immediately when corrective measures have been accomplished.
- e. Unless otherwise required by specific reporting requirements, any malfunction that is not subject to the notice requirements of subsection (b) of this permit condition shall be reported to the Department within 24 hours (or the next business day) of discovery by telephone and in writing within five days of discovery. The report shall contain the same information required by subsection (c).
- f. A detailed written report shall be submitted to the NWRO of the Department's Air Quality Program within 24 hours of the discovery during a business day or by 5:00 PM on the first business day after a weekend or holiday of any malfunction along with what corrective action the company has taken.
- g. Malfunctions shall be reported to the Department by OnBase Submittal, unless the Department directs otherwise:

OnBase Submittal

<http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

PA DEP

Northwest Regional Office

814-332-6945

**SECTION C. Site Level Requirements****VI. WORK PRACTICE REQUIREMENTS.****# 017 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(c) A person responsible for any source specified in subsections (a)(1) -- (7) or (9) shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be limited to, the following:

(1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.

(2) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.

(3) Paving and maintenance of roadways.

(4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

018 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

In-plant roads and areas of vehicle traffic shall be watered and swept, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with Title 25 PA Code §123.1 and §123.2. Other methods of dust control shall be used when weather conditions make in-plant road watering hazardous, as necessary, to prevent visible fugitive emissions from crossing the property line in accordance with Title 25 PA Code §123.1 and §123.2.

[Authorization from plan approval 32-00375B]

019 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Road watering and sweeping shall be performed on an as needed basis, and earth or other material transported from the site shall be removed promptly from the paved public road S 6th Street Extended (SR-954), as needed to prevent visible fugitive emissions in accordance with Title 25 PA Code §123.1(c).

[Authorization from plan approval 32-00375B]

020 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Coal shall be stockpiled in such a manner that it may be adequately wetted by the on-site pressurized water truck to control fugitive emissions.

[Authorization from plan approval 32-00375B]

021 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Each hopper, screen, and all transfer points shall be fully enclosed, in a building, or partially enclosed and equipped with water sprays. All coal shall be adequately wetted prior to, during, and after processing, as necessary, to control fugitive emissions.

[Authorization from plan approval 32-00375B]

022 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The Owner/Operator shall employ the use of existing vegetation as wind barriers around coal storage piles.

[Authorization from plan approval 32-00375B]

023 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

All conveyors and radial stackers shall be covered, except if located within 500 feet of a residence where total enclosure will be required.

**SECTION C. Site Level Requirements**

[Authorization from plan approval 32-00375B]

024 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The plant access road shall be paved for the first 500 feet and maintained so as to prevent fugitive emissions from crossing the property line. The remaining areas of vehicle traffic shall be paved or periodically delineated with gravel or crushed stone, as necessary to prevent fugitive emissions from crossing the property line.

[Authorization from plan approval 32-00375B]

025 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

All conveying equipment, radial stackers, and front-end loaders used to stockpile, transfer, and load coal shall maintain a minimal amount of drop height at all times so as to prevent fugitive emissions.

[Authorization from plan approval 32-00375B]

026 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

A road sweeper acceptable to the Department shall be available to the site and used, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with 25 Pa. Code §§123.1 and 123.2.

027 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Coal shall be stockpiled in such a manner that it may be adequately wetted by the on-site pressurized water truck to control fugitive emissions.

Each hopper, screen, and all transfer points shall be fully enclosed, in a building, or partially enclosed and equipped with water sprays. All coal shall be adequately wetted prior to, during, and after processing, as necessary, to control fugitive emissions.

The Owner/Operator shall employ the use of existing vegetation as wind barriers around coal storage piles.

All conveyors and radial stackers shall be covered, except if located within 500 feet of a residence where total enclosure will be required.

The plant access road shall be paved for the first 500 feet and maintained so as to prevent fugitive emissions from crossing the property line. The remaining areas of vehicle traffic shall be paved or periodically delineated with gravel or crushed stone, as necessary to prevent fugitive emissions from crossing the property line.

