

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

**Public Comment - June 27, 2014
U.S. Army Garrison Fort Greely
Fort Greely Real Estate**

**STATEMENT OF BASIS
of the terms and conditions for
Permit No. AQ0238TVP03**

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INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ0238TVP03.

STATIONARY SOURCE IDENTIFICATION

Section 1 of OPERATING PERMIT NO. AQ0238TVP03 contains information on the stationary source as provided in the Title V permit application.

The stationary source is owned and operated by, U.S. Army Garrison Fort Greely and U.S. Army Garrison Fort Greely is the Permittee for the stationary source's operating permit. The SIC code for this stationary source is SIC 65 - Real Estate. The North American Industrial Classification System code is 5311.

The Department permitted the Fort Greely real estate stationary source as part of an air quality control facility in August 2002 under Air Quality Control Construction Permit No. 238CP01. Ownership of Fort Greely, Alaska was transferred on 1 October 2002 from the U.S. Army Alaska (USARAK), a subordinate command of the U.S. Army Pacific, to the U.S. Army Space and Missile Defense Command (USASMDC). On 23 August 2002, the Alaska Department of Environmental Conservation (ADEC) granted an administrative revision to USARAK's original operating permit application to reflect Fort Greely's change in ownership. The transfer of ownership recognized that only a portion of the original Fort Greely, approximately 7,000 acres, was to be transferred from USARAK to USASMDC. The remainder of the land continues under the control of USARAK as the "Fort Wainwright Donnelly Training Area".

Fort Greely is now participating in a DoD-wide privatization initiative called Utilities Privatization (UP), a process which transfers ownership and operation of installation utility systems including central heat and power plant heat distribution to private entities. At Fort Greely, UP includes transfer of utility systems for: backup power generation; electrical distribution; potable water treatment and distribution; wastewater collection, treatment and discharge; and central heat and steam distribution. Doyon Utilities (DU) has been selected as the owner and operator of the utility systems of certain emission units (EUs) at Fort Greely. Doyon Utilities LLC will provide utility services to the Government under the terms and conditions of the contract effecting UP at Fort Greely. As of August 15, 2008 transfer of EUs within revision 3 of this operating permit will occur.

The primary process of Fort Greely is to support the Missile Defense Agency's Ground-Based Interceptor Validation of Operational Concept Test Site. Fort Greely also supports U.S. Army, Alaska training activities. Fort Greely's primary products are national security and the provision and maintenance of activities and structures to support soldier training and readiness.

On 20 January 2006 the Department made a decision to allow Fort Greely to disaggregate the facility as separate stationary sources according to functionality along SIC major group classifications and to allow for issuing separate air quality control permits to each of those sources requiring a permit. This allows separate and distinct function areas to be grouped into permits by source classification, and is part of a process that will allow Fort Greely to sell or transfer control of various base functions to other entities along with permit responsibility for those functions.

This permit was revised to include only the Base Real Estate functions and emission units (EUs) that will be owned by Fort Greely, Garrison. Other portions of the original source and EUs included up through Revision 3 not included in this revision are covered by other stationary source permits if applicable.

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 Fort Greely Real Estate that are classified and have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of Operating Permit No. AQ0238TVP03.

Table A of Operating Permit No. AQ0238TVP03 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. The EU IDs FGBF04, FGBF05, FGBF06, FGBF10, FGBF25 and FGBF27 are no longer considered insignificant and are subject to NESHAP Subpart JJJJJ. The EU ID FGIC17 is subject to NSPS Subpart IIII.

EMISSIONS

A summary of the potential to emit (PTE)¹ and assessable PTE as indicated in the application from the Fort Greely Real Estate is shown in the table below.

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

Permit	NO _x	CO	PM	SO ₂	VOC	CO _{2e}	HAPs	Total
Ft. Greely Garrison (AQ0238TVP03)	3.8	16.2	3.1	1.5	5.8	1,683	0.0	30.4
Doyon Utilities (AQ1183TVP02)	204.9	48.5	8.5	29.2	8.1	54,376	0.3	299.2
Stationary Source Total	208.7	64.7	12.0	30.9	14.3	56,059	0.3	

Table Note:

Emissions for AQ0238TVP03 are as provided in the application

PM includes all size fractions, per Department Policy Number 04.02.103

Total does not include CO_{2e} and HAPs

The assessable PTE listed under Condition 32.1 is the sum of the emissions of each individual regulated air pollutant for which Fort Greely Garrison has the potential to emit. The emissions listed in Table C 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 and emission factors are as provided in the application. AP-42 emission factors were used for all EUs.

