# DEPARTMENT OF ENVIRONMENTAL CONSERVATION
# AIR QUALITY OPERATING PERMIT

Permit No. AQ0433TVP02

Issue Date: September 20, 2010
Expiration Date: September 19, 2015

The Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, **Westward Seafoods, Inc.**, for the operation of the **Westward Dutch Harbor Seafood Processing Facility**.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

Citations listed herein are contained within 18 AAC 50 dated July 1, 2010, Register 194. All federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

Upon effective date of this permit, Operating Permit No. AQ0433TVP01 expires.

This Operating Permit becomes effective October 20, 2010.

James Burgintes FOR

John F. Kuterbach, Manager
Air Permits Program

## Table of Contents

## List of Abbreviations Used in this Permit

AAC.....Alaska Administrative Code
ADEC .....Alaska Department of Environmental Conservation
AS .....Alaska Statutes
ASTM.....American Society for Testing and Materials
BACT .....Best Available Control Technology
BHp .....Boiler Horsepower
C.F.R. .....Code of Federal Regulations
The Act .....Clean Air Act
CO .....Carbon Monoxide
dscf .....Dry standard cubic foot
EPA .....US Environmental Protection Agency
EU.....Emission Unit
gr./dscf .....grain per dry standard cubic foot (1 pound = 7000 grains)
GPH .....gallons per hour
HAPs .....Hazardous Air Pollutants [HAPs as defined in AS 46.14.990]
ID.....Emission Unit Identification Number
kPa .....kiloPascals
LAER.....Lowest Achievable Emission Rate
MACT .....Maximum Achievable Control Technology [MACT as defined in 40 C.F.R. 63]
MMBtu/hr.....Million British thermal units per hour
MMSCF.....Million standard cubic feet
MR&R .....Monitoring, Recordkeeping, and Reporting
NESHAPs.....Federal National Emission Standards for Hazardous Air Pollutants [NESHAPs as contained in 40 C.F.R. 61 and 63]
$NO_X$ .....Nitrogen Oxides
NSPS .....Federal New Source Performance Standards [NSPS as contained in 40 C.F.R. 60]
O & M .....Operation and Maintenance
$O_2$ .....oxygen
PAL .....Plantwide Applicability Limitation
PM-10 .....Particulate Matter less than or equal to a nominal ten microns in diameter
ppm .....Parts per million
ppmv, ppmvd .....Parts per million by volume on a dry basis
psia .....Pounds per Square Inch (absolute)
PSD .....Prevention of Significant Deterioration
PTE .....Potential to Emit
SIC. .....Standard Industrial Classification
$SO_2$ .....Sulfur dioxide
TPH .....Tons per hour
TPY .....Tons per year
VOC .....volatile organic compound [VOC as defined in 40 C.F.R. 51.100(s)]
VOL .....volatile organic liquid [VOL as defined in 40 C.F.R. 60.111b, Subpart Kb]
vol% .....volume percent
wt% .....weight percent

# *Section 1. Stationary Source Information*

## Identification

| | |
|---|---|
| Permittee: | **Westward Seafoods, Inc.**<br>2101 4th Avenue, Suite 1700<br>Seattle, WA 98121 |
| Stationary Source Name: | **Westward Dutch Harbor Seafood Processing Facility** |
| Location: | 53º 51´ 30.30" North; 166º 33´ 08.65" West |
| Physical Address: | 1 Mile Captains Bay Road, Dutch Harbor, AK 99692 |
| Owner: | **Westward Seafoods, Inc.**<br>2101 4th Avenue, Suite 1700<br>Seattle, WA 98121 |
| Operator: | Westward Seafoods, Inc.<br>2101 4th Avenue, Suite 1700<br>Seattle, WA 98121 |
| Permittee's Responsible Official: | Mr. David W. Boisseau, Plant Manager<br>P.O. Box 920608<br>Dutch Harbor, AK 99692-0608 |
| Designated Agent: | Mr. David W. Boisseau, Plant Manager<br>P.O. Box 920608<br>Dutch Harbor, AK 99692-0608 |
| Stationary Source and Building Contact: | Mr. Rictor W. Upton<br>Manager, Environmental Compliance Department<br>P.O. Box 920608<br>Dutch Harbor, AK 99692-0608<br>(907) 581-1660<br>ric@westwardseafoods.com |
| Fee Contact: | Ms. Sally Cervantes<br>Westward Seafoods, Inc.<br>2101 4th Avenue, Suite 1700<br>Seattle, WA 98121<br>(206) 682-5949 |
| Permit Contact: | Mr. Rictor W. Upton<br>Manager, Environmental Compliance Department<br>P.O. Box 920608<br>Dutch Harbor, AK 99692-0608<br>(907) 581-1660<br>ric@westwardseafoods.com |
| Process Description SIC Code: | 2092 - Prepared Fresh or Frozen Fish and Seafoods |

[18 AAC 50.040(j)(3) & 50.326(a)]
[40 C.F.R. 71.5(c)(1 & 2)]

## *Section 2. Emission Unit Inventory and Description*

Emission units listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. Emission unit descriptions and ratings are given for identification purposes only.

**Table A - Emission Unit Inventory**

| EU ID | Emission Unit Name | Emission Unit Description | Rating/Size | Construction Date |
|---|---|---|---|---|
| 1 | Wartsila Generator | Model 6R32D, Serial Number 5015 | 2,220 kW | 1991 |
| 2 | Wartsila Generator | Model 6R32D, Serial Number 5016 | 2,220 kW | 1991 |
| 3 | Wartsila Generator | Model 6R32D, Serial Number 5017 | 2,220 kW | 1991 |
| 4 | Cleaver-Brooks Fire tube Boiler | Model No. NCB-100-700-200, Serial Number L-88024 | 29.3 MMBtu/hr | 1991 |
| 5 | Cleaver-Brooks Fire tube Boiler | Model No. NCB-100-700-200, Serial Number L-88025 | 29.3 MMBtu/hr | 1991 |
| 6 | 10 Chiller and Refrigeration Units | 10 Miscellaneous Chiller and Refrigeration Units | <50 lb Freon or 80,000 lb anhydrous ammonia | -- |
| 7 | Meal Reduction Plant | Evaporative Heat Exchanger[1] | | |

Notes: 1. The vapors from the meal dryer are passed through a seawater spray scrubber where they are exhausted.

2. The local fuel vendor owns and operates three fuel storage tanks at the Westward facility. Each tank is subject to 40 C.F.R. 60 Subpart Kb. The fuel vendor is responsible for the applicable requirements.

[18 AAC 50.326(a)]
[40 C.F.R. 71.5(c)(3)]

## *Section 3. State Requirements*

### Visible Emissions Standards

**1. Industrial Process and Fuel-Burning Equipment Visible Emissions.** The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from EU ID(s) 1 through 5 and 7 listed in Table A to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes. For EU ID(s) 1 through 5 and 7, monitor, record and report in accordance with Conditions 2 - 4.

[18 AAC 50.040(j), 50.055(a)(1), & 50.326(j)]
[40 C.F.R. 71.6(a)(1) & (3)]

### Visible Emissions Monitoring, Recordkeeping and Reporting

*Liquid Fuel-Fired Emission Units (EU ID(s) 1 through 5) and Meal Drier (EU ID 7)*

**2. Visible Emissions Monitoring.** The Permittee shall observe the exhaust of EU ID(s) 1 through 5 and 7 for visible emissions using either the Method 9 Plan under Condition 2.1 or the Smoke/No-Smoke Plan under Condition 2.2. The Permittee may change visible-emissions plans for an emission unit at any time unless prohibited from doing so by Condition 2.3. The Permittee may for each unit elect to continue the visible emission monitoring schedule in effect from the previous permit at the time a renewed permit is issued, if applicable.

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(i)]

2.1. **Method 9 Plan.** For all 18-minute observations in this plan, observe exhaust, following 40 C.F.R. 60, Appendix A-4, Method 9, adopted by reference in 18 AAC 50.040(a), for 18 minutes to obtain 72 consecutive 15-second opacity observations.

a. First Method 9 Observation. For any unit, observe exhaust for 18 minutes within 14 calendar days after changing from the Smoke/No-Smoke Plan of Condition 2.2. For any unit replaced during the term of this permit, observe exhaust for 18 minutes within 30 days of startup.

b. Monthly Method 9 Observations. After the first Method 9 observation, perform 18-minute observations at least once in each calendar month that an emission unit operates.

c. Semiannual Method 9 Observations. After observing emissions for three consecutive operating months under Condition 2.1.b, unless a six-minute average is greater than 15 percent and one or more observations are greater than 20 percent, perform 18-minute observations at least semiannually.

Semiannual observations must be taken between four and seven months after the previous set of observations.

d. Annual Method 9 Observations. After at least two semiannual 18-minute observations, unless a six-minute average is greater than 15 percent and one or more individual observations are greater than 20 percent, perform 18-minute observations at least annually.

Annual observations must be taken between 10 and 13 months after the previous observations.

e. Increased Method 9 Frequency. If a six-minute average opacity is observed during the most recent set of observations to be greater than 15 percent and one or more observations are greater than 20 percent, then increase or maintain the 18-minute observation frequency for that emission unit to at least monthly intervals, until the criteria in Condition 2.1.c for semiannual monitoring are met.

2.2. Smoke/No Smoke Plan. Observe the exhaust for the presence or absence of visible emissions, excluding condensed water vapor.

a. Initial Monitoring Frequency. Observe the exhaust during each calendar day that an emission unit operates.

b. Reduced Monitoring Frequency. After the emission unit has been observed on 30 consecutive operating days, if the emission unit operated without visible smoke in the exhaust for those 30 days, then observe emissions at least once in every calendar month that an emission unit operates.

c. Smoke Observed. If smoke is observed, either begin the Method 9 Plan of Condition 2.1 or perform the corrective action required under Condition 2.3

2.3. **Corrective Actions Based on Smoke/No Smoke Observations**. If visible emissions are present in the exhaust during an observation performed under the Smoke/No Smoke Plan of Condition 2.2, then the Permittee shall either follow the Method 9 plan of Condition 2.1 or

a. initiate actions to eliminate smoke from the emission unit within 24 hours of the observation;

b. keep a written record of the starting date, the completion date, and a description of the actions taken to reduce smoke; and

c. after completing the actions required under Condition 2.3.a,

(i) take Smoke/No Smoke observations in accordance with Condition 2.2.

(A) at least once per day for the next seven operating days and until the initial 30 day observation period is completed; and

(B) continue as described in Condition 2.2.b; or

(ii) if the actions taken under Condition 2.3.a do not eliminate the smoke, or if subsequent smoke is observed under the schedule of Condition 2.3.c(i)(A), then observe the exhaust using the Method 9 Plan unless the Department gives written approval to resume observations under the Smoke/No Smoke Plan; after observing smoke and making observations under the Method 9 Plan, the Permittee may at any time take corrective action that eliminates smoke and restart the Smoke/No Smoke Plan under Condition 2.2.a.

**3. Visible Emissions Recordkeeping.** The Permittee shall keep records as follows:

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(ii)]

3.1. When using the Method 9 Plan of Condition 2.1,

a. the observer shall record

(i) the name of the stationary source, emission unit and location, emission unit type, observer's name and affiliation, and the date on the Visible Emissions Field Data Sheet in Section 10;

(ii) the time, estimated distance to the emissions location, sun location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), plume background, and operating rate (load or fuel consumption rate) on the sheet at the time opacity observations are initiated and completed;

(iii) the presence or absence of an attached or detached plume and the approximate distance from the emissions outlet to the point in the plume at which the observations are made;

(iv) opacity observations to the nearest five percent at 15-second intervals on the Visible Emissions Observation record in Section 10, and

(v) the minimum number of observations required by the permit; each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

b. To determine the six-minute average opacity, divide the observations recorded on the record sheet into sets of 24 consecutive observations; sets need not be consecutive in time and in no case shall two sets overlap; for each set of 24 observations, calculate the average by summing the opacity of the 24 observations and dividing this sum by 24; record the average opacity on the sheet.

c. Calculate and record the highest 18-consecutive-minute averages observed.

3.2. If using the Smoke/No Smoke Plan of Condition 2.2, record the following information in a written log for each observation and submit copies of the recorded information upon request of the Department:

a. the date and time of the observation;

b. from Table A, the ID of the emission unit observed;

c. whether visible emissions are present or absent in the exhaust;

d. a description of the background to the exhaust during the observation;

e. if the emission unit starts operation on the day of the observation, the startup time of the emission unit;

f. name and title of the person making the observation; and

g. operating rate (load or fuel consumption rate).

**4. Visible Emissions Reporting.** The Permittee shall report visible emissions as follows:

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(iii)]

4.1. Include in each stationary source operating report under Condition 65, include for the period covered by the report:

a. which visible-emissions plan of Condition 2 was used for each emission unit; if more than one plan was used, give the time periods covered by each plan;

b. for each emission unit under the Method 9 Plan,

(i) copies of the observation results (i.e. opacity observations) for each emission unit that used the Method 9 Plan, except for the observations the Permittee has already supplied to the Department; and

(ii) a summary to include:

(A) number of days observations were made;

(B) highest six-minute average observed; and

(C) dates when one or more observed six-minute averages were greater than 20 percent;

c. for each emission unit under the Smoke/No Smoke Plan, the number of days that Smoke/No Smoke observations were made and which days, if any, that smoke was observed; and

d. a summary of any monitoring or recordkeeping required under Conditions 2 and 3 that was not done;

4.2. Report under Condition 64:

a. the results of Method 9 observations that exceed an average of 20 percent opacity for any six-minute period; and

b. if any monitoring under Condition 2 was not performed when required, report within three days of the date the monitoring was required.

## Particulate Matter Emissions Standards

**5. Industrial Process and Fuel-Burning Equipment Particulate Matter.** The Permittee shall not cause or allow particulate matter emitted from EU ID(s) 1 through 5 and 7 listed in Table A to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours. For EU ID(s) 1 through 5 and 7, monitor, record and report in accordance with Conditions 6 - 10.

[18 AAC 50.040(j), 50.055(b)(1) & 50.326(j)]
[40 C.F.R. 71.6(a)(1)]

## PM Monitoring, Recordkeeping and Reporting

*Liquid Fuel-Fired Engines (EU ID(s) 1 through 3)*

**6. Particulate Matter Monitoring for Diesel Engines.** The Permittee shall conduct source tests on diesel engines EU ID(s) 1 through 3, to determine the concentration of particulate matter (PM) in the exhaust of an emission unit in accordance with this Condition 6.

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(i)]

6.1. Except as provided in Condition 6.4 within six months of exceeding the criteria of Conditions 6.2.a or 6.2.b, either

a. conduct a PM source test according to requirements set out in Section 6; or

b. make repairs so that emissions no longer exceed the criteria of Condition 6.2; to show that emissions are below those criteria, observe emissions as described in Condition 2.1 under load conditions comparable to those when the criteria were exceeded.

6.2. Conduct the PM test or make repairs according to Condition 6.1 if

a. 18 consecutive minutes of Method 9 observations result in an 18-minute average opacity greater than 20 percent; or

b. for an emission unit with an exhaust stack diameter that is less than 18 inches, 18 consecutive minutes of Method 9 observations result in an 18-minute average opacity that is greater than 15 percent and not more than 20 percent, unless the Department has waived this requirement in writing.

6.3. During each one-hour PM source test run, observe the exhaust for 60 minutes in accordance with Method 9 and calculate the highest average 6-minute opacity that was measured during each one-hour test run. Submit a copy of these observations with the source test report.

