

# ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## AIR QUALITY OPERATING PERMIT

Permit No. GP-A

Issue Date: May 17, 2010

Expiration Date: May 17, 2015

The Department of Environmental Conservation, under the authority of AS 46.03, AS 46.14, and 18 AAC 50, issues an Air Quality Operating Permit for:

**Permitted Stationary Sources:** Diesel Electric Generating Stations with diesel engines and auxiliary fuel burning equipment that have requested a fuel limit to avoid classification under 18 AAC 50.306.

This permit authorizes the operation of stationary sources for which the Department finds in writing:

- Emission units meets the criteria established on page 1 of this permit; and
- The Department has received a complete application. For the Department to find that the application is complete, the application must provide all of the information described in the application form issued with this permit for all emission units to be operated under this permit.

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 required by AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this permit.

Citations listed herein are contained within 18 AAC 50 dated June 19, 2009, Register 190. All federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

This permit becomes effective on June 16, 2010



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Air Permit Program

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### List of Abbreviations Used in this Permit

AAC.....	Alaska Administrative Code	NOx.....	Nitrogen Oxides
ADEC .....	Alaska Department of Environmental Conservation	NSPS .....	Federal New Source Performance Standards [NSPS as contained in 40 C.F.R. 60]
AP-42.....	EPA Report, Compilation of Air Pollution Emission Factors	O & M .....	Operation and Maintenance
AS.....	Alaska Statutes	O <sub>2</sub> .....	Oxygen
ASTM.....	American Society for Testing and Materials	PM-10 .....	Particulate Matter less than or equal to a nominal ten microns in diameter
BHp .....	Boiler Horsepower	ppm .....	Parts per million
C.F.R. ....	Code of Federal Regulations	ppmv, ppmvd .....	Parts per million by volume on a dry basis
dscf .....	Dry standard cubic foot	psia .....	Pounds per Square Inch (absolute)
EPA .....	US Environmental Protection Agency	PSD .....	Prevention of Significant Deterioration
gr./dscf.....	grain per dry standard cubic foot (1 pound = 7000 grains)	PTE .....	Potential to Emit
gpy .....	gallons per year	RM .....	Reference Method
HAPs .....	Hazardous Air Pollutants [HAPs as defined in AS 46.14.990]	S .....	Sulfur
ID.....	Emission Unit Identification Number	SIC. ....	Standard Industrial Classification
MMBtu/hr.....	Million British thermal units per hour	SIP.....	State Implementation Plan
MR&R .....	Monitoring, Recordkeeping, and Reporting	SO <sub>2</sub> .....	Sulfur dioxide
NESHAPs.....	Federal National Emission Standards for Hazardous Air Pollutants [NESHAPs as contained in 40 C.F.R. 61 and 63]	TPY .....	Tons per year
		VOC .....	volatile organic compound [VOC as defined in 40 C.F.R. 51.100(s)]
		wt% .....	weight percent

### ***Section 1. Qualifying Requirements***

A stationary source may operate under this general operating permit if the stationary source:

- is described by SIC code 4911 or 4931;
- produces electricity using diesel engines;
- is capable of emitting 100 TPY of NO<sub>x</sub> (burning more than 330,000 gallons in 12 consecutive months);
- will actually emit less than 250 TPY of NO<sub>x</sub> (burning no more than 825,000 gallons of fuel in any 12 consecutive months);
- requests a limit to restrict NO<sub>x</sub> emissions to less than 250 tons in any 12 consecutive months;
- obtained all required air quality permits when the stationary source was built or modified;
- complies with the emission standards in this permit at the time of application;
- is not subject to an existing stationary source-specific requirement, other than a fuel use limit, established in a construction permit or in a permit issued before January 18, 1997;
- is not subject to a fuel-use limit that ensures compliance with ambient air quality standards;
- was not built after January 18, 1997 in a sulfur dioxide special protection area; and
- does not contain any of the following emission units:
  - boilers subject to 40 C.F.R. 60, Subparts D, Da, Db, or Dc;
  - fuel storage tanks subject to 40 C.F.R. 60, Subparts K, Ka, or Kb;
  - emission units subject to any other federal emission standard in 40 C.F.R. 60, 61, or 63 other than a woodstove for space heating, reciprocating internal combustion engine standards, or an asbestos demolition /renovation project;
  - gas turbines;
  - incinerators subject to any federal emission standard in 40 C.F.R. 60 or 62; or
  - emission units subject to any standard in 18 AAC 50.055(a) – (f) other than the general standards for fuel burning equipment in (a)(1), (b)(1), and (c).