All conveying equipment, radial stackers, and front-end loaders used to stockpile, transfer, and load coal shall maintain a minimal amount of drop height at all times so as to prevent fugitive emissions.

028 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain a log of all dust control and road maintenance activities. The log shall include date, time, hours or mileage of the water truck and description of any maintenance activity to in-plant roadways.

029 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

All equipment shall be installed, maintained, and operated in accordance with manufacturers specifications and good air pollution control practices.

030 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall post the following:

**SECTION C. Site Level Requirements**

- (a) A speed limit of 15 miles per hour or less on all in-plant roads; and
- (b) A requirement stating all loaded coal trucks shall be properly tarpaulin covered.

[Motor vehicles on plant roads shall be operated in observance of these posted requirements.]

[Authorization from plan approval 32-00375B per 25 Pa. Code 127.12b and SOOP issued on March 8, 2017]

031 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

A water truck shall be available to the site and shall be used for dust suppression purposes. In-plant roadways and areas of vehicle traffic shall be watered, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with Title 25 PA Code §123.1 and §123.2. Other methods of dust control shall be used when weather conditions make in-plant road watering hazardous, as necessary, to prevent visible fugitive emissions from crossing the property line in accordance with Title 25 PA Code §123.1 and §123.2.

032 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

- a. All conveyor belts shall be at least 3/4 partially enclosed, or the facility equipped with a water spray system capable of wetting all coal on the conveyer.
- b. Operation without the water sprays can only take place when the Run of Mine (ROM) coal entering the plant has sufficient moisture content not to create emissions in excess of the requirements in 123.1 and 123.2. When the water sprays are incapable of operating, operators of the plant shall perform the observations described in Condition #011 of this Section, at least twice per day, to ensure that the emissions are not in excess of these requirements.
- c. Regardless of how conveyors are enclosed, fugitive emissions shall remain in compliance with 25 Pa. Code §§123.1 and 123.2, or the Department may require additional controls.

VII. ADDITIONAL REQUIREMENTS.**# 033 [25 Pa. Code §123.42]****Exceptions**

Limitations of opacity shall not apply to a visible emission in any of the following instances:

- (1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in § 123.1 (a)(1)-(9) (relating to prohibition of certain fugitive emissions).
- (4) N/A.

034 [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 qualified to measure plume opacity with the naked eye or with the aid of devices approved by the Department.

035 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Sources at this facility are subject to Part 60 - Standards of Performance for New Stationary Sources, Subpart Y - Standards of Performance Standards for Coal Preparation Plants and Subpart IIII - Standards of Performance for Stationary

**SECTION C. Site Level Requirements**

Compression Ignition Internal Combustion Engines, and Subpart A - General Provisions of NSPS.

Owner/operator shall comply with all applicable notification and reporting requirements contained in 40 CFR Part 60, Subparts Y, IIII, and A. In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted:

Director, Air, Toxics, and Radiation
Environmental Protection Agency
Region III, Air and Radiation Division
Permits Branch (3AD10)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

PA DEP OnBase Submittal:

<http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>.

036 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Mass emissions may be determined using engineering calculations based on fuel and raw material purchase records, manufacturers specifications, AP-42 emission factors, source test results, operating records, material balance methods, and/or other applicable methods with written Departmental approval.

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: COAL PREPARATION PLANT

Source Capacity/Throughput: 200.000 Tons/HR

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.**# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.250]****Subpart Y - Standards of Performance for Coal Preparation Plants****Applicability and designation of affected facility.**

(a) The provisions of this subpart (Subpart Y) apply to affected facilities in coal preparation and processing plants that process more than 181 megagrams (Mg) (200 tons) of coal per day.

(b) The provisions in §§60.251, 60.252(a), 60.253(a), 60.254(a), 60.255(a), and 60.256(a) of this subpart are applicable to any of the following affected facilities that commenced construction, reconstruction or modification after October 27, 1974, and on or before April 28, 2008: Thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), and coal storage systems, transfer and loading systems.