6.4. The automatic PM source test requirement in Conditions 6.1 and 6.2 is waived for an emissions unit if a PM source test on that unit has shown compliance with the PM standard during this permit term.

**7. Particulate Matter Reporting for Diesel Engines.** The Permittee shall report as follows:

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]
[40 C.F.R. 71.6(a)(3)(iii)]

7.1. Report under Condition 64

a. the results of any PM source test that exceeds the PM emissions limit; or

b. if one of the criteria of Condition 6.2 was exceeded and the Permittee did not comply with either Condition 6.1.a or 6.1.b, this must be reported by the day following the day compliance with Condition 6.1 was required;

7.2. Report observations in excess of the threshold of Condition 6.2.b within 30 days of the end of the month in which the observations occur;

7.3. In each operating report under Condition 65, include for the period covered by the report:

a. the dates, EU ID(s), and results when an observed 18-minute average was greater than an applicable threshold in Condition 6.2;

b. a summary of the results of any PM testing under Condition 6; and

c. copies of any visible emissions observation results (opacity observations) greater than the thresholds of Condition 6.2, if they were not already submitted.

*For Liquid Fuel-Fired Boilers (EU ID(s) 4 and 5)*

**8. Particulate Matter Monitoring for Liquid Fuel-Fired Boilers and Heaters.** The Permittee shall conduct source tests on EU ID(s) 4 and 5 to determine the concentration of PM in the exhaust of EU ID(s) 4 and 5 as follows:

[18 AAC 50.040(j), & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(i) & (c)(6)]

8.1. Conduct a PM source test according to the requirements set out in Section 6 no later than 90 calendar days after any time corrective maintenance fails to eliminate visible emissions greater than the 20 percent opacity threshold in Condition 1 for two or more 18-minute observations in a consecutive six-month period.

8.2. During each one-hour PM source test run, observe the exhaust for 60 minutes in accordance with Method 9 and calculate the average opacity that was measured during each one-hour test run.

8.3. The PM source test requirement in Condition 8 is waived for an emission unit if:

a. a PM source test during the most recent semiannual reporting period on that unit shows compliance with the PM standard since permit issuance, or

b. if a follow-up visible emission observation conducted using Method-9 during the 90 days shows that the excess visible emissions described in Condition 2.1.e no longer occur.

**9. Particulate Matter Recordkeeping for Liquid Fuel-Fired Boilers and Heaters.** The Permittee shall keep records of the results of any conducted PM testing and results of visible emissions observations conducted under Condition 8.

9.1. For EU ID 7, the Permittee shall keep records as set forth in Condition 43.6.a.

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(ii) & (c)(6)]

**10. Particulate Matter Reporting for Liquid Fuel-Fired Boilers and Heaters.** The Permittee shall report as follows:

[18 AAC 50.040(j) & 50.326(j)(4)]
[40 C.F.R. 71.6(a)(3)(iii) & (c)(6)]

10.1. In each operating report required by Condition 65, include

a. the dates, EU ID(s), and results when an 18-minute opacity observation was greater than the applicable threshold criterion in Condition 8.1.

b. a summary of the results of any PM testing conducted during the reporting period, and

c. a summary of visible emissions observations conducted under Condition 8.

10.2. Report as excess emissions, in accordance with Condition 64, any time the results of a PM source test exceeds the PM emission standard stated in Condition 5.

10.3. For EU ID 7, report as set forth in Condition 43.6.b.

**Sulfur Compound Emission Standards Requirements**

**11. Sulfur Compound Emissions.** In accordance with 18 AAC 50.055(c), the Permittee shall not cause or allow sulfur compound emissions, expressed as $SO_2$, from EU ID(s) 1 through 5 and 7 to exceed 500 ppm averaged over three hours.

[18 AAC 50.040(j), 50.055(c), & 50.326(j)]
[40 C.F.R. 71.6(a)(1)]

*For Fuel Oil[1] (EU ID(s) 1 through 5)*

**Ambient Air Quality Protection**

**12. Sulfur Dioxide Requirements.** The Permittee shall comply with the following requirements to protect ambient air:

[Condition 8, Construction Permit No. 433CP01, Revision 1]

12.1. The total sulfur content of distillate fuel or distillate blends of Jet A, Fish oil, and used oil fuels burned in EU ID(s) 1 through 5 shall not exceed 0.23% by weight.

[1] *Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil, as defined in 40 C.F.R. 60.41b, effective 7/1/07.

12.2. The Permittee shall test each shipment of distillate fuel for sulfur content following an appropriate method listed in 18 AAC 50.035(b)-(c) and 40 C.F.R. 60.17 incorporated by reference in 18 AAC 50.040(a)(1), or shall obtain test results showing the sulfur content of the fuel from the supplier or refinery. The test results must include a statement signed by the supplier or refinery of the fuel they represent.

12.3. In each operating report under Condition 65, the Permittee shall attach a list of the fuel grades and fuel sulfur content of each distillate fuel shipment received at the facility during the reporting period;

12.4. If the sulfur content of any distillate fuel delivery exceeds the 0.23% by weight, than determine the fuel sulfur content of the blended fuel by calculating for each batch of blended fuel the weighted average percentage sulfur content of the fuel by using the formula:

$[(\%BF * \%S_{BF}) + (\%DF * \% S_{DF})] / 100 = \text{total S \% by weight of the blend}$

Where:

% BF = Percentage Blended Fuel (distillate) by weight

$\% S_{BF}$ = Percentage Sulfur content of Blended Fuel by weight

% DF = Percentage Diesel Fuel by weight

$\% S_{DF}$ = Percentage Sulfur content of Diesel Fuel by weight

% S = Percentage Sulfur by weight of the blend

12.5. Keep records of the sulfur contents of each shipment of distillate fuel(s), and all test results and calculations required under Condition 12.4. Submit copies of the fuel analysis records with the report required by Condition 65.

**13. Access Control Plan**. The Permittee shall follow the Access Control Plan.

[Condition 6, Construction Permit No. 433CP01, Revision 1]

**14. No Trespassing Signs.** The Permittee shall post and maintain No Trespassing Signs at regular intervals along the ambient air boundary, including the Facility access roadways and the perimeter of the property boundary

[Condition 7, Construction Permit No. 433CP01, Revision 1]

**15. Stack Parameters.** Modify and maintain the exhaust stacks for EU IDs 1 through 5 as follows:

15.1. Maintain individual flues for each emission unit, but cluster the exits so that they are adjacent to each other.

15.2. Extend the height for each stack to at least 110 feet above ground level.

15.3. Build each stack with a maximum exit diameter of 24 inches.

15.4. No stack shall be equipped with a raincap or other device restricting vertical flow of exhaust gases.

15.5. Provide each stack with:

a. sampling ports that comport with 40 C.F.R. 60, Appendix A, Method 1, Section 2.1, and a stack or duct free of cyclonic flow at the port location during applicable test methods and procedures;

b. safe sampling platforms;

c. safe access to sampling platforms; and

d. utilities for emission sampling and testing equipment;

[Condition 9, Construction Permit No. 433CP01, Revision 1]

**Best Available Control Technology**

**16. Nitrogen Dioxide BACT Requirements.**

[Condition 10, Construction Permit No. 433CP01, Revision 1]
[40 CFR 71.6(a)(3)(B), 18 AAC 50.040(j)]

16.1. For EU ID(s) 1 through 3:

a. Limit continuous $NO_X$ emissions from each unit to no greater than 42.3 lb/hr, expressed as $NO_2$, averaged over the duration of an emission performance test or averaged over any three consecutive hours.

b. Operate each engine with a low-$NO_X$ retrofit package with water injection (WI)[2].

c. Operate each engine with a dedicated fuel and water flow meter, accurate to within 5 percent error. Submit a copy of the fuel and water meter calibration results with the source test results in accordance with Condition 16.1.d. Record fuel and water consumption at a consistent time once per day.

d. By March 19, 2014, conduct source tests for $NO_X$ and oxygen on each engine to ascertain compliance with the emission limit in Condition 16.1.a in accordance with the requirements set forth in Section 6 and as follows:

(i) Test each engine at no less than 5 different loads, (within the normal range of the engine) including the minimum load with WI and the peak load with WI. Alternative source testing at less than 5 loads, is subject to the Department's approval;

(ii) During the source test, monitor, record and report the engine's emissions opacity in accordance with Section 3;

[2] The WI technology automatically activates when the engine load is greater than an estimated 50%. This condition requires that at all engine loads greater than 50%, WI shall be used. The exact operational range of the WI system shall be determined in the source test in Condition 16 and as recommended by the manufacturer.

(iii) During the source test, monitor, record, and report each unit's load, electric generator production rate, fuel and water consumption (gal/hr) no less than once every five minutes;

(iv) Obtain for each distillate fuel or distillate blend the fuel specific High Heating Value (Gross Heat Value) or analyze a representative sample of the distillate fuel or blend in accordance with ASTM D 240, 4809 or 2382; and

(v) Determine the $NO_X$ emission rate, expressed as $NO_2$, using exhaust properties determined by both Method 19 and exhaust gas measurements as set out in Section 6.

(vi) Each day, calculate, record, and report the hourly average $NO_X$ emission rate for each emission unit using the fuel specific $NO_X$ emission rate determined in the source test in Condition 16.1.d(v) and the hourly average fuel consumption rate in Condition 16.1.c. Indicate each emission unit's hourly average water consumption.

e. Within six months after conclusion of tests required by 16.1.d, install, calibrate, certify, operate, and maintain in accordance with Condition 58, an extractive continuous oxides of nitrogen and oxygen emission monitoring system (CEMS) on the emission unit exhaust stack if performance test result (average of three run at given load) for any of EU IDs 1 through 3 is 38 lb/hr. or greater. The Permittee shall continuously monitor and record fuel consumption with a fuel meter system accurate to less than 5 percent error dedicated to each unit. Compliance with Condition 16.1.a based upon three-hour average nitrogen oxide exhaust concentration measurements and the methodology set out in 40 C.F.R. 60, Appendix A, Method 19 as follows:

$$E = C_d F_d [20.9/[20.9 - O_{2d}]$$

Where: $E = NO_X$ Emission Rate in ng/J (lb/MMBtu)
$C_d$ = Concentration of dry $NO_X$ in ng/scm (lb/scf)
$F_d$ = Fuel Factor on a dry basis, scm/J (scf/MMBtu)
$O_{2d}$ = Percent oxygen on a dry basis, %

Use F factors as determined by 40 C.F.R. 60 Appendix A, Method 19.

f. Use the fuel F-factor for oil provided in 40 C.F.R. 60, Appendix A, Method 19, Table 19-2, or calculate the fuel F-factor using the procedures listed in 40 C.F.R. 60 Appendix A, Method 19, Part 12.3.2.1. Use the fuel specific High Heat Value from Condition 16.1.d(iv).

g. Calculate for each three hour period the $NO_X$ emission rates (lb/hr) from the following formula:

$$ER = E * SH * F$$

Where: ER = Average $NO_X$ emission rate expressed as lb/hr

SH = Fuel specific heat content in MMBtu/gal

F = Average Fuel consumption expressed as gallons / hr.

h. For EU ID(s) 1 through 3, the Permittee may develop and submit for Department approval a parametric monitoring program with quality assurance procedures to predict $NO_X$ emissions when CEMS is out-of-service or emission data are out-of-bounds with quality assurance procedures.

i. For any of the EU ID(s) 1 through 3, when CEMS is out of service for a longer period of 72 consecutive hours, or emission data are out-of –bounds with quality assurance procedures, use following approaches to estimate $NO_X$ emissions. Monitor the emission unit's operating hours when CEMS is out of service/out-of-bounds. Estimate $NO_X$ emissions using the hours of operating and the maximum $NO_X$ emission rates for the three hour average load derived from historical three hour block duration to verify compliance.

j. If not required to install a CEMS, conduct a periodic $NO_X$ emission source test on each unit no less than once every five years in accordance with Condition 16.1.d.

k. If subject to Condition 16.1.e, attach to the operating report required by Condition 65, the $NO_X$ CEMS reports as set out in Condition 58. List a table of the highest 3-hour average $NO_X$ emission rate during each day of engine operation. Document the date, time, and duration for which the continuous monitoring system is out-of-bounds, not recording data, or inoperable. Report each periodic cylinder gas audit and Relative Accuracy Test Audit results for audits conducted in accord with 40 C.F.R. 60 Appendix F during the Facility operating report period

16.2. For EU ID(s) 4 and 5:

a. Limit $NO_X$ emissions from each emission unit to no greater than 4.4 lb/hr, expressed as $NO_2$, averaged over the duration of an emission performance test or any three consecutive hours.

b. Operate each boiler with a low-$NO_X$ retrofit package.

c. Operate each boiler with dedicated certified fuel meters accurate to within five percent error. Submit a copy of the fuel meter calibration results with the source test results in accordance with Condition 16.2.d. Record fuel consumption at a consistent time once per day.

d. No later than March 20, 2011, conduct source tests for $NO_X$ and oxygen on both units every two years until compliance with the emission limit in Condition 16.2.a has been achieved in accordance with the requirements set forth in Section 6 and as follows:

(i) Test the boiler at no less than 4 different loads, (within the normal range of the engine) including the minimum load and the peak load with;

(ii) During the source test, monitor, record and report the boiler opacity in accordance with Section 3;

(iii) During the source test, monitor, record, and report the unit's load, fuel consumption (gal/hr) no less than once every five minutes;

(iv) Obtain for each distillate fuel, distillate blend, fish oil, or fish oil blend the fuel specific High Heating Value (Gross Heat Value) or analyze a representative sample of the used distillate fuel in accordance with ASTM D 240, 4809 or 2382; and

(v) Determine the $NO_X$ emission rate, expressed as $NO_2$, using exhaust properties determined by both Method 19 and exhaust gas measurements as set out in Section 6.

(vi) Based on the source test results, the potential boiler emission rate may exceed the limit in Condition 16.2.a; then each day, calculate, record, and report the hourly average $NO_X$ emission rate for each emission unit using the fuel specific $NO_X$ emission rate determined in the source test in Condition 16.1.d(iv) and the hourly average fuel consumption rate in Condition 16.1.c.

e. Conduct a periodic $NO_X$ emission source test on the representative unit within 5 years of the latest performance test in accordance with Condition 16.2.d.

**17. Sulfur Dioxide BACT Requirements.**

[Condition 11, Construction Permit No. 433CP01, Revision 1]
[40 CFR 71.6(a)(3)(B), 18 AAC 50.040(j)]

17.1. For EU ID(s) 1 through 5:

a. The Permittee shall only burn fuel oil as described in Condition 12.1.

b. Monitor, record, and report as set out by Condition 12.

**18. Particulate Matter Requirements.**

[Condition 12, Construction Permit No. 433CP01, Revision 1]

18.1. For EU ID(s) 1 through 5:

a. Limit the opacity from EU ID(s) 1 through 5 as listed in Condition 5.

b. Operate each emission unit with good combustion practices.

c. Monitor, record, and report as set out by Section 3.

## Insignificant Emission Units

**19.** For EU ID 6 listed in Table A and for emission units at the stationary source that are insignificant as defined in 18 AAC 50.326(d)-(i) that are not listed in this permit, the following apply:

19.1. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from an industrial process, fuel-burning equipment, or an incinerator to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.050(a) & 50.055(a)(1)]

19.2. The Permittee shall not cause or allow particulate matter emitted from an industrial process or fuel-burning equipment to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.055(b)(1)]

19.3. The Permittee shall not cause or allow sulfur compound emissions, expressed as $SO_2$, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.