## **Section 2. 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 the diesel engines to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

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

- 1.1 Monitor, record and report in accordance with Conditions 2 - 4.

### **Visible Emissions Monitoring, Recordkeeping and Reporting**

2. **Visible Emissions Monitoring.** The Permittee shall observe the exhaust of the diesel engines 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 the diesel engines observe exhaust for 18 minutes within six months after the issue date of this permit. 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 2.1c 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 2.3a,
  - (i) take Smoke/No Smoke observations in accordance with Condition 2.2.
    - (1) at least once per day for the next seven operating days and until the initial 30 day observation period is completed; and
    - (2) continue as described in Condition 2.2b; or

- (3) if the actions taken under Condition 2.3a do not eliminate the smoke, or if subsequent smoke is observed under the schedule of Condition 2.3c(i)(1), 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 2.2a.

**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 9;
- (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 9, 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. the diesel engine 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 52, 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:
    - (1) number of days observations were made;
    - (2) highest six-minute average observed; and
    - (3) dates when one or more observed six-minute averages were greater than 20 percent;
  - (iii) 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
  - (iv) a summary of any monitoring or recordkeeping required under Conditions 2 and 3 that was not done;

**4.2** Report under Condition 51:

- 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 the diesel engines to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

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

- 5.1 Monitor, record and report in accordance with Condition 6.

### **PM Monitoring, Recordkeeping and Reporting**

6. **Particulate Matter Monitoring for Diesel Engines.** The Permittee shall conduct source tests on diesel engines 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 6.2a or 6.2b, 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 Recordkeeping for Diesel Engines.** Within 180 calendar days after the effective date of this permit, the Permittee shall record the exhaust stack diameter(s) of the diesel engines. Report the stack diameter(s) in the next operating report under Condition 52.

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

8. **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)]

8.1 Report under Condition 51

- 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 6.1a or 6.1b, this must be reported by the day following the day compliance with Condition 6.1 was required;

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

8.3 In each operating report under Condition 52, include for the period covered by the report:

- a. the dates 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.

**Sulfur Compound Emission Standards Requirements**

9. **Sulfur Compound Emissions.** The Permittee shall not cause or allow sulfur compound emissions, expressed as SO<sub>2</sub>, from fuel burning equipment 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)]

9.1 The Permittee shall do one of the following for each shipment of fuel:

- a. If the fuel grade requires a sulfur content less than 0.5 percent by weight, keep receipts that specify fuel grade and amount; or
- b. If the fuel grade does not require a sulfur content less than 0.5 percent by weight, keep receipts that specify fuel grade and amount and
  - (i) test the fuel for sulfur content; or

- (ii) 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 what fuel they represent.
- 9.2 Fuel testing under Condition 9.1 must follow 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).
- 9.3 The Permittee shall include in the report required by Condition 52
- a. a list of the fuel grades received at the stationary source during the reporting period;
  - b. for any grade with a maximum fuel sulfur greater than 0.5 percent sulfur, the fuel sulfur of each shipment; and
  - c. for fuel with a sulfur content greater than 0.75 percent, the calculated SO<sub>2</sub> emissions in ppm.

[18 AAC 50.040(j), 50.326(j), & 50.346(c)]  
[40 C.F.R. 71.6(a)(3)]  
[40 C.F.R. 71.6(a)(10) & (13)(iii)]

**10. Used Oil in Diesel Engines.** Except for emission testing purposes, the Permittee is prohibited from burning used oil blends in diesel engines until the Department approves of a source test demonstrating that burning the used oil will comply with the particulate matter emission standard of Condition 5 and the visible emission standard of Condition 1.

- 10.1 After Department approval as set out by Condition 10, the Permittee shall comply with the following<sup>1</sup>:
- 10.2 Analyze each batch of used oil to determine the sulfur content using an approved ASTM method listed in Condition 9.2. Maintain records showing the results of each analysis.
- 10.3 Blend the used oil with virgin oil at a ratio that will ensure compliance with the sulfur limit of Condition 9.1. However, the used oil blend shall be mixed at a ratio of no more than tested as set out by Condition 10.
- 10.4 Account for the consumption of used oil blends as set out according to Condition 13.2.
- 10.5 Include with the Operating Report required by Condition 52:
- a. Results of each analysis as set out by Condition 10.1; and
  - b. For each batch of used oil blended, the amounts of virgin oil and used oil; the blend ratio; the final sulfur content; and the blend date.