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.

The Department calculated HAP emissions using AP-42 Emissions Factors during previous revision permitting.

BASIS FOR REQUIRING AN OPERATING PERMIT

In accordance with AS 46.14.130(b), an owner or operator of a Title V source² 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; and
- Another stationary source designated by the Federal administrator by regulation.

This stationary source (**Fort Greely Real Estate - Garrison** and **Fort Greely Real Estate - Doyon Utilities**) 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 that directly emits, or has the potential to emit, 100 TPY or more of any criteria air pollutant.

AIR QUALITY PERMITS

Construction Permits

The Department issued Construction Permit No. 238CP01 to Fort Greely, Alaska on August 14, 2002. USASMD C submitted an application to revise Construction Permit No. 238CP01 on July 11, 2003. The Department issued Construction Permit 238CPT03, Revision 1 on November 2, 2004. Construction Permit No. 238CP01 and 238CP03 were both rescinded upon issuance of the dis-aggregation permits AQ0238MSS01, AQ1071MSS01, and AQ1077MSS01 on April 14, 2008. The Department issued Operating Permit AQ0238TVP02 on October 28, 2008 and incorporated all stationary source-specific conditions in effect at that time.

Minor Permits:

AQ0238MSS01 (Rescinded by AQ0238MSS02)

AQ0238MSS01 issued to US Army Garrison-Ft Greely on April 14, 2008 as part of the initial disaggregation of the original Ft. Greely into five separate stationary sources, based on the EPA's August 2, 1996 memorandum, *Major Source Determinations for Military Installations under the Air Toxics, New Source Review, and Title V Operating Permits Programs of the Clean Air Act*. This minor permit revised operating hours, fuel sulfur content and fuel consumption limits for some emission units.

AQ0238MSS02

The Department issued AQ0238MSS02 under 18 AAC 50.508(6) to US Army Garrison-Ft Greely on August 15, 2008. With the exception of revised emission calculations, the Technical Analysis Report for Permit No. AQ0238MSS01 provides the legal and technical basis for the

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

permit requirements carried over into AQ0238MSS02. AQ0238MSS02 removed the emission units that came under the ownership of Doyon Utilities on August 15, 2008. The emission units in AQ0238MSS02 remained under ownership of Fort Greely Real Estate.

AQ0238MSS03 (Application Withdrawn)

The Department received an application for Minor Permit AQ0238MSS03 application on May 11, 2009 under 18 AAC 50.508(6) to revise Minor Permit No AQ0238MSS02, to include the addition of a limited use emergency internal combustion engine (EU ID FGIC 17). After reviewing the application the Department determined in an August 14, 2009 email that Ft. Greely did not need a minor permit prior to installing the proposed emergency generator. The potential emissions for emergency generator EU ID FGIC 17 based on 500 hours of operation per year were 1.4 tpy NO_x, 0.04 tpy SO₂, 0.30 tpy CO, 0.10 tpy PM, and 0.11 tpy VOC. Renewal Operating Permit AQ0238TVP03 incorporates this off permit change and included the applicable federal requirements for EU ID FGIC17 in the operating permit.

Title V Operating Permit Application, Revisions and Renewal History

The stationary source has the following operating permit history:

AQ0238TVP01

On December 7, 1997, the USARAK submitted Operating Permit Application A000238 called "Title V Permit Application, Fort Greely, Alaska." On July 19, 2002, USASMDC and USARAK jointly requested the Department to transfer the application from USARAK to USASMDC as it pertained to emission units within the new boundaries of Fort Greely. On August 23, 2002, the Department approved the transfer. On July 11, 2003, USASMDC submitted "Revision 1 to Operating Permit Application No. A000238", for a significant modification of the original application. The Department issued the initial operating permit on November 14, 2003 and issued Revision 1 to the initial operating permit on December 1, 2003.

The Permittee requested Revision 2 of this permit under 18 AAC 50.375 (then in force) to incorporate Construction Permit No. 238CPT03, Revision 1. The Department issued Revision 2 to AQ0238TVP01 on September 23, 2005.