[18 AAC 50.055(c)]

19.4. General monitoring, record keeping and reporting for Insignificant Emission Units

a. The Permittee shall submit the compliance certifications of Condition 66 based on reasonable inquiry for Condition 19;

b. The Permittee shall comply with the requirements of Condition 43;

c. The Permittee shall report in the operating report required by Condition 65 if an emission unit is insignificant because of actual emissions less than the thresholds of 18 AAC 50.326(e) and actual emissions become greater than any of those thresholds; and

d. No other monitoring, recordkeeping or reporting is required.

[18 AAC 50.346(b)(4)]

## *Section 4. Federal Requirements*

**Emission Units Subject to Federal New Source Performance Standards (NSPS), Subpart A**

**20. NSPS Subpart A Startup, Shutdown, & Malfunction Requirements.** The Permittee shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of EU ID(s) 4 and 5, any malfunctions of associated air-pollution control equipment, or any periods during which a continuous monitoring system or monitoring device for EU ID(s) 4 and 5 is inoperative.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.7(b), Subpart A]

**21. NSPS Subpart A Good Air Pollution Control Practice.** At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate EU ID(s) 4 and 5 including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. The Administrator will determine whether acceptable operating and maintenance procedures are being used based on information available, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance records, and inspections of EU ID(s) 4 and 5.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.11(d), Subpart A]

**22. NSPS Subpart A Credible Evidence.** For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of the standards set forth in Condition 24 nothing in 40 C.F.R. Part 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether EU ID(s) 4 - 5 would have been in compliance with applicable requirements of 40 C.F.R. Part 60 if the appropriate performance or compliance test or procedure had been performed.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.11(g), Subpart A]

**23. NSPS Subpart A Concealment of Emissions.** The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of a standard set forth in Conditions 24. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[18 AAC 50.040(a)(1)]
[40 C.F.R. 60.12, Subpart A]

**Steam Generating Units Subject to NSPS Subpart Dc**

**24. NSPS Subpart Dc Sulfur Standards.** At all times, including periods of startup, shutdown, and malfunction, for EU ID(s) 4 and 5 the Permittee shall either emit less than 0.5 lb $SO_2$/MMBtu of fuel combusted, or shall combust fuel oil that contains less than 0.5 percent sulfur by weight.

[18 AAC 50.040(a)(2)(D)]
[40 C.F.R. 60.42c(d) & (i), Subpart Dc]

24.1. Monitoring. Compliance with the emission limits or fuel oil sulfur limits shall be determined based on a certification from the fuel supplier.

[40 C.F.R. 60.42c(h) & 60.44c(h), Subpart Dc]

24.2. Recordkeeping and Reporting. The Permittee shall keep records for a period of two years following the date of such records and submit reports to EPA, as follows:

[40 C.F.R. 60.48c(d) & (i), Subpart Dc]

a. Include the calendar dates covered in the reporting period and a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

[40 C.F.R. 60.48c(e)(1) & (11), Subpart Dc]

b. For Distillate Fuel Oil. Fuel supplier certification shall include the following information:

(i) the name of the oil supplier;

(ii) a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 C.F.R. 60.41c; and

(iii) the sulfur content or maximum sulfur content of the oil.

[40 C.F.R. 60.48c(f)(1), Subpart Dc]

c. For Fish Oil Fuel, Fish Oil/Diesel/Jet A Blends. Test a representative sample of the fish oil or blended fuels once each calendar year for sulfur content. Ensure that the sample submitted for testing is representative of a blend ratio or tank in current actual use as fuel. For the representative sample, keep a record of the batch's constituents and blend ratios by volume. Ensure the test sample is submitted in accordance with methods specified in Condition 12.2 or follow an Alternative Monitoring Plan approved by EPA.

d. For Residual Oil. Fuel supplier certification shall include the following information:

(i) the name of the oil supplier;

(ii) the location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location;

(iii) the sulfur content of the oil from which the shipment came (or of the shipment itself); and

(iv) the method used to determine the sulfur content of the oil.

[40 C.F.R. 60.48c(f)(2), Subpart Dc]

e. Submit all reports required including any NSPS sulfur monitoring or referenced fuel under an Alternative Monitoring Plan for each six-month period, postmarked by the 30th day following the end of the reporting period.

[40 C.F.R. 60.48c(j), Subpart Dc]

**Reciprocating Internal Combustion Engines (RICE) Emission Units Subject to NESHAP Subpart ZZZZ, EU IDs 1 through 3**

**25.** **NESHAP Subpart A**. The Permittee shall comply with the applicable requirements of 40 C.F.R 63 Subpart A in accordance with the provisions for applicability of Subpart A in Subpart ZZZZ Table 8.

[18 AAC 50.040(c)(1)]
[40 C.F.R. 63.6665, Subpart ZZZZ]

**26.** **NESHAP Subpart ZZZZ Stationary Reciprocating Internal Combustion Engines.** The provisions of Conditions 26 - 31 are applicable to the Permittee as an owner and operator of an existing stationary reciprocating internal combustion engines (RICE) located at an area source of HAP emissions.

[18 AAC 50.040(j), and 18 AAC 50.040(c)(23)]
[40 C.F.R. 63 Subpart ZZZZ]

26.1. Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with Subpart ZZZZ upon startup of the affected source.

26.2. Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

[40 C.F.R. 63.6595(b)(1) and (2)]

26.3. An affected source must meet the applicable requirements no later than May 3, 2013.

[40 C.F.R. 63.6595(c)]

**27.** **Management Practices**: EU IDs 1 through 3 must comply with the following management practices for existing compression ignition stationary RICE:

27.1. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;

27.2. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;

27.3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

27.4. During periods of startup, minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

[40 C.F.R. 63.6603(b) and Table 2d Section (1)]

**28. General requirements**:

28.1. The Permittee must be in compliance with the operating limitations of Condition 27 at all times.

28.2. At all times, the Permittee shall operate and maintain EU IDs 1, 2, and 3 including any associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

[18 AAC 50.040(c)(23)]
[40 C.F.R. 63.6605]

**29. Continuous Compliance:**

29.1. Operate and maintain EU IDs 1, 2, and 3 according to the manufacturer's emission-related operation and maintenance instructions or develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

29.2. You must also report per Condition 64 each instance in which you did not meet the requirements in

[40 C.F.R. 63.6640 and 6640 Table 6 Section (9)]

**30. Notifications**. The Permittee shall provide notification as set forth in 40 CFR 63.6645(a)(2) by the date specified for compliance in 40 CFR 63.6595(a)(1) and as in Condition 67.

[18 AAC 50.040(c)(23)]
[40 C.F.R. 63.6595(a)(1) and 63.6645(a)(2)]

**31. Record Keeping**. The Permittee shall keep the following records:

31.1. Records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary according to your own maintenance plan.

31.2. Records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

31.3. A copy of each notification and report that you submitted to comply with Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

31.4. Records of the occurrence and duration of each malfunction of operation ( i.e., process equipment) or the air pollution control and monitoring equipment.

31.5. Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

31.6. Records of all required maintenance performed on the air pollution control and monitoring equipment.

31.7. Records of actions taken during periods of malfunction to minimize emissions in accordance with Condition 29, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

[18 AAC 50.040(c)(23)]
[40 C.F.R. 63.6655 and 63.6660]

**Risk Management Plan**

**32. Chemical Accident Prevention Provisions.** The Permittee shall comply with the requirements of 40 CFR 68.

[18 AAC 50.040(j); 18 AAC 50.326(j)]
[40 C.F.R. 71.6(a)]
[40 C.F.R. 68]

32.1. The Permittee shall provide the department with copies of the Risk Management Plan required under 40 C.F.R. 68 Subpart G as follows:

a. with the first operating report required in Condition 65 after issuance of this renewal operating permit.

b. with the operating report required in Condition 65 following updates of the Risk Management Plan as required under 40 C.F.R. 68 Subpart G.

[18 AAC 50.326(j)(4), 18 AAC 50.040(j)]
[40 C.F.R. 71.6(c)(6)]

32.2. As part of the Annual Compliance Certification required by Condition 66, the Permittee shall certify compliance with all requirements of 40 C.F.R. 68 including the registration and submission of the Risk Management Plan.

[18 AAC 50.040(j) & 18 AAC 50.326(j)]
[40 C.F.R. 71.6(a)(3)]
[40 C.F.R. 68.215(a)(2)]

## *Section 5. General Conditions*

### Standard Terms and Conditions

**33.** Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3), 50.345(a) & (e)]

**34.** The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3), 50.345(a) & (f)]

**35.** The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3), 50.345(a) & (g)]

**36. Administration Fees.** The Permittee shall pay to the Department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400-405.

[18 AAC 50.326(j)(1), 50.400, 50.403, & 50.405]
[AS 37.10.052(b); AS 46.14.240]

**37. Assessable Emissions.** The Permittee shall pay to the Department an annual emission fee based on the stationary source's assessable emissions as determined by the Department under 18 AAC 50.410. The assessable emission fee rate is set out in 18 AAC 50.410(b). The Department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit in quantities greater than 10 tons per year. The quantity for which fees will be assessed is the lesser of

37.1. the stationary source's assessable potential to emit of 830 TPY; or

37.2. the stationary source's projected annual rate of emissions that will occur from July 1 to the following June 30, based upon actual annual emissions emitted during the most recent calendar year or another 12-month period approved in writing by the Department, when demonstrated by

a. an enforceable test method described in 18 AAC 50.220;

b. material balance calculations;

c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or

d. other methods and calculations approved by the Department.

[18 AAC 50.040(j)(3), 50.035, 50.326(j)(1), 50.346(b)(1), 50.410, & 50.420]
[40 C.F.R. 71.5(c)(3)(ii)]

**38. Assessable Emission Estimates.** Emission fees will be assessed as follows:

38.1. no later than March 31 of each year, the Permittee may submit an estimate of the stationary source's assessable emissions to ADEC, Air Permits Program, ATTN: Assessable Emissions Estimate, 410 Willoughby Ave., Suite 303, Juneau, AK 99811-1800; the submittal must include all of the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the Department can verify the estimates; or

38.2. if no estimate is submitted on or before March 31 of each year, emission fees for the next fiscal year will be based on the potential to emit set forth in Condition 37.1.

[18 AAC 50.040(j)(3), 50.326(j)(1), 50.346(b)(1), 50.410, & 50.420]
[40 C.F.R. 71.5(c)(3)(ii)]

**39. Good Air Pollution Control Practice.** Except as noted in Condition 39.4, the Permittee shall do the following for EU ID(s) 1 through 3.

39.1. perform regular maintenance considering the manufacturer's or the operator's maintenance procedures;

39.2. keep records of any maintenance that would have a significant effect on emissions; the records may be kept in electronic format; and

39.3. keep a copy of either the manufacturer's or the operator's maintenance procedures.

39.4. EU IDs 1, 2, and 3 are subject to this condition only until the applicable compliance date as set forth in Condition 26.3.

[18 AAC 50.030, 50.326(j)(3), & 50.346(b)(5)]

**40. Dilution.** The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a)]

**41. Reasonable Precautions to Prevent Fugitive Dust.** A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air.

[18 AAC 50.045(d), 50.040(e), 50. 326(j)(3), & 50.346(c)]

41.1. The Permittee shall keep records of

a. complaints received by the Permittee and complaints received by the Department and conveyed to the Permittee; and

b. any additional precautions that are taken

(i) to address complaints described in Condition 41.1 or to address the results of Department inspections that found potential problems; and

(ii) to prevent future dust problems.

41.2. The Permittee shall report according to Condition 43.

**42. Stack Injection.** The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a unit constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g)]

**43. Air Pollution Prohibited.** No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

[18 AAC 50.110, 50.040(e), 50.326(j)(3), & 50.346(a)]
[40 C.F.R. 71.6(a)(3)]

43.1. Monitoring, Recordkeeping, and Reporting for Condition 43

a. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to Condition 64.

b. As soon as practicable after becoming aware of a complaint that is attributable to emissions from the stationary source, the Permittee shall investigate the complaint to identify emissions that the Permittee believes have caused or are causing a violation of Condition 43.

43.2. The Permittee shall initiate and complete corrective action necessary to eliminate any violation identified by a complaint or investigation as soon as practicable if

a. after an investigation because of a complaint or other reason, the Permittee believes that emissions from the stationary source have caused or are causing a violation of Condition 43; or

b. the Department notifies the Permittee that it has found a violation of Condition 43.

43.3. The Permittee shall keep records of

a. the date, time, and nature of all emissions complaints received;

b. the name of the person or persons that complained, if known;

c. a summary of any investigation, including reasons the Permittee does or does not believe the emissions have caused a violation of Condition 43; and

d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.

43.4. With each stationary source operating report under Condition 65, the Permittee shall include a brief summary report which must include

a. the number of complaints received;

b. the number of times the Permittee or the Department found corrective action necessary;

c. the number of times action was taken on a complaint within 24 hours; and

d. the status of corrective actions the Permittee or Department found necessary that were not taken within 24 hours.

43.5. The Permittee shall notify the Department of a complaint that is attributable to emissions from the stationary source within 24 hours after receiving the complaint, unless the Permittee has initiated corrective action within 24 hours of receiving the complaint.

43.6. Operate the meal dryer evaporator emission controls (seawater scrubber system) at any time the fish meal plant evaporator system is in operation.

a. Keep records of evaporator system operations and scrubber system operations listing the dates and times the plant and system are in operation.

b. Report as a permit deviation for any event during which scrubber system is not operating concurrently with the meal dryer evaporator system.

**44. Technology-Based Emission Standard.** If an unavoidable emergency, malfunction, or non-routine repair, as defined in 18 AAC 50.235(d), causes emissions in excess of a technology-based emission standard[3] listed in Conditions 24 and 46 (refrigerants) the Permittee shall take all reasonable steps to minimize levels of emissions that exceed the standard. Excess emissions reporting under Condition 64 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 64.

[18 AAC 50.235(a), 50.326(j)(4), & 50.040(j)(4)]
[40 C.F.R. 71.6(c)(6)]

**45. Asbestos NESHAP.** The Permittee shall comply with the requirements set forth in 40 C.F.R. 61.145, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 C.F.R. 61, Subpart A and Appendix A.

[18 AAC 50.040(b)(1) & (2)(F), & 50.326(j)]
[40 C.F.R. 61, Subparts A & M, and Appendix A]

**46. Refrigerant Recycling and Disposal.** The Permittee shall comply with the standards for recycling and emission reduction of refrigerants set forth in 40 C.F.R. 82, Subpart F.

[18 AAC 50.040(d) & 50.326(j)]
[40 C.F.R. 82, Subpart F]

[3] *Technology-based emission standard* means a best available control technology standard (BACT); a lowest achievable emission rate standard (LAER); a maximum achievable control technology standard established under 40 C.F.R. 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

## NESHAPs Applicability Determinations

**47.** The Permittee shall determine rule applicability and designation of affected sources under National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories (40 C.F.R. 63) in accordance with the procedures described in 40 C.F.R. 63.1(b) and 63.10(b)(3). If a source becomes affected by an applicable subpart of 40 C.F.R. 63, the Permittee shall comply with such standard by the compliance date established by the Administrator in the applicable subpart, in accordance with 40 C.F.R. 63.6(c).

47.1. After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator and the Department of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in §63.9(b).

[18 AAC 50.040(c)(1)(A) & (E), 50.040(j), & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(ii)]
[40 C.F.R. 63.1(b), 63.5(b)(4), 63.6(c)(1), & 63.10(b)(3)]

## Open Burning Requirements

**48. Open Burning.** If the Permittee conducts open burning at this stationary source, the Permittee shall comply with the requirements of 18 AAC 50.065.