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<sup>1</sup> CAUTION! Although this condition should ensure compliance with the applicable emission standards of 18 AAC 50, this permit does NOT ensure compliance with other applicable state or federal laws concerning management, use, or disposal of used oil.

10.6 Report as set out by Condition 51 any time the blend ratio or other requirements deviate from Condition 10.

[18 AAC 50.326(a)]  
[40 C.F.R. 71.2 and 71.6(a)(1 & 3)]

**11. Used Oil in Boilers or Heaters.** The Permittee may burn used oil blends in the boilers and heaters as follows<sup>2</sup>:

11.1 Analyze each batch of used oil to determine the sulfur content using an approved ASTM method such as ASTM D975-84, D3120-92, D4152-90, D2622-91 and ASTM 396-92. Maintain records showing the results of each analysis.

11.2 Blend the used oil with virgin oil at a ratio that will ensure compliance with the sulfur limit of Condition 9.1. However, the used oil blend shall be mixed at a ratio of no more than 1 part used oil with 6 parts virgin oil, unless the Permittee provides a Department approved demonstration that a greater ratio will comply with the limit in Condition 5.

11.3 Account for the consumption of the used oil blends as set out according to Condition 13.2.

11.4 Include with the Operating Report required by Condition 52:

- a. Results of each analysis as set out by Condition 11.1; and
- b. For each batch of used oil blended, the amounts of virgin oil and used oil; the blend ratio; the final sulfur content; and the blend date.

11.5 Report as set out by Condition 51 any time the blend ratio or other requirements deviate from Conditions 11.1 to 11.4.

### **Insignificant Emission Units**

**12.** 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:

12.1 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)]

12.2 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)]

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<sup>2</sup> CAUTION! Although this condition should ensure compliance with the applicable emission standards of 18 AAC 50, this permit does NOT ensure compliance with other applicable state or federal laws concerning management, use, or disposal of used oil.

- 12.3 The Permittee shall not cause or allow sulfur compound emissions, expressed as SO<sub>2</sub>, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.

[18 AAC 50.055(c)]

12.4 General MR&R for Insignificant Emission Units

- a. The Permittee shall submit the compliance certifications of Condition 53 based on reasonable inquiry for Condition 12;
- b. The Permittee shall comply with the requirements of Condition 35;
- c. The Permittee shall report in the operating report required by Condition 52 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 3. Stationary Source-Wide Requirements***

**13. NO<sub>x</sub> PSD Avoidance:** The Permittee shall avoid the requirement of a PSD review for NO<sub>x</sub> by emitting less than 250 tons in any 12 consecutive months, as follows:

13.1 Limit fuel consumption from the stationary source (diesel engines and auxiliary fuel burning equipment, including insignificant emission units) to no more than 825,000 gallons in any 12 consecutive month period.

13.2 Monitor as follows:

- a. At a consistent time each month, monitor and record the total monthly fuel consumption<sup>3</sup> at the stationary source using a tank leveling process, fuel delivery records, or a metering system.
- b. Calculate and record the 12 consecutive month total fuel consumption for the stationary source each month.

13.3 Report as follows:

- a. Report in the Operating Report in accordance with Condition 52, the 12 consecutive month fuel consumption for each month in the reporting period as set out by Condition 13.2b.
- b. Report in accordance with Condition 51, whenever the limit in Condition 13.1 is exceeded and whenever the monitoring and reporting of Conditions 13.2 or 13.3 are deviated.

13.4 Source Testing. Conduct a one-time NO<sub>x</sub> emission source test when the fuel consumption of the stationary source reaches 750,000 gallons in any 12 consecutive months to confirm the worst case emission factors are equal to or less than 4.41 lb/MMBtu heat input. The source test shall be conducted as follows:

- a. Test each diesel engine rated at greater than 400 hp at no less than three loads (high, mid, and low) within the normal operating range of the units. If the Permittee demonstrates in writing to the department that a group of units have identical configuration, the Department will allow one unit to be tested within that group;
- b. The source test shall be conducted within 90 days after reaching the fuel trigger;
- c. The source test shall be in accordance with the requirements set forth in Section 6 of this permit;
- d. During each test, monitor and record the units' load, electric generation rate, and fuel consumption no less than once every five minutes;

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<sup>3</sup> Fuel consumption shall include used oil consumption as set out by Conditions 10.4 and 11.3.