(c) - (d) N/A.

**SECTION D. Source Level Requirements**

[The Coal Preparation Plant (Source ID 101) commenced construction on August 30, 2004, and is subject to the applicable requirements of 40 CFR Part 60, Subpart Y - Standards of Performance for Coal Preparation and Processing Plants. This facility does not have thermal dryers, mechanical vents, or pneumatic coal cleaning equipment.]

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.251]**Subpart Y - Standards of Performance for Coal Preparation Plants****Definitions.**

As used in 40 CFR Part 60, Subpart Y, all terms not defined in this section have the meaning given them in the Clean Air Act (Act) and in Subpart A of Part 60.

(a) - (c) N/A.

(d) Coal means:

(1) For units constructed, reconstructed, or modified on or before May 27, 2009, all solid fossil fuels classified as anthracite, bituminous, subbituminous, or lignite by ASTM D388 (incorporated by reference—see §60.17).

(2) N/A.

(e) Coal preparation and processing plant means any facility (excluding underground mining operations) which prepares coal by one or more of the following processes: breaking, crushing, screening, wet or dry cleaning, and thermal drying.

(f) Coal processing and conveying equipment means any machinery used to reduce the size of coal or to separate coal from refuse, and the equipment used to convey coal to or remove coal and refuse from the machinery. This includes, but is not limited to, breakers, crushers, screens, and conveyor belts. Equipment located at the mine face is not considered to be part of the coal preparation and processing plant.

(g) Coal refuse means waste products of coal mining, physical coal cleaning, and coal preparation operations (e.g., culm, gob, etc.) containing coal, matrix material, clay, and other organic and inorganic material.

(h) Coal storage system means any facility used to store coal except for open storage piles.

(i) - (l) N/A.

(m) Open storage pile means any facility, including storage area, that is not enclosed that is used to store coal, including the equipment used in the loading, unloading, and conveying operations of the facility.

(n) - (r) N/A.

(s) Transfer and loading system means any facility used to transfer and load coal for shipment.

[The other definitions in this section are incorporated by reference.]

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.254]**Subpart Y - Standards of Performance for Coal Preparation Plants****Test methods and procedures.**

(a) On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.

(b) - (c) N/A.

[Compliance with the fugitive emission requirement of 123.1 in Section C - Site Level Requirements, Condition # 002 shall be sufficient to assure compliance with the 20% opacity limit of 40 CFR § 60.254(a).]

**SECTION D. Source Level Requirements**

[PA DEP SWRO granted waiver of testing on April 24, 2017].

**SECTION D. Source Level Requirements**

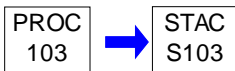
Source ID: 103

Source Name: 670 BHP CUMMINS DFEG EMERGENCY DIESEL ENGINE

Source Capacity/Throughput:

38.000 Gal/HR

Diesel Fuel

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

Particulate matter emissions into the outdoor atmosphere from any process shall not exceed 0.04 gr/dscf as specified in 25 Pa. Code § 123.13(c)(1)(i).

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.**

Visible emissions from the stack of the Emergency Diesel Generator Engine shall not exceed the following limitations:

Equal to or greater than 10% for a period or periods aggregating more than three minutes in any one hour.

Equal to or greater than 30% at any time.

004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4205]**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal co**

(a) N/A

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c)-(e) N/A

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

Operation Hours Restriction(s).**# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Emergency Diesel Generator Engine shall operate not more than 500 hours during each consecutive 12-month period, updated monthly.

II. TESTING REQUIREMENTS.

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

**SECTION D. Source Level 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.**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]****Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****Am I subject to this subpart?**

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) 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.

(1) N/A.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

(i) Manufactured after April 1, 2006, and are not fire pump engines, or

(ii) N/A.

(3) - (4) N/A.

(b) - (e) N/A.