48.1. The Permittee shall keep written records to demonstrate that the Permittee complies with the limitations in this condition and the requirements of 18 AAC 50.065. Upon request by the Department, submit copies of the records.

48.2. Compliance with this condition shall be an annual certification conducted under Condition 66.

[18 AAC 50.065, 50.040(j), & 50.326(j)]
[40 C.F.R. 71.6(a)(3)]

## *Section 6. General Source Testing and Monitoring Requirements*

**49. Requested Source Tests.** In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the Department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) & 50.345(a) & (k)]

**50. Operating Conditions.** Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing

[18 AAC 50.220(b)]

50.1. at a point or points that characterize the actual discharge into the ambient air; and

50.2. at the maximum rated burning or operating capacity of the emission unit or another rate determined by the Department to characterize the actual discharge into the ambient air.

**51. Reference Test Methods.** The Permittee shall use the following as reference test methods when conducting source testing for compliance with this permit:

51.1. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(a) must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60.

[18 AAC 50.220(c)(1)(A) & 50.040(a)]
[40 C.F.R. 60]

51.2. Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures set out in Reference Method 9 and may use the form in Section 11 to record data.

[18 AAC 50.030 & 50.220(c)(1)(D)]

51.3. Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 60, Appendix A.

[18 AAC 50.040(a)(3) & 50.220(c)(1)(E)]
[40 C.F.R. 60, Appendix A]

51.4. Source testing for emissions of PM-10 must be conducted in accordance with the procedures specified in 40 C.F.R. 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2) & 50.220(c)(1)(F)]
[40 C.F.R. 51, Appendix M]

51.5. Source testing for emissions of any pollutant may be determined using an alternative method approved by the Department in accordance with 40 C.F.R. 63 Appendix A, Method 301.

[18 AAC 50.040(c)(24) & 50.220(c)(2)]
[40 C.F.R. 63, Appendix A, Method 301]

**52. Excess Air Requirements.** To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emission unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3) & 50.990(102)]

**53. Test Exemption.** The Permittee is not required to comply with Conditions 55, 56 and 57 when the exhaust is observed for visible emissions by Method 9 Plan (Condition 2.1) or Smoke/No Smoke Plan (Condition 2.2).

[18 AAC 50.345(a)]

**54. Test Deadline Extension.** The Permittee may request an extension to a source test deadline established by the Department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the Department's appropriate division director or designee.

[18 AAC 50.345(a) & (l)]

**55. Test Plans.** Except as provided in Condition 53, before conducting any source tests, the Permittee shall submit a plan to the Department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emission unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under Condition 49 and at least 30 days before the scheduled date of any test unless the Department agrees in writing to some other time period. Retesting may be performed without resubmitting the plan.

[18 AAC 50.345(a) & (m)]

**56. Test Notification.** Except as provided in Condition 53, at least 10 days before conducting a source test, the Permittee shall give the Department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n)]

**57. Test Reports.** Except as provided in Condition 53, within 60 days after completing a source test, the Permittee shall submit two copies of the results in the format set out in the Source Test Report Outline, adopted by reference in 18 AAC 50.030. The Permittee shall additionally certify the results in the manner set out in Condition 61. If requested in writing by the Department, the Permittee must provide preliminary results in a shorter period of time specified by the Department.

[18 AAC 50.345(a) & (o)]

**58. Continuous Monitoring Systems.** If required by terms and conditions of this permit, install, calibrate, conduct applicable continuous monitoring system performance specification tests listed in 40 C.F.R. 60, Appendix B, effective July 1, 1997, and certify test results; operate; and maintain air contaminant emissions and process monitoring equipment on the units as described herein. For EU ID(s) 1 through 5 submit no later than 60 days after the listed expiration date of this permit the monitoring equipment siting, operating, maintenance plans, and procedures for approval by the Department.

For continuous emission monitoring systems, comply with each applicable monitoring system requirement, as listed in 40 C.F.R. 60.13, 60.19, 40 C.F.R. 60, Appendix A, Method 19, Appendix B, Performance Specifications 2 and 6, and Appendix F, and the *EPA Quality Assurance Handbook For Air Pollution Measurements Systems*, EPA/600 R094/038b, effective July 1, 1997. Attach to the Facility Operating Report required by Condition 65.1) a copy of each quarterly continuous emission monitoring system data assessment report for Quality Assurance Procedures conducted in accordance with 40 C.F.R. 60, Appendix F; and 2) a copy of each quarterly monitoring system's performance report in accordance with 40 C.F.R. 60.7.

[18 AAC 50.320(a)(2)]

**59. Particulate Matter Calculations.** In source testing for compliance with the particulate matter standards in Condition 5, the three-hour average is determined using the average of three one-hour test runs. The source testing must account for those emissions caused by soot blowing, grate cleaning, or other routine maintenance activities by ensuring that at least one test run includes the emissions caused by the routine maintenance activity and is conducted under conditions that lead to representative emissions from that activity. The emissions must be quantified using the following equation:

$$E = E_M\left[(A+B)\times\frac{S}{R\times A}\right]+E_{NM}\left[\frac{R-S}{R}-B\times\frac{S}{R\times S}\right]$$

Where:

E = the total PM emissions of the emission unit in grains per dry standard cubic foot ((gr.)/dscf)

EM = the PM emissions in (gr.)/dscf measured during the test that included the routine maintenance activity

ENM = the arithmetic average of PM emissions in (gr.)/dscf measured during the test runs that did not include the maintenance activity

A = the period of routine maintenance activity occurring during the test run that included routine maintenance activity, expressed to the nearest hundredth of an hour

B = the total period of the test run, less A

R = the maximum period of emission unit operation per 24 hours, expressed to the nearest hundredth of an hour

S = the maximum period of routine maintenance activity per 24 hours, expressed to the nearest hundredth of an hour

[18 AAC 50.220(f)]

## *Section 7. General Recordkeeping and Reporting Requirements*

### Recordkeeping Requirements

**60. Recordkeeping Requirements.** The Permittee shall keep all records required by this permit for at least five years after the date of collection, including:

[18 AAC 50.326(j)]
[40 C.F.R. 60.7(f), Subpart A]
[40 C.F.R. 71.6(a)(3)(ii)(B)]

60.1. copies of all reports and certifications submitted pursuant to this section of the permit; and

60.2. records of all monitoring required by this permit, and information about the monitoring including:

a. the date, place, and time of sampling or measurements;

b. the date(s) analyses were performed;

c. the company or entity that performed the analyses;

d. the analytical techniques or methods used;

e. the results of such analyses; and,

f. the operating conditions as existing at the time of sampling or measurement.

### Reporting Requirements

**61. Certification.** The Permittee shall certify any permit application, report, affirmation, or compliance certification submitted to the Department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: *"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete."* Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

61.1. The Department may accept an electronic signature on an electronic application or other electronic record required by the Department if

a. a certifying authority registered under AS 09.25.510 verifies that the electronic signature is authentic; and

b. the person providing the electronic signature has made an agreement, with the certifying authority described in Condition 61.1.a, that the person accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.345(a) & (j), 50.205, & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(iii)(A)]

**62. Submittals.** Unless otherwise directed by the Department or this permit, the Permittee shall send an original and one copy of reports, compliance certifications, and other submittals required by this permit to ADEC, Air Permits Program, 610 University Ave., Fairbanks, AK 99709-3643, ATTN: Compliance Technician. The Permittee may, upon consultation with the Compliance Technician regarding software compatibility, provide electronic copies of data reports, emission source test reports, or other records under a cover letter certified in accordance with Condition 61.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(a)(3)(iii)(A)]

**63. Information Requests.** The Permittee shall furnish to the Department, within a reasonable time, any information the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require the Permittee to furnish copies of those records directly to the federal Administrator.

[18 AAC 50.345(a) & (i), 50.200, & 50.326(a) & (j)]
[40 C.F.R. 71.5(a)(2) & 71.6(a)(3)]

**64. Excess Emissions and Permit Deviation Reports.**

64.1. Except as provided in Condition 43, the Permittee shall report all emissions or operations that exceed or deviate from the requirements of this permit as follows:

a. in accordance with 18 AAC 50.240(c), as soon as possible after the event commenced or is discovered, report

(i) emissions that present a potential threat to human health or safety; and

(ii) excess emissions that the Permittee believes to be unavoidable;

b. in accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or non routine repair that causes emissions in excess of a technology based emission standard;

c. report all other excess emissions and permit deviations

(i) within 30 days of the end of the month in which the emissions or deviation occurs, except as provided in Conditions 64.1.c(ii) and 64.1.c(iii);

(ii) if a continuous or recurring excess emissions is not corrected within 48 hours of discovery, within 72 hours of discovery unless the Department provides written permission to report under Condition 64.1.c(i); and

(iii) for failure to monitor, as required in other applicable conditions of this permit.

64.2. When reporting excess emissions or permit deviations, the Permittee must report using either the Department's on-line form, which can be found at http://www.dec.state.ak.us/air/ap/site.htm or https://myalaska.state.ak.us/deca/air/airtoolsweb/, or if the Permittee prefers, the form contained in Section 12 of this permit. The Permittee must provide all information called for by the form that is used.

64.3. If requested by the Department, the Permittee shall provide a more detailed written report as requested to follow up an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]

**65. Operating Reports.** During the life of this permit[4], the Permittee shall submit to the Department an original and one copy of an operating report by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year.

65.1. The operating report must include all information required to be in operating reports by other conditions of this permit. The Permittee may, upon consultation with the Compliance Technician regarding software compatibility, provide electronic copies of data reports, emission source test reports, or other records under a cover letter certified in accordance with Departmental submission requirements

65.2. If excess emissions or permit deviations that occurred during the reporting period are not reported under Condition 65.1, either

a. The Permittee shall identify

(i) the date of the deviation;

(ii) the equipment involved;

(iii) the permit condition affected;

(iv) a description of the excess emissions or permit deviation; and

(v) any corrective action or preventive measures taken and the date of such actions; or

b. When excess emissions or permit deviations have already been reported under Condition 64 the Permittee shall cite the date or dates of those reports.

65.3. The operating report must include a listing of emissions monitored under Conditions 2.1.e and 2.2.c which trigger additional testing or monitoring, whether or not the emissions monitored exceed an emission standard. The Permittee shall include in the report.

[4] *Life of this permit* is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

a. the date of the emissions;

b. the equipment involved;

c. the permit condition affected; and

d. the monitoring result which triggered the additional monitoring.

65.4. Transition from expired to renewed permit. For the first period of this renewed operating permit, also provide the previous permit's facility operating report elements covering that partial period immediately preceding the effective date of this renewed permit.

[18 AAC 50.346(a) & 50.326(j)]
[40 C.F.R. 71.6(a)(3)(iii)(A)]

**66. Annual Compliance Certification.** Each year by March 31, the Permittee shall compile and submit to the Department an original and one copy of an annual compliance certification report[5]. The Permittee, at their discretion, may submit one copy in electronic format (PDF or other Department compatible image format).

66.1. Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

a. identify each term or condition set forth in Section 3 through Section 9, that is the basis of the certification;

b. briefly describe each method used to determine the compliance status;

c. state whether compliance is intermittent or continuous; and

d. identify each deviation and take it into account in the compliance certification;

66.2. Transition from expired to renewed permit. For the first period of this renewed operating permit, also provide the previous permit's annual compliance certification report elements covering that partial period immediately preceding the effective date of this renewed permit.

66.3. In addition, submit a copy of the report directly to the EPA-Region 10, Office of Air Quality, M/S OAQ-107, 1200 Sixth Avenue, Seattle, WA 98101.

[18 AAC 50.205, 50.345(a) & (j), & 50.326(j)]
[40 C.F.R. 71.6(c)(5)]

**67. NSPS and NESHAP Reports.** The Permittee shall:

67.1. attach to the facility operating report required by Condition 65, a copy of any NSPS and NESHAPs reports submitted to the U.S. Environmental Protection Agency (EPA) Region 10; and

[5] See Condition 66.2 for clarification on the number of reports required.

67.2. upon request by the Department, notify and provide a written copy of any EPA-granted alternative monitoring requirement, custom monitoring schedule or waiver of the federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements.

[18 AAC 50.326(j)(4) & 50.040(j)]
[40 C.F.R. 60.13]
[40 C.F.R. 71.6(c)(6)]

## *Section 8. Permit Changes and Renewal*

**68. Permit Applications and Submittals.** The Permittee shall comply with the following requirements for submitting application information to the EPA Region 10:

68.1. The Permittee shall provide a copy of each application for modification or renewal of this permit, including any compliance plan, or application addenda, at the time the application or addendum is submitted to the Department[6];

68.2. The information shall be submitted to the same address as in Condition 66.3.

68.3. To the extent practicable, the Permittee shall provide to EPA applications in portable document format (PDF); MS Word format (.doc); or other computer-readable format compatible with EPA's national database management system; and

68.4. The Permittee shall maintain records as necessary to demonstrate compliance with this condition.

[18 AAC 50.040(j)(7) & 50.326(b)]
[40 C.F.R. 71.10(d)(1)]

**69. Emissions Trading.** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 C.F.R. 71.6(a)(8)]

**70. Off Permit Changes.** The Permittee may make changes that are not addressed or prohibited by this permit other than those subject to the requirements of 40 C.F.R. Part 72 through 78 or those that are modifications under any provision of Title I of the Act to be made without a permit revision, provided that the following requirements are met:

70.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;

70.2. Provide contemporaneous written notice to EPA and the Department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;

70.3. The change shall not qualify for the shield under 40 C.F.R. 71.6(f);

[6] The documents required in Condition 68.1 are submitted to the Department's Anchorage office. The current address for the Anchorage office is: ADEC, 619 East Ship Creek, Suite 249, Anchorage, AK 99501.

70.4. The Permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 C.F.R. 71.6(a)(12)]

**71. Operational Flexibility.** The Permittee may make changes within the permitted stationary source without requiring a permit revision if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions):

71.1. The Permittee shall provide EPA and the Department with a notification no less than 7 days in advance of the proposed change.

71.2. For each such change, the written notification required above shall include a brief description of the change within the permitted stationary source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

71.3. The permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to Condition 71.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 C.F.R. 71.6(a)(13)]

**72. Permit Renewal.** To renew this permit, the Permittee shall submit an application under 18 AAC 50.326 no sooner than **March 20, 2014** and no later than **March 20, 2015**. The renewal application shall be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the stationary source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 C.F.R. 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3), 50.326(c)(2) & (j)(2)]
[40 C.F.R. 71.5(a)(1)(iii) & 71.7(b) & (c)(1)(ii)]

## *Section 9. Compliance Requirements*

### General Compliance Requirements

**73.** Compliance with permit terms and conditions is considered to be compliance with those requirements that are

73.1. included and specifically identified in the permit; or

73.2. determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3) & 50.345(a) & (b)]

**74.** The Permittee must comply with each permit term and condition.

74.1. For applicable requirements with which the stationary source is in compliance, the Permittee will continue to comply with such requirements

74.2. Noncompliance with a permit term or condition constitutes a violation of AS 46.14.120(c), 18 AAC 50, and, except for those terms or conditions designated in the permit as not federally enforceable, the Clean Air Act, and is grounds for

a. an enforcement action;

b. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

c. denial of an operating permit renewal application.