The Department issued Revision 3 to AQ0238TVP01 on March 13, 2008 to remove all non-SIC 65 (Real Estate) emission units as part of the stationary source's disaggregation plan and allowed the stationary source to increase operations as a synthetic minor stationary source. The permit revised applicable conditions necessary to protect ambient air quality and established two operating scenarios: "Scenario A Operations" until the Permittee completes physical changes to exhaust points followed by "Scenario B Operations" that allow for greater operational flexibility. The Department made other minor updates to various terms and conditions.

AQ0238TVP02

The Department issued AQ0238TVP02 on November 28, 2008 to support the U.S. Army Garrison Alaska in its efforts to privatize utilities on all three major Army installations in Alaska. AQ0238TVP02 incorporated all stationary source-specific conditions still in effect at that time. The permit removed emission units that the U.S. Army Garrison Alaska transferred to Doyon Utilities, LLC as of August 15, 2008. The Department issued an operating permit to Doyon Utilities, LLC for operations of the emission units that transferred under the utilities privatization. AQ0238TVP02 did not make changes in conditions for any of the emission units.

AQ0238TVP03 Renewal

The Permittee has removed EU ID FGIN01 (MSW Incinerator; EnerWaste) and added two emission units: (EU ID FGBF27, Burnham Hydronic Boiler) and EU ID FGIC17 (emergency diesel generator). AQ0238TVP03 added applicable federal requirements in NESHAP Subpart JJJJJ for the boilers (EU IDs FGBF04, FGBF05, FGBF06, FGBF10, FGBF25, and FGBF27), promulgated since the issuance of AQ0238TVP02. AQ0238TVP03 also added the off permit change addition of EU ID FGIC17, as applicable for NSPS Subpart IIII.

COMPLIANCE HISTORY

Fort Greely has operated at its current location since 1955. Review of the permit files for this stationary source, which includes the past inspection reports indicate a source generally operating in compliance with its operating permit application. Since the transfer of ownership to USASMDC on 1 October 2002, there has been only three procedural violations. The latest onsite full compliance evaluation performed on December 20, 2013 determined the stationary source to be in compliance.

APPLICABLE REQUIREMENTS FROM PRE-CONSTRUCTION PERMITS

Incorporated by reference at 18 AAC 50.326(j), 40 C.F.R. Part 71.2 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 includes 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. The only Title I permit still in effect is AQ0238MSS02, issued on August 15, 2008. It rescinded all previous Title I permits. The Department has not issued a Title I permit for the stationary since issuing AQ0238TVP02.

Table D below lists the requirements carried over from Permit No. AQ0238TVP02 into Permit No. AQ0238TVP03 to ensure compliance with the applicable requirements.

Table D - Comparison of Permit No. AQ0238TVP02 Conditions to Permit No. AQ0238TVP03 Conditions³

Permit No. AQ0238TVP02 Condition No.	Description of Requirement	Permit No. AQ0238TVP03 Condition No.	How Condition was Revised
Section 1	Stationary Source Information	Section 1	Updated responsible official and designated agent information
Section 2, Table A	Emission Unit Inventory	Section 2, Table A	Deleted Incinerator (EU ID FGIN01); added generator (EU ID FGIC17)
1	Visible emission (VE) standards	Section 1	Listed emission units. They were not listed in TVP02. Deleted incinerator
1.1	VE monitoring, recording, and reporting (MR&R) for incinerator	No equivalent condition	Deleted incinerator.
2 through 4	VE MR&R (Method 9 and Smoke/No Smoke)	No equivalent condition	Deleted incinerator
5	Sulfur compound emissions	1	Added EU ID FGIC17 and deleted the incinerator and burn pit
6	MR&R for sulfur compound emissions. It was not linked to air quality	1.1	Deleted incinerator; added generator, and simply required compliance with fuel sulfur content conditions.
7.1	Nitrogen Oxide (NO _x) emissions owner request limits (ORL)	2.1	Increased to 3.8 with addition of generator (EU ID FGIC17).
7.3	Calculations and records for NO _x ORL	2.1.a	Deleted incinerator and burn pit and added generator
7.2, 7.4	Wastes burned by burn pit and incinerator and MR&R	2.2, 2.3	Deleted conditions that apply to the removed incinerator.
No equivalent condition	Liquid fuel sulfur content and associated MR&R to protect ambient air quality	3 through 3.3	Limit of liquid fuel sulfur content to protect ambient air quality (as in AQ0238MSS02, Condition 10.1)
7.2b	ORL for solid waste combustion in burn pit but was not linked to ambient air quality protection	4	Same limit but as a requirement to protect ambient air quality as in the original source (Condition 10.3 of AQ0238MSS02)
8	PM-10 Monitoring Station	5	No change
9	Incinerator exclusion zone	No equivalent condition	Permittee removed the incinerator
10 through 13	Insignificant emission units	6 through 6.4	Updated with new template format
No equivalent conditions	NSPS Subpart A requirements for generator	7	Requirements for the new emergency generator (EU ID FGIC 17)
No equivalent conditions	NSPS Subpart IIII requirements for generator	8 through 12	Addition of applicable requirements for generator (EU ID FGIC17).
No equivalent conditions	NESHAP Subpart A requirements for boilers	13	NESHAP Subpart A took effect after AQ0238TVP02 was issued