[The Emergency Diesel Generator Engine (Source ID 103) is subject to the applicable requirements of 40 CFR 60, Subpart III.]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?**

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine.

**SECTION D. Source Level Requirements**

[76 FR 37969, June 28, 2011]

008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4207]**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?

(a) N/A.

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) - (e) N/A.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) - (e) N/A.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness

**SECTION D. Source Level Requirements**

testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(ii) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) - (2) N/A.

(3) If you are an owner or operator of a stationary CI 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 to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(3) N/A.

**SECTION D. Source Level Requirements**

(h) N/A.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021]

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4214]**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?**

(a) N/A.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) N/A.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §60.4211(f)(2)(ii) and (iii) or that operates for the purposes specified in §60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating and model year.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v) Hours operated for the purposes specified in §60.4211(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in §60.4211(f)(2)(ii) and (iii).

(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in §60.4211(f)(2)(ii) and (iii).

(vii) Hours spent for operation for the purposes specified in §60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in §60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in §60.4.

(e) N/A

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016]

**SECTION D. Source Level Requirements****# 011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4219]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What definitions apply to this subpart?**

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

[Please see 40 CFR Part 60 Subpart IIII §60.4219 for a list of defined terms.]



SECTION E. Source Group Restrictions.



SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this State Only facility.



SECTION G. Emission Restriction Summary.

Source Id	Source Description
103	670 BHP CUMMINS DFEG EMERGENCY DIESEL ENGINE
Emission Limit	
500.000 PPMV	dry basis
0.040 gr/DRY FT3	
Pollutant	
	SOX
	TSP

Site Emission Restriction Summary

Emission Limit	Pollutant
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**SECTION H. Miscellaneous.**

1. The capacities/throughputs and other information listed in Section A and D and this Section, excluding those in permit restrictions, are for informational purposes only and are not enforceable limits.

2. The following description is for information purposes only:

This State Only Operating Permit (SOOP) authorizes the Rosebud Mining Company to operate a coal preparation plant at their Lowry Mine Coal Preparation Plant, located in White Township, Indiana County.

The facility primarily stores and screens coal.

3. Air contamination sources at the Facility are as follows:

One (1) Simplicity 250 tph Triple Deck Screen.

Four (4) 250 tph Belt Conveyors.

Truck unloading to raw material stockpile transfer point.

Six (6) transfer points between conveyors, screen, and stockpiles.

Loading processed material onto trucks transfer point.

Truck unloading to processed material stockpiles near plant entrance transfer point.

Loading processed material onto trucks for shipment transfer point.

Wind erosion of stockpiles.

Front end loader traffic on unpaved haul roads.

Raw material truck traffic on unpaved haul roads.

Product truck traffic on unpaved haul roads.

Emergency Diesel Engine, Cummins 6CTA8.3-G2, 277 bhp.

4. Air pollution prevention equipment at the facility includes the following:

Pressurized water truck with pressurized spray gun; stockpile and roadway control.

Paving, sweeper, and pressurized water truck; roadway control.

Truck tarping; truck shipping control.

Covers; each conveyor, each transfer point, each radial stacker, and screen control.

Water sprays; each transfer point and screen control.

5. PA DEP methodology for duration of observation and reduction of visual opacity data observed in accordance with EPA Method 9: The observer shall record observations in accordance with EPA Method 9 for minimum of 60 minutes. The data reduction methodology differs from EPA Method 9 in that it does not require a single continuous time interval and does not average datum of individual observations. Visual observations in accordance with Method 9 take place every 15 seconds and are recorded for this time interval. Since the observations of 20%, or greater, can be during multiple intervals, the number of high opacity observation readings are merely counted. For an emission limitation of opacity not to exceed 20% for a period aggregating more than three minutes in any 1 hour, a total of 13 observations greater than 20% would exceed this standard.

6. The permit was amended on June 19, 2019 to change the responsible official to James R. Barker - Executive Vice President



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