[18 AAC 50.040(j), 50.326(j) and 50.345(a) & (c)]
[40 C.F.R. 71.6(c)(3) & 71.5(c)(8)(iii)(A)]

**75.** It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3) & 50.345(a) & (d)]

**76.** The Permittee shall allow the Department or an inspector authorized by the Department, upon presentation of credentials and at reasonable times with the consent of the owner or operator to

76.1. enter upon the premises where a unit subject to the permit is located or where records required by the permit are kept;

76.2. have access to and copy any records required by the permit;

76.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

76.4. sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3) & 50.345(a) & (h)]

## Compliance Schedule

**77.** For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j) & 50.326(j)]
[40 C.F.R. 71.6(c)(3) & 71.5(c)(8)(iii)(B)]

## *Section 10. Permit As Shield from Inapplicable Requirements*

In accordance with AS 46.14.290, and based on information supplied in the permit application, this section of the permit contains the requirements determined by the Department not to be applicable to the stationary source.

**78.** Nothing in this permit shall alter or affect the following:

78.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

78.2. The liability of an owner or operator of a stationary source for any violation of applicable requirements prior to or at the time of permit issuance.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(f)(3)(i)) & (ii)]

**79.** The sub-condition below identifies the emission units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Condition 79.1 becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

[18 AAC 50.326(j)]
[40 C.F.R. 71.6(f)(1)(ii)]

79.1. The Department has determined that EU ID(s) T1 through T3 are not subject to the requirements set forth in 40 C.F.R. 60 Subpart Kb. This determination is based upon certification by the Permittee that EU ID(s) T1 through T3 rated capacity are less than 75 $m^3$ with a maximum true vapor pressure less than 15.0 kPa.

# *Section 11. Visible Emissions Forms*

## Visible Emissions Field Data Sheet

Certified Observer: _____

Company & Stationary Source: _____

Location: _____

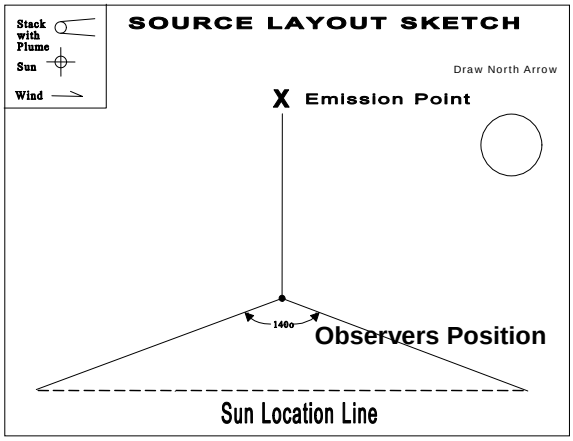
Test No.: _____ Date: _____

Emission Unit: _____

Production Rate/Operating Rate: _____

Unit Operating Hours: _____

Hrs. of observation: _____




| Clock Time | Initial | | | | Final |
|---|---|---|---|---|---|
| Observer location<br>Distance to discharge | | | | | |
| Direction from discharge | | | | | |
| Height of observer point | | | | | |
| Background description | | | | | |
| Weather conditions<br>Wind Direction | | | | | |
| Wind speed | | | | | |
| Ambient Temperature | | | | | |
| Relative humidity | | | | | |
| Sky conditions: (clear, overcast, % clouds, etc.) | | | | | |
| Plume description:<br>Color | | | | | |
| Distance visible | | | | | |
| Water droplet plume?<br>(Attached or detached?) | | | | | |
| Other information | | | | | |

## Visible Emissions Observation Record

Page _____ of _____

Company & Stationary Source _____ Certified Observer _____

Test Number Clock Time

| Date: | | Visibility reduction every 15 Seconds (Opacity) | | | | Steam Plume (check if applicable) | | Comments |
|---|---|---|---|---|---|---|---|---|
| Hr | Min | 0 | 15 | 30 | 45 | Attached | Detached | |
| | | | | | | | | |
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Additional information:

_____ _____
Observer Signature and Date Certified By and Date

Data Reduction:
Duration of Observation Period (minutes): _____ Duration Required by Permit (minutes) _____
Number of Observations _____ Highest Six –Minute Average Opacity (%) _____
Number of Observations exceeding 20% _____
In compliance with six-minute opacity limit? (Yes or No) _____

**Average Opacity Summary**

| Set Number | Time Start—End | Opacity | |
|---|---|---|---|
| | | Sum | Average |
| | | | |
| | | | |
| | | | |

## *Section 12. ADEC Notification Form*[7]

| Westward Dutch Harbor Seafood Processing Facility | AQ0433TVP02 |
|---|---|
| **Stationary Source Name** | **Air Quality Permit No.** |
| Westward Seafoods, Inc. | |
| **Company Name** | **Date** |

**When did you discover the Excess Emissions/Permit Deviation?**

Date: _____ / _____ / _____ Time: _____ :/ _____

**When did the event/deviation occur?**

Begin Date: _____ / _____ / _____ Time: _____ : _____ (Use 24-hr clock.)

End Date _____ / _____ / _____ Time: _____ : _____ (Use 24-hr clock.)

**What was the duration of the event/deviation?** ____ : ____ (hrs:min) or _____ days

(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

**Reason for Notification:** (please check only 1 box and go to the corresponding section)

☐ Excess Emissions – Complete Section 1 and Certify

☐ Deviation from Permit Condition – Complete Section 2 and Certify

☐ Deviations from COBC, CO, or Settlement Agreement – Complete Section 2 and Certify

### Section 1. Excess Emissions

(a) Was the exceedance: ☐ Intermittent or ☐ Continuous

(b) Cause of Event (Check one that applies):

☐ Start Up/Shut Down ☐ Natural Cause (weather/earthquake/flood)

☐ Control Equipment Failure ☐ Schedule Maintenance/Equipment Adjustment

☐ Bad Fuel/Coal/Gas ☐ Upset Condition ☐ Other _____

(c) Description
Describe briefly, what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance.

(d) Emissions Units Involved:
Identify the emission unit involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

| EU ID | EU Name | Permit Condition Exceeded/Limit/Potential Exceedance |
|---|---|---|
| | | |
| | | |
| | | |

[7] Revised as of August 20, 2008.

(e) Type of Incident (please check only one):

☐ Opacity _____ % ☐ Venting _____ gas/scf ☐ Control Equipment Down

☐ Fugitive Emissions ☐ Emission Limit Exceeded ☐ Other _____

☐ Marine Vessel Opacity ☐ Flaring _____

(f) Unavoidable Emissions:

Do you intend to assert that these excess emissions were unavoidable? ☐ Yes ☐ No

Do you intend to assert the affirmative defense of 18 AAC 50.235? ☐ Yes ☐ No

*Certify Report (Go to end of form.)*

## Section 2. Permit Deviations

(a) Permit Deviation Type (check only one box, corresponding with the section in the permit):

☐ Emission Unit-Specific

☐ Failure to Monitor/Report

☐ General Source Test/Monitoring Requirements

☐ Recording/Reporting/Compliance Certification

☐ Standard Conditions Not Included in the Permit

☐ Other Section: _____ (Title of section and section number of your permit).

☐ Generally Applicable Requirements

☐ Reporting/Monitoring for Diesel Engines

☐ Recordkeeping Failure

☐ Insignificant Emission Unit

☐ Stationary Source Wide

(b) Emission Unit Involved:

Identify the emission unit involved in the event, using the same identification number and name as in the permit. List the corresponding permit conditions and the deviation.

| EU ID | EU Name | Permit Condition/ Potential Deviation |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

(c) Description of Potential Deviation:
Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation.

(d) Corrective Actions:
Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence.

**Certification:**

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.

Printed Name: _____ Title: _____ Date: _____

Signature: _____ Phone Number: _____

**NOTE:** *This document must be certified in accordance with 18 AAC 50.345(j)*

**To Submit this Report:**

Fax to: 907-451-2187

Or

Email to: DEC.AQ.Airreports@alaska.gov

*If faxed or emailed, the report must be certified within the Operating Report required for the same reporting period per Condition 65.*

Or

Mail to: ADEC
Air Permits Program
610 University Avenue
Fairbanks, AK 99709-3643

Or

Phone Notification: 907-451-5173

*Phone notifications require a written follow-up report.*

Or

Submission of information contained in this report can be made electronically at the following website:

*https://myalaska.state.ak.us/deca/air/airtoolsweb/*

*If submitted online, report must be submitted by an authorized E-Signer for the stationary source.*

[18 AAC 50.346(b)(3)]

**Alaska Department of Environmental Conservation**
**Air Permits Program**

**September 20, 2010**

**Westward Seafoods, Inc.**
**Westward Dutch Harbor Seafood Processing Facility**

# STATEMENT OF BASIS
**of the terms and conditions for**
**Permit No. AQ0433TVP02**

**Prepared by Samantha Hoover**
**ADEC/AQ APP Anchorage**

## INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ0433TVP02.

## STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ0433TVP02 contains information on the stationary source as provided in the Title V permit application.

The stationary source is owned and operated by Westward Seafoods, Inc. and the Permittee for the stationary source's air quality control operating permit. The SIC code for this stationary source is 2092.

The Westward Dutch Harbor Seafood Processing Facility is located in Dutch Harbor, Alaska. The facility processes surimi (from pollock), whitefish fillets, frozen and salt cured cod, pollock roe, cod milt, king and opilio tanner crab, fish meal, bone meal, and fish oil. The key buildings and structures comprising the facility are the powerhouse, the seafood and crab processing plants, the surimi plant and surimi warehouse, the cold storage building, a fish oil storage tank, two general purpose warehouses, the fish meal plant, and associated bunkhouses and apartment units to house facility personnel.

To support facility operations, Westward operates three 2,220 kW Wartsila diesel electric generator sets (EU IDs 1 through 3) to provide power for the facility and two 29.3 MMBtu/hr Clever-Brooks boilers (EU IDs 4 and 5) to provide steam and heat for the entire facility, including hotel load, fish meal cooking and drying, and processing. Exhaust gases from all these five emission units at the facility are ducted into a single stack. Figure 2 presents an aerial photograph showing layout of Westward Dutch Harbor Seafood Processing Facility.

Seafood Processing:

Pollock accounts for the greatest volume of landed raw product and is primarily processed into surimi, a fish protein gel. The surimi is packaged and held in frozen storage for shipment. Non-pollock finfish are processed as whole fish or fillets, and crab are processed as whole leg and shoulder sections. Canning is not conducted. Finfish and shellfish are also held in frozen storage for shipment.

Processing generates substantial volumes of fish waste. The waste is processed into dry fish meal in the meal reduction plant. The activities of reduction include cooking, mechanical dehydration and contact drying.

Mechanical dehydration produces (a) solids fraction, which is introduced directly to plate contact driers, and (b) a liquid fraction.

The liquid fraction undergoes additional separation for the recovery of (a) fish oil, which may be burned as boiler fuel or sold as a market commodity, and (b) tissue water, which contains soluble proteins. These proteins are recovered by partial evaporation of the tissue water. The process makes use of dryer waste heat in the form of the dryer product vapors. Meal dryer product vapors are ducted directly to the evaporators. The vapors condense in the evaporator heat exchangers, providing heat for the process. The liquid condensate is discharged. Prior to their

release to the atmosphere, the residual vapors are passed through a seawater spray scrubber, which removes aromatic organic compounds and residual particulates from the exhaust stream.

Power Generation:

Westward operates an inventory of fossil fuel-burning equipment required to generate the electrical power and steam to operate the Westward Dutch Harbor Seafood Processing Facility. Westward is isolated from the local Unalaska utility distribution system. The Applicant must use internal combustion engines to generate all the electric power required to conduct their seafood processing operations. These internal combustion engines that drive the electric generators are the primary source of the Applicant's $NO_X$ emissions, accounting for more than 95 percent of the facility's $NO_X$ emissions.

Facility Operations:

The seafood processing industry in Alaska is inherently seasonal. The facility operates continuously 8 to 10 months out of the year. Operations are generally reduced from April 15 to August 15 and from November 1 to December 31 each year for maintenance and repair. The facility operates 24 hours a day and 7 days a week. During the peak service periods the facility must constantly balance the operation of the Wartsila electric generator sets in their powerhouse to match their prevailing power demands, as well as perform all maintenance and repairs required to keep the generator sets available for service.

The applicant identified no alternative modes of operation that change the air pollution control requirements applicable to the facility.

## EMISSION UNIT INVENTORY AND DESCRIPTION

Under 18 AAC 50.326(a), the Department requires operating permit applications to include identification of all emissions-related information, as described under 40 C.F.R. 71.5(c)(3).

The emission units at the Westward Dutch Harbor Seafood Processing Facility that are classified and have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of Operating Permit No. AQ0433TVP02. Table A of Operating Permit No. AQ0433TVP02 contains information on the emission units regulated by this permit as provided in the application. The table is provided for informational and identification purposes only. Specifically, the emission unit rating/size provided in the table is not intended to create an enforceable limit.

## EMISSIONS

A summary of the potential to emit (PTE)[1] and assessable PTE as indicated in the Technical Analysis Report for the Westward Dutch Harbor Seafood Processing Facility Air Quality Control Construction Permit No. 433CP01 is shown in the table below.

[1] *Potential to Emit* or *PTE* means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source, as defined in AS 46.14.990(23), effective 12/3/05.

**Table B - Emissions Summary, in Tons Per Year (TPY)**

| Pollutant | $NO_X$ | CO | PM-10 | $SO_2$ | VOC | HAPs | Total |
|---|---|---|---|---|---|---|---|
| PTE | 594 | 64 | 26 | 114 | 32 | 0.40 | 830 |
| Assessable PTE | 594 | 64 | 26 | 114 | 32 | 0 | 830 |

The assessable PTE listed under Condition 37.1 is the sum of the emissions of each individual regulated air pollutant for which the stationary source has the potential to emit quantities greater than 10 TPY. The emissions listed in Table A are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit to the stationary source.

For criteria pollutants, emissions are as provided in the application, as follows: Nitrogen oxides ($NO_X$), Carbon monoxide (CO), Particulate matter sized less than 10 microns ($PM_{10}$), Sulfur dioxide ($SO_2$), and Volatile organic compounds (VOC).

The Department calculated HAP emissions using AP-42, Volume I, Fifth Edition.

## BASIS FOR REQUIRING AN OPERATING PERMIT

In accordance with AS 46.14.130(b), an owner or operator of a Title V source[2] must obtain a Title V permit consistent with 40 C.F.R. Part 71, as adopted by reference in 18 AAC 50.040.

Except for sources exempted or deferred by AS 46.14.120(e) or (f), AS 46.14.130(b) lists three categories of sources that require an operating permit:

- A major source;
- A stationary source including an area source subject to federal new source performance standards under Section 111 of the Clean Air Act or national emission standards under Section 112 of the Clean Air Act;
- Another stationary source designated by the federal administrator by regulation.
- This stationary source requires an operating permit because it is classified under 18 AAC 50.326(a) and 40 C.F.R. 71.3(a) as a major stationary source as defined in Section 302 of the Clean Air Act that directly emits, or has the potential to emit, 100 TPY or more of any air pollutant.

## AIR QUALITY PERMITS

### Previous Air Quality Permit to Operate

The most recent permit issued for this stationary source is Permit to Operate No. 9425-AA011. This permit-to-operate included all construction authorizations issued through June 15, 1994, and was issued before January 18, 1997 (the effective date of the new divided Title I/Title V permitting program). All stationary source-specific requirements established in this permit are included in the new operating permit as described in Table C.

[2] *Title V source* means a stationary source classified as needing a permit under AS 14.130(b) [ref. 18 AAC 50.990(111)].