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

No equivalent conditions	NESHAP Subpart ZZZZ requirements for generator	14	Generator was added to the emission unit inventory as an off-permit change.
No equivalent conditions	NESHAP Subpart JJJJJ requirements for boilers	15 through 23	NESHAP Subpart JJJJJ took effect after AQ0238TVP02 was issued
No equivalent conditions	General Federal Requirements	24 through 27	Added as Federal Requirements apply
18 through 18.2	Assessable emissions	32 through 32.2	Revised assessable emissions from 27.9 to 30.4 tpy and made minor editorial revisions
20	Good Air Pollution Control	34	Updated to reflect new template language and deleted reference to an incinerator
30 through 30.9	Open Burning	40 through 40.2	Updated with new template language
14 through 17, 19, 21 through 29, 31 through 61	General conditions and generic Title V requirements	28 through 31, 33 through 39, 41 through 70	Revised as necessary with new template language
62	Table B: Permit Shields	71	Deleted incinerator from permit shield
Section 10	Visible Emissions Form	Section 11	Replaced with latest version
Section 12	ADEC Notification Form	Section 13	Replaced with Aug 20, 2008 version
No equivalent form	Emission Inventory Form	Section 14	Added as required by new template

NON-APPLICABLE REQUIREMENTS

Each permit is required to contain a discussion of all applicable requirements as set forth in 40 C.F.R. 71.6(a) adopted in 18 AAC 50.040(j). This section discusses standard conditions that have been removed from the permit or are not included for specific reasons.

- 40 C.F.R. 64 Compliance Assurance Monitoring (CAM) Rule:** The requirements of 40 C.F.R. 64 apply to a pollutant-specific emissions unit at a major source if the emission unit satisfies all of the following criteria: (1) the emission unit is subject to an applicable emission limitation or standard; (2) the emission unit uses a control device to comply with any such applicability emission limitation or standard; and (3) the emission unit has potential pre-control device emissions of the applicable regulated air pollutant equal to or greater than the major source thresholds for the applicable regulated air pollutant. These criteria do not apply to any emission unit at the stationary source.
- 40 C.F.R. Part 68 Chemical Accident Prevention Provisions:** Owners and operators of stationary sources processing, managing, handling, or storing hazardous substances have a general duty to identify hazards that may exist and take steps to minimize the consequences of accidental releases. The stationary source does not process, manage, handle, or store hazardous substances above the thresholds in 40 C.F.R. 68.

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The State and Federal regulations for each condition are cited in Operating Permit No. AQ0238TVP03. This 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).

Condition 1 & 3, Sulfur Compound Emissions and Ambient Air Quality Protection

Legal Basis: These conditions require the Permittee to comply with the sulfur compound emission standard for all fuel-burning equipment and industrial processes in the State of Alaska.

- EU IDs FGBF04, FGBF05, FGBF06, FGBF10, FGBF25, FGBF27, FGIC17 and FGOB01 are fuel-burning equipment.

These sulfur compound standards also apply because they are contained in the Federally approved SIP effective September 13, 2007. Condition 3 is carried forward from Minor Permit AQ0238MSS02, Condition 10.1, as a requirement to protect ambient air quality.

All fuel burning equipment at the stationary source will burn distillate fuel oil with sulfur content not to exceed 0.12 percent by weight. The applicant provided calculations demonstrating compliance with the sulfur compound emission standard for the equipment. The Department also verified compliance for distillate fuel oil using 40 C.F.R 60 Appendix A, Method 19 using a heating value of 125,300 Btu/gallon and F-factor of 9,190 scf/MMBtu. In general, if fuel oil sulfur content is less than 0.75 percent by weight, the resulting SO₂ concentration is less than 500 ppm for generators and boilers at stoichiometric conditions. Typically, fuel burning equipment is operated with combustion air in excess of stoichiometric conditions to ensure fuel is completely burned under non-ideal conditions. This excess air dilutes exhaust gas concentrations of sulfur compounds.