### Title I (Construction and Minor) Permits

The Department issued Construction Permit No. 433CP01 to this stationary source on October 10, 2003. Westward requested an informal Director Review of the decision. In consideration of the February 9, 2004 review findings, the Department issued an administrative revision to this construction permit on February 13, 2004 based upon stack parameter changes and a more stringent fuel sulfur restriction. The Department established stationary source-specific requirements through this Title I permit decision. The Department carried forward those requirements into the renewal operating permit as described in Table D of this Statement of Basis.

### Title V Operating Permit Application, Revisions and Renewal History

The owner or operator submitted an application for these activities on September 1998. The Department issued Operating Permit No. AQ0433TVP01 on November 28, 2003.

Revision No. 1: Permit Section 6, Condition 14 was revised to incorporate the stack revision (option1) submitted by Westward on February 20, 2004. The Department also lowered the 0.24 percent (by weight) fuel sulfur limit to 0.23 percent, as requested by Westward on January 13, 2004 and as needed to protect the sulfur dioxide ambient air quality standards and Class II maximum allowable increases (increments). The Department also incorporated several clarifications in Section 5, as requested by Westward on October 29, 2003.

The owner or operator submitted a permit renewal application on June 26, 2008. The owner or operator replaced the application with a revised application on August 25, 2008. The Department received additional information on August 29, 2008.

## COMPLIANCE HISTORY

The stationary source has operated at its current location since 1990. Review of the permit files for this stationary source, which includes the past inspection reports and compliance evaluations indicate a stationary source has had several emission and procedural compliance problems with its operating permit.

- On May 27, 2009, the Department finalized a full compliance evaluation covering the period July 1, 2007 through February 28, 2009. The full compliance evaluation included an on-site inspection which was conducted on February 12, 2009. The Department identified compliance issues with lack of fuel records for truck shipped fuel, a 24 hour event at which time EU No.3 was operating at a generator load greater than 30% while the Charged Air Saturation System (CASS) was inoperable, fuel meters do not have regularly scheduled calibrations, a source test was not conducted prior to deadline in permit, RO failed to certify FOR reports.
- On September 28, 2007, the Department finalized a full compliance evaluation covering the period September 1, 2005 through June 30, 2007. The Department identified compliance issues with burning fuel that exceeded 0.23 sulfur content, 14 events when the CASS was temporarily inoperable, stack diameter measurements were not submitted by deadline, FORs submitted by WSI for February 1, 2006, August 1, 2006, February 1, 2007 and August 1, 2007 failed to include a statement that no complaints were received, WSI failed to respond in a timely manner in providing the information requested in NOV No. 2005-1092-40-5237, and failure to submit timely reports.

- On March 2, 2006 the Department issued Notice of Violation (NOV) No. 2005-1092-40-5237 with a deadline to submit the information requested in the Department's compliance letter of September 13, 2005 and the semiannual FOR that was due on February 1, 2006 by March 15, 2006. The Department did not receive information requested. On July 14, 2006 the U.S. Environmental Protection Agency (EPA) assumed the lead enforcement role for the events listed in ADEC's NOV. EPA Region 10 sent a Federal NOV to Westward Seafoods, Inc. on April 19, 2007. The settlement of the Federal NOV is still under negotiation between EPA Region 10 and WSI.
- On June 3, 2005, the Department issued Compliance Letter No. 2005-0333-37-4386 upon receipt of excess emission notifications submitted by the Westward on May 12, 2005. Westward stated that used oil and diesel fuel burned at the stationary source from periods between October 2003 and March 2004 exceeded the sulfur limitations set by Conditions 6 and 16.1a of the permit (Westward submitted one additional notification on May 26, 2005 for a December 3, 2004 fuel delivery). All notifications were filed late per Condition 56. Westward stated that they would work with the fuel vendor to confirm fuel was mixed and tested properly. In addition, Westward is working with the vendor to be sure blended fuel sulfur content is calculated correctly on a weight basis rather than volume basis.
- On March 16, 2005, the Department issued NOV No. 2004-0823-40-4141 for failing to reply to the Department's September 24, 2004 Compliance Letter No. 2004-0823-37-3860 and for failing to submit required stationary source operating reports per Condition 58 of Permit No. AQ0433TVP01. The Department requested a response by April 1, 2005. On May 12, May 16, and June 10, 2005, the Department received the requested information.
- On September 24, 2004, the Department issued Compliance Letter No. 2004-0823-37-3860 to obtain missing information from Westward's September 14, 2004 response. Specifically, the Department requested an excess emission form for the sulfur limit exceedance of Condition 8.1 and 11.1 of Permit No. 433CP01, a completed and signed access control plan including photographs of required signs per Condition 12 of Permit No. AQ0433TVP01, and as-built engineering drawings of stack parameters as required by July 1, 2004 per Condition 14.6 of Permit No. AQ0433TVP01. The Department requested a response by October 29, 2004.
- On August 25, 2004, the Department issued NOV No. 2004-0667-40-3807 for failing to respond to the Department's May 13, 2004 Compliance Letter No. 2004-0667-37-3755. The Department requested a response by September 17, 2004. On September 14, 2005, Westward replied and submitted some of the information requested.

## APPLICABLE REQUIREMENTS FROM PRE-CONSTRUCTION PERMITS

Incorporated by reference at 18 AAC 50.326(j), 40 C.F.R. Part 71.6 defines "applicable requirement" to include the terms and conditions of any pre-construction permit issued under rules approved in Alaska's State Implementation Plan (SIP).

Alaska's SIP included the following types of pre-construction permits:

- Permit-to-operate issued before January 18, 1997 (these permits cover both construction and operations);
- Construction Permits issued after January 17, 1997; and

- Minor permits issued after October 1, 2004.

Pre-construction permit terms and conditions include both source-specific conditions and conditions derived from regulatory applicable requirements such as standard conditions, generally applicable conditions and conditions that quote or paraphrase requirements in regulation.

These requirements include, but not limited to, each emission unit- or source-specific requirement established in these permits issued under 18 AAC 50 that are still in effect at the time of this operating permit issuance. Table C and Table D below lists the requirements carried over from Permit to Operate No. 9425-AA011 and Construction Permit No. 0433CP01 into Operating Permit No. AQ0433TVP02 to ensure compliance with the applicable requirements.

**Table C - Comparison of Previous Permit AQ0433TVP01 Conditions to Operating Permit No. AQ0433TVP02 Conditions[3]**

| Permit No. AQ0433TVP01 Rev 1 Condition No. | Description of Requirement | Permit No. AQ0433TVP02 Condition No. | How Condition was Revised |
|---|---|---|---|
| Section 2 and 3 | Authority for permit and source list | Section 2, SOB | Same information, different format |
| 1 & 2 | Assessable Emissions | 37 | Revised with current Permit template language |
| 3 - 4 | State Standards for Visible Emission, Particle Matter and Sulfur | 1 through 11 | Revised with current Permit template language |
| 5 | Burn diesel with a sulfur content not more than 0.5% | 11 | State Sulfur Standard |
| 6 | Distillate fuels and blends not to exceed 0.23% | 12 | Ambient Air protection limit. Fuel sulfur not to exceed 0.23% |
| 7 -10 | NSPS Subpart A | 20 through 23 | Revised wording with current Permit template language |
| 11 | NSPS Dc requirements for EU ID 4 and 5 | 24 | Permittee shall emit less than 0.5 lb $SO_2$/MMBtu of fuel combusted |
| 12 – 14 | Ambient Air Protection | 12 through 14 | Incorporates the Construction Permit Ambient Air requirements.. |
| 15 - 17 | Construction Permit BACT requirements. | 16 through 18 | Same information, wording and format. Fuel sulfur requirements references the Ambient Air sulfur standard |
| 18 | COBC requirements | None | COBC not part of the current permit |
| 19 – 27 | State standards for liquid fuel fired emission units | 1 through 11 | Replaced with standard condition |

[3] This table does not include all standard and general conditions.

| Permit No. AQ0433TVP01 Rev 1 Condition No. | Description of Requirement | Permit No. AQ0433TVP02 Condition No. | How Condition was Revised |
|---|---|---|---|
| 28 | Facility-wide requirements Applicability Determinations | 47 | Same information |
| 29 | Chemical Accident Prevention | 32 | Expanded with 40 C.F.R. 68 Subpart G language |
| 30 through 33 | Insignificant source requirements | 19 | Same information |
| 34 through 42 | Generally Applicable Requirements | 39 through 46 | Now under general requirements of Section 5 |
| 43 | Permit Renewal | Section 8 | Now under Permit Changes and Renewal |
| 44-51 | Source Test requirements | Section 6 | Same Information |
| 52 -59 | General Recording Keeping, Reporting, and Compliance | Section 7 | Same Information |
| 60 - 66 | Standard Conditions not otherwise included in the Permit | Section 9 | Same Information |

**Table D - Comparison of Construction Permit No. 0433CP01 Conditions to Operating Permit No. AQ0433TVP02 Conditions[4]**

| Permit No. 0433CP01 Condition No. | Description of Requirement | Permit No. AQ0433TVP02 Condition No. | How Condition was Revised |
|---|---|---|---|
| Section 1 | Identification | Section 1 | Same information |
| Section 2 | Permit continuity | Tables C and D in Statement of Basis | Same information |
| Section 3 | Emission information | Table B in Statement of Basis | Same information |
| Section 4 | Source inventory | Section 2 | Same information |
| 4 and 5 | Ambient Air | None | One time requirement, the Permittee has implemented the ambient air requirements |
| 6 and 7 | Access Control Plan and No Trespassing Signs | 13 and 14 | Same information |
| 8 | $SO_2$ Requirements | 12 | Same information |
| 9 | Stack Parameters | 15 | Ongoing maintenance that must be met by the Permittee |

[4] This table does not include all standard and general conditions.

| Permit No. 0433CP01 Condition No. | Description of Requirement | Permit No. AQ0433TVP02 Condition No. | How Condition was Revised |
|---|---|---|---|
| 10 through 12 | $NO_X$ BACT, $SO_2$ BACT, and PM Requirements | 16, 17, and 18 | Same limits. Supplements were made to the periodic emission source testing. |
| 13 | Good Air Pollution practice | 39 | Same information |
| 14 | 40 C.F.R. 60, Subpart A | 20, 21, 23 | Same information |
| 15 | 40 C.F.R. 60, Subpart Dc | 24 | Same information |
| 16, 17, and 18 | State emissions standards | 1 through 11 | Detail specific to EU IDs 1 through 5. Used updated standard permit condition promulgated November 2008. |
| Section 9 | Generally applicable requirements | Section 5 | Administrative Fees, Assessable Emissions, Assessable Emission Estimates. Added dryer evaporator vent provisions for seawater scrubbing under 18 AAC 50.110. |
| Section 10 | General Source Testing | Section 6 | Same information |
| Section 11 | Recordkeeping, Reporting, and Compliance Certification | Section 7 | Same information. Updated standard permit conditions consistent with November 2008 standard condition rulemaking. |
| Section 12 | Standard conditions not otherwise included | Section 5 | Same information. Updated standard permit conditions consistent with November 2008 rulemaking. |
| Section 13 | Visible Emissions | 1 through 4 | Same information |
| Section 14 | Visible emission forms | Section 10 | Same information |
| Section 15 | ADEC Notification form | Section 12 | Updated form consistent with 2004 standard permit condition rulemaking. |
| Section 16 | Permit documentation | None | Not required in operating permit |

## STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The state and federal regulations for each condition are cited in Operating Permit No. AQ0433TVP02. The Statement of Basis provides the legal and factual basis for each term and condition as set forth in 40 C.F.R. 71.6(a)(1)(i).

### Conditions 1 - 4 and Section 11, Visible Emissions Standard and MR&R

**Legal Basis:** These conditions ensure compliance with the applicable requirements in 18 AAC 50.050(a) and 18 AAC 50.055(a).

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU ID(s) 1-5 and 7 are fuel-burning equipment.

U.S. EPA incorporated these standards as revised in 2002 into the SIP effective September 13, 2007.

**Factual Basis:** Condition 1 prohibits the Permittee from causing or allowing visible emissions in excess of the applicable standard in 18 AAC 50.055(a)(1).

Visible emission monitoring, recordkeeping, and reporting scheme is the same for both applicable requirements. The Permittee must monitor, record, and report emissions in accordance with Conditions 2 through 4 of the permit.

Conditions 2 through 4 MR&R conditions are standard conditions adopted into regulation pursuant to AS 46.14.010(e).

The Department has previously determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emission unit or stationary source operational or compliance factors indicate the unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions as modified meet the requirements of 40 C.F.R. 71.6(a)(3).

**Liquid Fuel-Fired Burning Equipment:**

Monitoring – The visible emissions may be observed by either Method-9 or the Smoke/No Smoke plans as detailed in Condition 2. Corrective actions such as maintenance procedures and either more frequent or less frequent testing may be required depending on the results of the observations.

Recordkeeping – The Permittee is required to record the results of all visible emission observations and record any actions taken to reduce visible emissions. If using method 9, the Permittee is further required to use the Form in Section 11.

Reporting – The Permittee is required to report: 1) emissions in excess of the federal and the state visible emissions standard and 2) deviations from permit conditions. The Permittee is required to include copies of the results of all visible emission observations with the stationary source operating report.

**Meal Plant Drier**

Monitoring **–** The meal dryer is subject to the visible emissions standards. The Permittee may use the EPA Reference Method-9 or the Smoke/No-Smoke monitoring options under Condition 2.

Reporting – The Permittee shall state compliance for the meal dryer in meeting the state standard in the annual compliance certification. The Permittee shall report as a permit deviation operating conditions as noted in Condition 43.6.b but is not required to report in each Operating Report on routine compliance.

Recordkeeping – There are no record keeping requirements for visible emission requirements except those contained in Condition 43.6. However, the Permittee should maintain documentation that the meal dryer has not violated the State standard.

**Conditions 5 -10, Particulate Matter (PM) Standard**

**Legal Basis:** These conditions ensure compliance with the applicable requirement in 18 AAC 50.055(b). This requirement applies to operation of all industrial processes and fuel burning equipment in Alaska.

- EU ID(s) 1 through 5 and 7 are fuel-burning equipment or industrial processes.

These PM standards also apply because they are contained in the federally approved SIP effective September 13, 2007.

**Factual Basis:** Condition 5 prohibits emissions in excess of the state PM (also called grain loading) standard applicable to fuel-burning equipment and industrial processes. The Permittee shall not cause or allow fuel-burning equipment nor industrial processes to violate this standard.

MR&R requirements are listed in Conditions 6 through 10 of the permit.

The applicant assured compliance with the grain loading emission standard for EU ID(s) 1 through 5 by providing vendor specifications. The results can be seen below.

**Table E: Particulate Matter Emissions**

| EU ID | PM Emission Rate | Reference | Grain Loading Results |
|---|---|---|---|
| 1 through 3 | 0.31 gm/kW-hr | Wartsila Data | 0.022 gr/dscf |
| 4 & 5 | 0.025 lb/MMBtu | Cole Industrial Data | 0.015 gr/dscf |

Based upon this analysis, the Department concurs that the units should comply with the State emission standards for particulate matter under normal operations. Westward shall conduct particulate matter source tests when visible emissions are excessive. The standard source testing conditions also call for Westward to conduct particulate matter tests upon Department request.

**Liquid Fuel-Fired Burning Equipment:**

For liquid fuel units, the MR&R conditions are the relevant sections of Standard Permit Condition IX adopted into regulation pursuant to AS 46.14.010(e). The Department determined that these standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No emission unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source specific conditions would better meet these requirements. Therefore, the Department concluded that the standard conditions meet the requirements of 40 C.F.R. 71.6(a)(3).

## Condition 11, Sulfur Compound Emissions

### Liquid Fuels:

**Legal Basis:** This condition requires the Permittee to comply with the sulfur compound emission standard for all fuel-burning equipment and industrial processes in the State of Alaska. EU ID(s) 1 through 5 are fuel-burning equipment and industrial processes.

These sulfur compound standards also apply because they are contained in the federally approved SIP effective September 13, 2007.

**Factual Basis:** All fuel burning equipment are subject to the sulfur compound emission standard as set out in 18 AAC 50.0055(c). Sulfur compound emissions from fuel burning equipment, expressed as sulfur dioxide, may not exceed 500 ppm averaged over a period of three hours.

The equipment at the Westward Dutch Harbor Seafood Processing Facility will burn a diesel and Jet-A blend, used oil, or fish oil with s sulfur content no greater than 0.23 percent by weight. The applicant ensures compliance with the sulfur compound emission standard for EU IDs 1 through 5 as shown in Table F.

**Table F: Sulfur Compound Emission Estimate**

| EU ID | Reference | Results |
|---|---|---|
| 1 through 3 | Mass Balance w/ 0.23% S | <56 ppmv |
| 4 & 5 | Mass Balance w/ 0.23% S | <122 ppmv |

The Department incorporates by reference the monitoring, record keeping and reporting of Condition 12.1.

## Conditions 12 through 18, Pre-Construction Permit Requirements

**Legal Basis:** The Permittee is required to comply with all effective stationary source-specific requirements that were carried forward from previous EPA PSD permits, SIP approved permits to operate issued before January 18, 1997, SIP approved construction permit(s), SIP approved minor permits, operating permits issued between January 18, 1997 and September 30, 2004, or owner requested limits established under 18 AAC 50.225. These requirements include Best Available Control Technology limits, limits to ensure compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, and owner requested limits. State pre-construction requirements apply because they were originally developed through case-by-case action under a federally approved SIP or approved Operating Permit program. EPA approved the latest SIP effective September 13, 2007.

**Factual Basis:** The Department's goal for the best available control technology (BACT) review is to evaluate available technologies, identify BACT for the project's emission units, and establish emission or operational limits which represent BACT. This review is conducted in accordance with State and federal rules and guidelines. The Department evaluates the available control technologies for each emission unit and selects BACT. In addition, the Department assesses the level of monitoring, recordkeeping, and reporting necessary to ensure the applicant applies BACT.

Under the State of Alaska's PSD Provisions of the Air Quality Control Regulations, an applicant subject to pre-construction review must show that BACT will be installed and used for each new or modified unit. BACT is defined as an emission limit that represents the maximum reduction achievable for each regulated air contaminant subject to pre-construction review under the PSD provisions of the Clean Air Act (CAA). For this project, BACT evaluation is required for the contaminants: $NO_X$, $SO_2$, and $PM_{10}$.

All BACT requirements, with limits, monitoring, recordkeeping, and reporting obligations are incorporated in Section 3 of the permit. The Department has elected to streamline this renewal permit by imposing cross references to the State visible emission standard for the surrogate BACT particulate matter limit and to the ambient air quality limit for fuel sulfur content BACT surrogate for $SO_2$ limit. Table G below summarizes the BACT limits.

**Table G: Department BACT Limits**

| EU ID | $NO_X$ Limits | $SO_2$ Limits | PM Limits |
|---|---|---|---|
| 1 through 3 | 42.3 lb/hr | Fuel - 0.23% Sulfur | good combustion practices; Surrogate 20% opacity standard |
| 4 and 5 | 4.4 lb/hr | Fuel - 0.23% Sulfur | good combustion practices, Surrogate 20% opacity standard |
| 6 | N/A | N/A | N/A |

Based upon a review of the most recent source test conducted March 2009, the Department allowed a 5 year re-testing schedule for EU IDs 1 – 3 based on emissions verified by source test that are less than 87% of the $NO_X$ limit of Condition 16.1.a. However for EU IDs 4 – 5, the results of the source test show compliance at or greater than 100% of the $NO_X$ limit by Method 19 source test. For this reason the boilers are both required to be re-tested within a year of the permit issuance, and then every two years until compliance below the limit of Condition 16.2.a is achieved.

**Conditions 19, Insignificant Emission Units**

**Legal Basis:** The Permittee is required to meet state emission standards set out in 18 AAC 50.055 for all industrial processes fuel-burning equipment, and incinerators regardless of size.

**Factual Basis:** The conditions re-iterate the emission standards and require compliance for insignificant emission units. The Permittee may not cause or allow their equipment to violate these standards. Insignificant emission units are not listed in the permit unless specific monitoring, recordkeeping and reporting are necessary to ensure compliance.

The Department finds that the insignificant units at this stationary source do not require specific monitoring, recordkeeping and reporting to ensure compliance under these conditions.

Condition 19.4.a requires certification that the units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution.

**Conditions 20 –23, NSPS Subpart A Requirements**

**Legal Basis:** The Permittee must comply with those New Source Performance Standard (NSPS) provisions incorporated by reference the NSPS effective July 1, 2007, for specific industrial activities, as listed in 18 AAC 50.040[5].

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, EU ID(s) 4 and 5 are subject to NSPS Subpart Dc and therefore subject to Subpart A. The Permittee has already complied with the notification requirements in 40 C.F.R. 60.7 (a)(1) - (4) for EU ID(s) 4 and 5. However, the Permittee is still subject to these requirements in the event of a new NSPS affected facility[6] or in the event of a modification or reconstruction of an existing facility[7] into an affected facility.

Likewise, the requirements to notify the EPA and the Department of the date of a continuous monitoring system performance demonstration, no less than 30 days before demonstration commences (40 C.F.R. 60.7(a)(5) – (7)) are applicable to EU ID(s) 4 and 5 only if a CMS is installed as an NSPS requirement.

The requirements to notify the EPA and the Department of any proposed replacement of components of an existing facility (40 C.F.R. 60.15) apply in the event that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

Condition 20 - Start-up, shutdown, or malfunction record maintenance requirements in 40 C.F.R. 60.7(b) are applicable to all NSPS affected facilities subject to Subpart A.

Recordkeeping requirements in 40 C.F.R. 60.7(f) are applicable to all NSPS affected facilities. (Satisfied by Condition 60)

Condition 21 - Good air pollution control practices in 40 C.F.R. 60.11 are applicable to all NSPS affected facilities subject to Subpart A (EU ID(s) 4 and 5).

Condition 22 - states that any credible evidence may be used to demonstrate compliance or establishing violations of relevant NSPS standards for EU ID(s) 4 - 5.

Condition 23 - Concealment of emissions prohibitions in 40 C.F. R. 60.12 are applicable to EU ID(s) 4 and 5.

**Condition 24, NSPS Subpart Dc Requirements**

**Legal Basis:** The NSPS applies to steam generating units for which construction, modification, or reconstruction commenced after June 9, 1989 and have maximum design heat input capacities of 29 MW (100 MMBtu/hr) or less, but greater than or equal to 2.9 MW (10 MMBtu/hr). EU ID(s) 4 and 5 were constructed in 1991, and have maximum design heat input capacities of 29.3 MMBtu/hr; and are therefore subject to Subpart Dc.

[5] EPA has not delegated to the Department the authority to administer the NSPS program as of the issue date of this permit

[6] *Affected facility* means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 C.F.R. 60.2, effective 7/1/07.

[7] *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 C.F.R. 60.2, effective 7/1/07.

EU ID(s) 4 and 5, when burning oil, are subject to the standard for $SO_2$ in 40 C.F.R. 60.42c(d). EU ID(s) 4 and 5 are not subject to the PM standard in 40 C.F.R. 60.43c because the emission units' maximum design heat input is less than 30 MMBtu/hr. In accordance with 40 C.F.R. 60.42c(h)(1), compliance with the emission limit or oil sulfur content limit for EU ID(s) 4 and 5 may be demonstrated by certification from the distillate fuel oil fuel supplier. However, there is no analogous provision for Jet A blends or used oil blends. Based upon the Department's review of 40 CFR 60.41(c), bio-fuels such as fish oil are not defined as "oil." The Department has no record of an alternative monitoring plan on file for the blended fuels. Therefore ,the Department added sulfur dioxide monitoring text for occasions during which Westward is burning other than distillate fuels as defined within this subpart (complies with the specifications for fuel oil numbers 1 or 2 as defined by ASTM).

**Factual Basis:** The conditions require the Permittee to comply with the Subpart Dc sulfur and PM standards. The Permittee may not cause or allow EU ID(s) 4 and 5 to violate these standards. The Permittee has two options for complying with $SO_2$ emissions: one is to comply with a sulfur emission limit and the other is to comply with a fuel sulfur limit.

Condition 24.1 describes monitoring required in the event that the owner seeks to demonstrate compliance with the $SO_2$ standard based on fuel supplier certification under 40 C.F.R. 60.46c(f) If the Permittee cannot obtain a fuel supplier certificate for blend fuels, the blended fuels should be tested. As an alternative, the Permittee can propose and gain approval from EPA for an Alternative Monitoring Plan.

**Condition 25 - 31, Reciprocating Internal Combustion Engines (RICE) Emission Units Subject to NESHAP Subpart ZZZZ, EU IDs 1 through 3**

**Legal Basis:** Applies because the Permittee operates one or more RICE emission unit as set forth in 40 C.F.R 63.6585.

**Factual Basis:** These conditions incorporate the Subpart ZZZZ work practice standards applicable to EU IDs 1, 2 and 3. The Permittee is required to operate and maintain the emission units according to the manufacturer's emission-related operation and maintenance instructions; or develop a custom plan, approved by the Department, which provides for the maintenance and operation of the emission units in a manner consistent with good air pollution control practice for minimizing emissions.

**Westward Dutch Harbor Seafood Processing Facility** is not accessible by the Federal Aid Highway System and is therefore exempt from numerical CO emission limitations, the fuel requirements of 40 C.F.R. 63.6604 and the requirement to install a crankcase ventilation or filtration system in 40 C.F.R. 63.6625(g).

**Condition 32, Chemical Accident Prevention Provisions.**

**Legal Basis:** Applies because the Permittee has more than a threshold quantity of a regulated substance in a process, as determined by 40 C.F.R 68.115.

**Factual Basis:** The Permittee utilizes greater than 10,000 pounds of anhydrous ammonia as refrigerant. The August 2008 application revision 1 Table 3, Page 9 states that Westward stores up to 80,000 lb of anhydrous ammonia for their chiller refrigeration system units (10).

**Conditions 33 - 35, Standard Terms and Conditions**

**Legal Basis:** These are standard conditions required under 18 AAC 50.345(a) and (e)-(g) for all operating permits. This provision is incorporated in the federally approved Alaska operating permit program of November 30, 2001, as updated effective November 9, 2008.

**Factual Basis:** These are standard conditions that apply to all permits.

**Condition 36, Administration Fees**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.400-405 as derived from AS 46.14.130. This condition requires the Permittee, owner, or operator to pay administration fees as set out in regulation. Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action.

**Factual Basis:** The owner or operator of a stationary source who is required to apply for a permit under AS 46.14.130 shall pay to the Department all assessed permit administration fees. The regulations in 18 AAC 50.400-405 specify the amount, payment period, and the frequency of fees applicable to a permit action.

**Conditions 37 - 38, Emission Fees**

**Legal Basis:** These conditions ensure compliance with the applicable requirement in 18 AAC 50.410-420. The regulations require all permits to include due dates for the payment of fees and any method the Permittee may use to re-compute assessable emissions.

**Factual Basis:** These emission fee conditions are Standard Permit Condition I under 18 AAC 50.346(b) adopted pursuant to AS 46.14.010(e). Except for the modification noted in the last paragraph of this "Factual Basis", the Department determined that these standard conditions adequately meet the requirements of AS 46.14.250. No emission unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source specific conditions would better meet these requirements. Therefore, the Department concluded that the standard conditions meet the requirements of AS 46.14.250.

These standard conditions require the Permittee to pay fees in accordance with the Department's billing regulations. The billing regulations set the due dates for payment of fees based on the billing date.

The default assessable emissions are generally potential emissions of each air pollutant in excess of 10 tons per year authorized by the permit (AS 46.14.250(h)(1)(A)).

The conditions allow the Permittee to calculate actual annual assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1)(B), assessable emissions are based on each air pollutant. Therefore, fees based on actual emissions shall be paid on any pollutant emitted whether or not the permit contains any limitation of that pollutant.

This standard condition specifies that, unless otherwise approved by the Department, calculations of assessable emission based on actual emissions use the most recent previous calendar year's emissions. Since each current year's assessable emission are based on the previous year, the Department will not give refunds or make additional billings at the end of the current year if the estimated emissions and current year actual emissions do not match.

The Department modified the standard condition to correct Condition 38.2 such that it referenced "submitted" (i.e., postmarked) rather than "received" in accordance with the timeframe of Condition 38.1.

**Condition 39, Good Air Pollution Control Practice**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.346(b)(5) and applies to all emission units EU IDs 1 – 3, 6 and 7, **except** those subject to federal emission standards, those subject to continuous emission or parametric monitoring, and for insignificant emission units, i.e., except EU ID(s) 1 through 3 after the compliance date of NESHAPS Subpart ZZZZ.

**Factual Basis:** The condition requires the Permittee to comply with good air pollution control practices for all units.

The Department adopted this condition under 18 AAC 50.346(b) as Standard Permit Condition VI pursuant to AS 46.14.010(e). The Department added the text "*EU IDs 1, 2, and 3 are subject to this condition only until the applicable compliance date as set forth in Condition 26.3*" because on the compliance date in Condition 26.3, EU IDs 1, 2 and 3 which are subject to NESHAPs Subpart ZZZZ will no longer be subject to this condition (as units subject to federal emission standards) and will instead be required to comply with Condition 28. Records kept in accordance with Condition 31 should be kept for 5 years in accordance with Condition 60 even if a unit is no longer subject to this condition.

The Department determined that this standard condition adequately meets the requirements of 40 C.F.R. 71.6(a)(3). No emission unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source specific conditions would better meet these requirements. Therefore, the Department concluded that the standard condition meets the requirements of 40 C.F.R. 71.6(a)(3).

Maintaining and operating equipment in good working order is fundamental to preventing unnecessary or excess emissions. Standard conditions for monitoring compliance with emission standards are based on the assumption that good maintenance is performed. Without appropriate maintenance, equipment can deteriorate more quickly than with appropriate maintenance. If appropriate maintenance is not applied to the equipment, the Department may have to apply more frequent periodic monitoring requirements (unless the monitoring is already continuous) to ensure that the monitoring results are representative of actual emissions.

The Permittee is required to keep maintenance records to show that proper maintenance procedures were followed, and to make the records available to the Department. The Department may use these records as a trigger for requesting source testing if the records show that maintenance has been deferred.

**Condition 40, Dilution**

**Legal Basis:** This condition prohibits the Permittee from using dilution as an emission control strategy as set out in 18 AAC 50.045(a). This state regulation applies to the Permittee because the Permittee is subject to emission standards in 18 AAC 50.

**Factual Basis:** The condition prohibits the Permittee from diluting emissions as a means of compliance with any standard in 18 AAC 50.

**Condition 41, Reasonable Precautions to Prevent Fugitive Dust**

**Legal Basis:** This condition requires the Permittee to use reasonable precautions when handling, storing or transporting bulk materials or engaging in an industrial activity in accordance with the applicable requirement in 18 AAC 50.045(d). Bulk material handling requirements apply to the Permittee because the Permittee will engage in bulk material handling, transporting, or storing; or will engage in industrial activity at the stationary source.