Factual Basis: The condition requires the Permittee to comply with the sulfur compound emission standard applicable to fuel-burning equipment. The Permittee may not cause or allow the affected equipment to violate this standard.

Fuel sulfur testing will verify compliance.

Recordkeeping - For Diesel fuel the Permittee is required to record the fuel sulfur content or fuel grade of each shipment and all material balance calculations, and for fuel gas, the H₂S concentration of the fuel gas.

Reporting – The Permittee is required to report as State excess emissions whenever the fuel combusted causes sulfur compound emissions to exceed the standards in this condition. The Permittee is required to include the material balance calculations for fuel oil in the excess emissions report.

The Permittee is required to include copies of the records mentioned in the previous paragraph with the stationary source operating report.

Condition 2 and 4, Owner Requested Limit and Ambient Air Quality Protection

Legal Basis: This condition ensures compliance with conditions of the Permit to avoid classification as PSD Major.

- These emission limits apply to all combustion sources at the stationary source

- Condition 4 is carried forward from Minor Permit AQ0238MSS02, Condition 10.3, as a requirement to protect ambient air quality.

Factual Basis: These conditions are based on owner requested limits to avoid reaching PSD trigger limits incorporated in 18 AAC 50.306 and protect ambient air quality. The permittee requested changes to these limits through 18 AAC 50.508(5) and (6). AQ0238MSS01- thus limits source emissions to less than 250 tons per year of each regulated air contaminant. The operational limits under these conditions also ensure these activities do not cause or contribute to a violation of ambient standards and increments. Monitoring, record keeping and reporting terms were developed through Permit AQ0238MSS01 and are carried forward within these conditions as they meet the requirements of 18 AAC 50.326(j) and 40 CFR 71.6(a)(3).

Condition 2 limits NO_x emissions of the listed emission units to no greater than 2.2 tons per year. Condition 12 limits solid waste combusted in the open burn pit to no more than 30.4 tons per calendar month to protect ambient air quality. AQ1183TVP02 limits NO_x emissions to 204.9 tons per year. The stationary source, which is the combination of these two permits, is limited to a total of 208.7 tons per year.

Condition 5, PM-10 Monitoring Station

Legal Basis: These conditions ensure compliance with conditions of the Minor Permit regarding PM-10 Monitoring. This condition will ensure collection of 12 consecutive months of PSD quality data in accordance with the U.S. EPA Ambient Monitoring Guidelines for Prevention of Significant Deterioration, EPA 450/4-87-007.

Factual Basis: This condition requires the installation and operation of a PM-10 monitoring station that must be sited in a location at which the Department and the Permittee agree would represent background values in the vicinity of Fort Greely. The Permittee is also required to operate the station in accordance with the Department approved monitoring plan. This condition is a carryover from Air Quality Minor Source Permit AQ0238MSS01 and was an original part of Construction Permit No. 238CPT03, which was rescinded when the minor source permit was promulgated. The permittee may continue operation of an already-approved monitoring station established under a previous permit action rather than establishing a new monitoring program.

Condition 6, 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 7, 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 50.040⁴.

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 FDIC17 is subject to NSPS Subpart IIII and therefore subject to Subpart A, as applicable.

Concealment of emissions prohibitions in 40 C.F. R. 60.12 are applicable to EU ID FDIC17.

Factual Basis: Subpart A contains the general requirements applicable to all affected facilities (emission units) subject to NSPS. In general, the intent of NSPS is to provide technology-based emission control standards for new, modified and reconstructed affected facilities.

Conditions 8 - 12, NSPS Subpart IIII Requirements for EU ID FGIC17

Legal Basis: NSPS Subpart IIII applies to stationary compression ignition internal combustion engines (CI ICE) that commence construction, modification, or reconstruction after July 11, 2005 where the stationary CI ICE are manufactured after April 1, 2006 for non-fire pump engines and after July 1, 2006 for certified fire pump engines. EU ID FDIC17 is subject to Subpart IIII under 40 C.F.R. 60.4200 because it was constructed in 2009.

Factual Basis: These conditions incorporate the Subpart IIII emissions standards applicable to EU ID FDIC17. The Permittee may not cause or allow EU ID FDIC17 to violate these standards. These conditions also provide MR&R specifically called out for within the Subpart. The Permittee is required to operate and maintain the stationary CI ICE according to the manufacturer's written instructions or procedures developed by the Permittee that are approved by the engine manufacturer. The engine must comply with the emission standards in 40 C.F.R. 89.112 and 89.113.

Conditions 13, NESHAP Subpart A

Legal Basis: This applies as the Permittee is subject to NESHAP requirements.

Factual Basis: The Permittee is subject to NESHAP Subpart JJJJJ, and the applicable NESHAP Subpart A requirements.

Conditions 14, NESHAP Subpart ZZZZ Requirements

Legal Basis: NESHAP Subpart ZZZZ applies to owners and operators of stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. Fort Greely Real Estate is an area source that owns and operates several RICE units subject to NESHAP Subpart ZZZZ.

Factual Basis: NESHAP Subpart ZZZZ applies to any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE units being tested at a stationary RICE test cell/stand. EU ID FDIC17 is a new

⁴ EPA has not delegated to the Department the authority to administer the NSPS program as of the issue date of this permit

stationary RICE and must comply with the requirements under NESHAP Subpart ZZZZ by complying with 40 C.F.R. 60 Subpart IIII.

Conditions 15 through 23, NESHAP Subpart JJJJJ

Legal Basis: The Permittee is subject to this subpart the stationary source contains an industrial, commercial, or institutional boiler as defined in 40 C.F.R. 63.11237 located at an area source of HAP emissions, as defined in 40 C.F.R. 63.2, except as specified in 40 C.F.R. 63.11195. EU IDs FGBF04, FGBF05, FGBF06, FGBF10, FGBF25 and FGBF27 are subject to Subpart JJJJJ.

Factual Basis: These conditions incorporate the Subpart JJJJJ work practice and management standards applicable to EU IDs FGBF04, FGBF05, FGBF06, FGBF10, FGBF25 and FGBF27. The Permittee may not cause or allow EU IDs FGBF04, FGBF05, FGBF06, FGBF10, FGBF25 and FGBF27 to violate these standards. These conditions also provide MR&R specifically called out for within the Subpart. The Permittee is required to operate and maintain the boilers according to the manufacturer's written instructions or procedures developed by the Permittee that are approved by the boiler manufacturer. The Permittee is required to comply with work practices, emission reduction measures, and management practices set forth in Table 2 in Subpart JJJJJ. The Permittee shall submit an Initial Notification, Notification of Compliance, and a compliance report every five years.

Condition 24, 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 25, Protection of Stratospheric Ozone, 40 C.F.R. 82

Legal Basis: Condition 25.1 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.

Conditions 25.2 and 25.3 prohibitions also apply to all stationary sources that use halon for extinguishing fires and inert gas to reduce explosion risk. The condition prohibits the Permittee from causing or allowing violations of these prohibitions. The Fort Greely Real Estate uses halon and is therefore subject to the Federal regulations contained in 40 C.F.R. 82.

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. These conditions also incorporate applicable 40 C.F.R. 82 requirements. The Permittee may not cause or allow violations of these prohibitions.

Condition 26, NESHAPs Applicability Determinations

Legal Basis: This condition requires the Permittee to determine rule applicability of NESHAPS, and requires record keeping for those determinations if required by the source classification.

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 notify the Department and Administrator if the stationary source becomes an affected facility and to keep and make available to the Department copies of the major stationary source determination.

Condition 27, 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.

Conditions 28 - 30, 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 31, 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 32 - 33, 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 33.2 such that it referenced “submitted” (i.e., postmarked) rather than “received” in accordance with the timeframe of Condition 33.1.

Condition 34, 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, **except** those subject to Federal emission standards, those subject to continuous emission or parametric monitoring, and for insignificant emission units.

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

The Department adopted this condition under 18 AAC 50.346(b) as Standard Permit Condition VI pursuant to AS 46.14.010(e) and customized for the boilers. On emission basis the boilers are insignificant emission units.

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 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 35, 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 36, 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.

The Department adopted this standard condition as Standard Permit Condition X under 18 AAC 50.346(c) pursuant to AS 46.14.010(e). 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 meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 37, 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 38, 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.

Condition 39, 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, MACT, LAER, 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 55. Excess emission reporting under Condition 81 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 55.