**Factual Basis:** The condition requires the Permittee to comply with 18 AAC 50.045(d), and take reasonable action to prevent particulate matter (PM) from being emitted into the ambient air.

**Condition 42, Stack Injection**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.055(g). It prohibits the Permittee from releasing materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack (i.e. disposing of material by injecting it into a stack). Stack injection requirements apply to the stationary source because the stationary source contains a stack or unit constructed or modified after November 1, 1982.

**Factual Basis:** No specific monitoring for this condition is practical. Compliance is ensured by inspections, because the unit or stack would need to be modified to accommodate stack injection.

**Condition 43, Air Pollution Prohibited**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.110. The condition prohibits the Permittee from causing any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property. Air Pollution Prohibited requirements apply to the stationary source because the stationary source will have emissions.

**Factual Basis:** While the other permit conditions and emissions limitation should ensure compliance with this condition, unforeseen emission impacts can cause violations of this standard. These violations would go undetected except for complaints from affected persons. Therefore, to monitor compliance, the Permittee must monitor and respond to complaints.

ADEC adopted this standard condition into 18 AAC 50.346(a) pursuant to AS 46.14.010(e). The Department determined that this condition adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No emission unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source specific conditions would better meet these requirements. Therefore, the Department concluded that the standard condition meets the requirements of 40 C.F.R. 71.6(a)(3).

The Permittee is required to report any complaints and injurious emissions. The Permittee must keep records of the date, time, and nature of all complaints received and summary of the investigation and corrective actions undertaken for these complaints, and to submit copies of these records upon request of the Department.

The Permittee is required to operate the seawater scrubber at times the meal plant drier is operation. This requirement is to minimize odors and resultant complaints from the operation of the meal plant in accordance with 18 AAC 50.110. The Permittee is required to maintain and submit records demonstrating that the seawater scrubber is in operation along with the fish meal drier.

**Condition 44, Technology-Based Emission Standard**

**Legal Basis:** The Permittee is required to take reasonable steps to minimize emissions if certain activity causes an exceedance of any technology-based emission standard in this permit. This condition ensures compliance with the applicable requirement in 18 AAC 50.235. Technology Based Emission Standard requirements apply to the stationary source because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, NSPS or other "technologically feasible" determinations.

**Factual Basis:** The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with Condition 64. Excess emission reporting under Condition 64 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 64.

**Condition 45, Asbestos NESHAP**

**Legal Basis:** The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 C.F.R. 61, Subpart M. This condition ensures compliance with the applicable requirement in 18 AAC 50.040(b)(1) and (2)(F). The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation.

**Factual Basis:** Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with these federal regulations.

**Condition 46, Refrigerant Recycling and Disposal**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.040(d) and applies if the Permittee engages in the recycling or disposal of certain refrigerants. The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants set forth in 40 C.F.R. 82, Subpart F that will apply if the Permittee uses certain refrigerants.

**Factual Basis:** Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with this federal regulation.

**Condition 47, NESHAPs Applicability Determinations**

**Legal Basis:** This condition requires the Permittee to keep and make available to the Department copies of the major stationary source determination and applicability of specific federal regulations that may apply to its stationary sources.

**Factual Basis:** The Permittee has conducted an analysis of the stationary source and determined that it is not a major HAPs stationary source based on emissions. This condition requires the Permittee to keep and make available to the Department copies of the major stationary source determination.

**Condition 48, Open Burning**

**Legal Basis:** The condition requires the Permittee to comply with the regulatory requirements when conducting open burning at the stationary source. This condition ensures compliance with the applicable requirement in 18 AAC 50.065. The open burning state regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

**Factual Basis:** No specific monitoring is required for this condition. Condition 48.1 requires the Permittee to keep "sufficient records" to demonstrate compliance with the standards for conducting open burning, but does not specify what these records should contain.

More extensive monitoring and recordkeeping is not warranted because the Permittee does not conduct open burning as a routine part of their business. Also, most of the requirements are prohibitions, which are not easily monitored. Compliance is demonstrated through annual certification required under Condition 66.

**Condition 49, Requested Source Tests**

**Legal Basis:** The Permittee is required to conduct source tests as requested by the Department. The Department adopted this condition under 18 AAC 50.345(k) as part of its operating permit program approved by EPA November 30, 2001.

**Factual Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.220(a) and applies because this is a standard condition to be included in all operating permits. Monitoring consists of conducting the requested source test.

**Conditions 50 - 52, Operating Conditions, Reference Test Methods, Excess Air Requirements**

**Legal Basis:** These conditions ensure compliance with the applicable requirement in 18 AAC 50.220(b) and apply because the Permittee is required to conduct source tests by this permit. The Permittee is required to conduct source tests as set out in Conditions 50 through 52.

**Factual Basis:** These conditions supplement the specific monitoring requirements stated elsewhere in this permit. Compliance monitoring with Conditions 50 through 52 consist of the test reports required by Condition 57.

**Condition 53, Test Exemption**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.345(a) and applies when the unit exhaust is observed for visible emissions.

**Factual Basis:** As provided in 18 AAC 50.345(a), amended November 9, 2008, the requirements for test plans, notifications and reports do not apply to visible emissions observations by smoke readers, except in connection with required particulate matter testing.

**Conditions 54 - 58, Test Deadline Extension, Test Plans, Notifications and Reports, Continuous Monitoring Systems**

**Legal Basis:** These conditions ensure compliance with the applicable requirement in 18 AAC 50.345(l)-(o) and apply because the Permittee is required to conduct source test by this permit.

**Factual Basis:** Standard conditions 18 AAC 50.345(l) - (o) are incorporated through these conditions. These standard conditions supplement specific monitoring requirements stated elsewhere in this permit. The source test itself monitors compliance with this condition.

**Condition 59, Particulate Matter (PM) Calculations**

**Legal Basis:** This condition requires the Permittee to reduce particulate matter data in accord with 18 AAC 50.220(f). It applies when the Permittee tests a boiler for compliance with the PM standards in 18 AAC 50.050 or 50.055.

**Factual Basis:** The condition incorporates a regulatory requirement for boiler PM source tests. The Permittee must use the equation given in this condition to calculate the PM emission concentration from the source test results. This condition supplements specific monitoring requirements stated elsewhere in this permit.

**Condition 60, Recordkeeping Requirements**

**Legal Basis:** Applies because the Permittee is required by the permit to keep records.

**Factual Basis:** The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit. The records being kept provide an evidence of compliance with this requirement.

**Condition 61, Certification**

**Legal Basis:** This condition requires the Permittee to comply with the certification requirement in 18 AAC 50.205 and applies to all Permittees under EPA's approved operating permit program of November 30, 2001.

**Factual Basis:** This standard condition is required in all operating permits under 18 AAC 50.345(j). This condition requires the Permittee to certify any permit application, report, affirmation, or compliance certification submitted to the Department. To ease the certification burden on the Permittee, the condition allows the excess emission reports to be certified with the stationary source report, even though it must still be submitted more frequently than the stationary source operating report. This condition supplements the reporting requirements of this permit.

**Condition 62, Submittals**

**Legal Basis:** This condition requires the Permittee to comply with standardized reporting requirement in 18 AAC 50.326(j) and applies because the Permittee is required to send reports to the Department.

**Factual Basis:** This condition lists the Department's appropriate address for reports and written notices. The Permittee is required to submit an original and one copy of reports, compliance certifications, and other submittals required by this permit. Receipt of the

submittal at the correct Department office is sufficient monitoring for this condition. This condition supplements the standard reporting and notification requirements of this permit.

**Condition 63, Information Requests**

**Legal Basis:** This condition requires the Permittee to submit requested information to the Department. This is a standard condition from 18 AAC 50.345(i) of the state approved operating permit program effective November 30, 2001.

**Factual Basis:** This condition requires the Permittee to submit information requested by the Department. Monitoring consists of receipt of the requested information.

**Condition 64, Excess Emission and Permit Deviation Reports**

**Legal Basis:** This condition requires the Permittee to comply with the applicable requirement in 18 AAC 50.235(a)(2) and 18 AAC 50.240. Also, the Permittee is required to notify the Department when emissions or operations deviate from the requirements of the permit.

**Factual Basis:** This condition satisfies two state regulations related to excess emissions - the technology-based emission standard regulation and the excess emission regulation. Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

The Department adopted this condition as Standard Permit Condition III under 18 AAC 50.346(c) pursuant to AS 46.14.010(e). The Department made a correction to the Standard Operating Permit Condition III to allow identical reporting methodology for both Excess Emissions and Permit Deviations reports which use identical forms and should have identical submissions methods. Beyond as noted above, the Department has previously determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emission unit or stationary source operational or compliance factors indicate the unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions as modified meets the requirements of 40 C.F.R. 71.6(a)(3).

*Section 12, Notification Form*

The Department included the notification form contained in Standard Permit Condition IV effective November 9, 2008.

**Condition 65, Operating Reports**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.346(b)(6) and applies to all permits.

**Factual Basis:** The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements elsewhere in the permit. The reports themselves provide monitoring for compliance with this condition.

The Department used the Standard Permit Condition VII as adopted into regulation on August 20, 2008 pursuant to AS 46.14.010(e). The Department has made a correction to the Standard Permit Condition VII by changing the number of copies of documents to be submitted from “an original and two copies” to “an original and one copy”. Beyond as noted above, the Department has previously determined that the standard conditions

adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emission unit or stationary source operational or compliance factors indicate the unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions as modified meets the requirements of 40 C.F.R. 71.6(a)(3).

**Condition 66, Annual Compliance Certification**

**Legal Basis:** This condition ensures compliance with the applicable requirement in 18 AAC 50.040(j)(4) and applies to all Permittees.

**Factual Basis:** This condition specifies the periodic compliance certification requirements, and specifies a due date for the annual compliance certification. Each annual certification provides monitoring records for compliance with this condition.

Condition 66.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified: the Permittee may provide one report certifying compliance with each permit term or condition for each of the effective permits during the certification period, or may choose to provide two reports – one certifying compliance with permit terms and conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

The Permittee is required to submit to the Department an original and one copy of an annual compliance certification report. The Permittee may submit one of the required copies electronically at their discretion. This change more adequately meets the requirements of 18 AAC 50 and agency needs, as the Department can more efficiently distribute the electronic copy to staff in other locations.

**Condition 67, NSPS and NESHAP Reports**

**Legal Basis:** The Permittee is required to provide the federal Administrator and Department a copy of each emission unit report for units subject to NSPS or NESHAP federal regulations under 18 AAC 50.326(j)(4). 40 C.F.R. 70 Appendix A documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

**Factual Basis:** The condition supplements the specific reporting requirements in 40 C.F.R. 60, 40 C.F.R. 61, and 40 C.F.R. 63. The reports themselves provide monitoring for compliance with this condition.

**Condition 68, Permit Applications and Submittals**

**Legal Basis:** The Permittee may need to submit permit applications and related correspondence.

**Factual Basis:** Standard Permit Condition XIV directs the applicant to send copies of all application materials required to be submitted to the Department directly to the EPA, in electronic format if practicable. This condition shifts the burden of compliance from the Department to ensure that copies of application materials are submitted to EPA by transferring that responsibility to the Permittee.

**Conditions 69 - 71, Permit Changes and Revisions Requirements**

**Legal Basis:** The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under18 AAC 50.326(j)(4). 40 C.F.R. 71.6(a)(10), (12), and (13) incorporated by reference under 18 AAC 50.040(j) require these provisions within this permit. 40 C.F.R. 70 Appendix A documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

**Factual Basis:** These are conditions required in 40 C.F.R. 71.6 for all operating permits to allow changes within a permitted stationary source without requiring a permit revision.

The Permittee did not request trading of emission increases and decreases as described in 71.6(a)(13)(iii).

**Condition 72, Permit Renewal**

**Legal Basis:** The Permittee must submit a timely and complete operating permit renewal application if the Permittee intends to continue source operations in accord with the operating permit program under18 AAC 50.326(j)(3). The obligations for a timely and complete operating permit application are set out in 40 C.F.R. 71.5 incorporated by reference in 18 AAC 50.040(j)(3). 40 C.F.R. 70 Appendix A documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

**Factual Basis:** In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the stationary source as listed in this condition. As stated in 40 C.F.R. 71.5(a)(1)(iii), submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 C.F.R. 71.5(c) and must remit payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 C.F.R. 71.7(b) states that if a source submits a timely and complete application for permit issuance (including renewal), the source's failure to have a permit is not a violation until the permitting authority takes final action on the permit application.

Therefore, for as long as an application has been submitted within the timeframe allowed under 40 C.F.R. 71.5(a)(1)(iii), and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Department any additional information needed to process the application. Monitoring, recordkeeping, and reporting for this condition consist of the application submittal.

**Conditions 73 - 77, General Compliance Requirements and Schedule**

**Legal Basis:** These conditions ensure compliance with the applicable requirement in 18 AAC 50.326(j)(3). The Permittee is required to comply with these standard conditions set out in 18 AAC 50.345 included in all operating permits. 40 C.F.R. 70 Appendix A documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

**Factual Basis:** These are standard conditions for compliance required for all operating permits. Condition 77 requires the Permittee to comply with the applicable provisions of 40 CFR 63 Subpart ZZZZ no later than May 03, 2013.

**Condition 78 – 79, Permit Shield**

**Legal Basis:** These conditions ensure compliance with the applicable requirement in 18 AAC 50.326(j) and apply because the Permittee has requested that the Department shield the stationary source from the applicable requirements listed under this condition under the Federally approved State operating program effective November 30, 2001

**Factual Basis:** The permit conditions set forth the requirements that the Department determined were not applicable to the stationary source. The Department based the determination on the permit application, past operating permit, Title I permits and inspection reports.

# ATTACHMENT A

## FIGURE 1--SUMMARY REPORT--GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE

[Note: This form is referenced in 40 C.F.R. 60.7, Subpart A-General Provisions]

Pollutant *(Circle One)*: $SO_2$ $NO_X$ TRS $H_2S$ CO Opacity

Reporting period dates: From _____ to _____

Company: hkjhkjh
Emission Limitation: _____

Address: _____

Monitor Manufacturer: _____

Model No.: _____

Date of Latest CMS Certification or Audit: _____

Process Unit(s) Description: _____

Total source operating time in reporting period [1]: _____

| **Emission Data Summary** [1] | **CMS Performance Summary** [1] |
|---|---|
| 1. Duration of excess emissions in reporting period due to: | 1. CMS downtime in reporting period due to: |
| a. Startup/shutdown ..... ____ | a. Monitor equipment malfunctions ..... ____ |
| b. Control equipment problems ..... ____ | b. Non-Monitor equipment malfunctions ..... ____ |
| c. Process problems ..... ____ | c. Quality assurance calibration ..... ____ |
| d. Other known causes ..... ____ | d. Other known causes ..... ____ |
| e. Unknown causes ..... ____ | e. Unknown causes ..... ____ |
| 2. Total duration of excess emissions ..... ____ | 2. Total CMS Downtime ..... ____ |
| 3. Total duration of excess emissions x (100) / [Total source operating time] ..... ____ % [2] | 3. [Total CMS Downtime] x (100) / [Total source operating time] ..... ____ % [2] |

[1] For opacity, record all times in minutes. For gases, record all times in hours.

[2] For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 40 C.F.R. 60.7(c) shall be submitted.

*Note: On a separate page, describe any changes since last quarter in CMS, process or controls.*

I certify that the information contained in this report is true, accurate, and complete.

*Name*: _____

*Signature*: _____ *Date*: _____

*Title*: _____