Condition 40, 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: An onsite Department inspection on July 24, 2001 categorized the burn pit as open burning. No specific monitoring beyond those in 18 AAC 50.065 is required for this condition. Condition 40.1 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 57.

Condition 41, 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 42 - 44, 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 42 through 44.

Factual Basis: These conditions supplement the specific monitoring requirements stated elsewhere in this permit. Compliance monitoring with Conditions 42 through 44 consist of the test reports required by Condition 49.

Condition 45, 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 46 - 49, Test Deadline Extension, Test Plans, Notifications and Reports

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 50, 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 for compliance with the PM standards in 18 AAC 50.050 or 50.055.

Factual Basis: The condition incorporates a regulatory requirement for PM source tests. This condition supplements specific monitoring requirements stated elsewhere in this permit.

Condition 51, 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 52, 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 53, 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 54, 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 55, 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 has 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 condition meets the requirements of 40 C.F.R. 71.6(a)(3).

Section 13, Notification Form

The notification form contained in Standard Permit Condition IV meets the requirements of Chapter 50, Air Quality Control.

Condition 56, 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 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 condition meets the requirements of 40 C.F.R. 71.6(a)(3). The Department deleted the text “*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.*” since it duplicates Condition 53.

For renewal permits, the condition specifies that for the transition periods between an expiring permit and a renewal permit the permittee shall ensure that there is date-to-date continuity between the expired permit and the renewal permit such that the permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified. The permittee may provide one report accounting for each permit term or condition and the effective permit at that time. Alternatively, the permittee may choose to provide two reports – one accounting for reporting elements of permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

Condition 57, 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 57.2 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. The Department deleted the text *“The Permittee, at their discretion, may submit one copy in electronic format (PDF or other Department compatible image format).”* since it duplicates Condition 53.

Condition 58, Emission Inventory Reporting

Legal Basis: This condition requires the Permittee to submit emissions data to the State to satisfy the Federal requirement to submit emission inventory data from point sources as required under 40 CFR 51.321 (6/10/02). It applies to sources defined as point sources in 40 C.F.R. 51.50. The State must report all data elements in Table 2A of Appendix A to Subpart A of 40 C.F.R. 51 to EPA (73 FR 76556).

Factual Basis: The emission inventory data is due to EPA 12 months after the end of the reporting year (40 CFR 51.30(a)(1) and (b)(1), 12/17/08). A due date of March 31 corresponds with sources reporting actual emissions for assessable emissions purposes and provides the Department sufficient time to enter the data into EPA’s electronic reporting system.

The air emissions reporting requirements under 40 CFR Part 51 Subpart A apply to States; however, States rely on information provided by point sources to meet the reporting requirements of Part 51 Subpart A. In the past, the department has made information requests to point sources, to which the point source is obligated to reply under 18 AAC 50.200. The information requests occur on a routine basis as established by Part 51 Subpart A and consume significant staff resources. To increase governmental efficiency and reduce costs associated with information requests that occur on a routine basis, it has been determined that a standard permit condition best fulfills the need to gather the information needed to satisfy the requirements of Subpart A of 40 CFR 51.

To ensure that the Department’s electronic system reports complete information to the National Emissions Inventory, Title V stationary sources classified as Type A in Table 1 of Appendix A to Subpart A of 40 CFR 51 are required to submit with each annual report all the data elements required for the Type B source triennial reports (see also Table 2A of Appendix A to Subpart A of 40 CFR Part 51). All Type A sources are also classified as

Type B sources. However the department has streamlined the reporting requirements so Type A sources only need to submit a single type of report every year instead of both an annual report and a separate triennial report every third year.

Condition 59, 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 60 - 62, Permit Changes and Revisions Requirements

Legal Basis: The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under 18 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 conditions are 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 40 C.F.R. 71.6(a)(13)(iii).

Condition 63, 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 under 18 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 40 C.F.R. 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 64 - 69, 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.

Conditions 70 - 71, 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 source from the non-applicable requirements listed under this condition under the Federally approved State operating program effective November 30, 2001

Factual Basis: Table B of Operating Permit No. AQ0238TVP03 shows the permit shield that the Department granted to the Permittee. The permit conditions set forth the requirements that the Department determined were not applicable to the stationary source. The following table shows the requests that were denied and the reasons that they were denied. The Department based the determinations on the permit application, past operating permit, likelihood for the source to become subject during the life of the permit, Title I permits and inspection reports.