- e. Obtain for each fuel used during the testing, the fuel specific high heating value (gross heat value) or analyze a representative sample of the fuel using an approved ASTM method such as ASTM D 240, 4809 or 2382;
- f. Determine the load specific NO<sub>x</sub> emission factors (pounds per gallon, pounds per hour, and lb/MMBtu) expressed as NO<sub>2</sub>, using exhaust properties determined by both Method 19 and exhaust gas measurements;
- g. Report information obtained in Conditions 13.4a through 13.4f in the source test report required in Section 6.

[18 AAC 50.326(a)]  
[40 C.F.R. 71.2 and 71.6(a)(1 & 3)]

## ***Section 4. Federal Requirements***

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

- 14. NSPS Subpart A Notification.** For any affected facility<sup>4</sup> or existing facility<sup>5</sup> regulated under NSPS requirements in 40 C.F.R. 60, the Permittee shall furnish the Department and EPA written or electronic notification of:

[18 AAC 50.035 & 50.040(a)(1)]  
[40 C.F.R. 60.7(a) & 60.15(d), Subpart A]

- 14.1 the date that construction or reconstruction of an affected facility commences postmarked no later than 30 days after such date;

[40 C.F.R. 60.7(a)(1), Subpart A]

- 14.2 the actual date of initial startup of an affected facility postmarked within 15 days after such date;

[40 C.F.R. 60.7(a)(3), Subpart A]

- 14.3 any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies unless that change is specifically exempted under an applicable subpart or in 40 C.F.R. 60.14(e), postmarked 60 days or as soon as practicable before the change is commenced and shall include:

- a. information describing the precise nature of the change,
- b. present and proposed emission control systems,
- c. productive capacity of the facility before and after the change, and
- d. the expected completion date of the change;

[40 C.F.R. 60.7(a)(4), Subpart A]

- 14.4 any proposed replacement of an existing facility, for which 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, postmarked as soon as practicable, but no less than 60 days before commencement of replacement, and including the following information:

[40 C.F.R. 60.15(d)]

- a. the name and address of owner or operator,
- b. the location of the existing facility,
- c. a brief description of the existing facility and the components that are to be replaced,

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<sup>4</sup> 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

<sup>5</sup> 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.

- d. a description of the existing and proposed air pollution control equipment,
- e. an estimate of the fixed capital cost of the replacements, and of constructing a comparable entirely new facility,
- f. the estimated life of the existing facility after the replacements, and
- g. a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

- 15. 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 the affected facility, any malfunctions of associated air-pollution control equipment, or any periods during which a continuous monitoring system or monitoring device for new source performance standard EU's is inoperative.

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

- 16. 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 the affected facility 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 the affected facility.

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

- 17. 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 21 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 the affected facility 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]

- 18. 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 Condition 21. 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]

### Compression Ignition CI ICE Subject to NSPS Subpart III

**19. NSPS Subpart III Requirements.** The Permittee shall comply with any applicable requirement for stationary compression ignition (CI) internal combustion engine (ICE) whose construction<sup>6</sup>, modification<sup>7</sup>, or reconstruction<sup>8</sup> commences after July 11, 2005.

19.1 Operate and maintain the stationary CI ICE and control device according to the manufacturer's written instructions or procedures developed by the Permittee that are approved by the engine manufacturer over the entire life of the engine. In addition, the Permittee may only change those settings that are permitted by the manufacturer.

[18 AAC 50.040(j)(4) & 50.326(j)]

[40 C.F.R. 71.6(a)(1)]

[40 C.F.R. 60.4200(a), 60.4206, & 60.4211(a), 7/11/06]

19.2 Comply with the applicable provisions of Subpart A as specified in Table 8 to Subpart III.

[18 AAC 50.040(j)(4) & 50.326(j)]

[40 C.F.R. 71.6(a)(1)]

[40 C.F.R. 60.4218 & Table 8, 7/11/06]

19.3 Notification. The Permittee shall comply with the following requirements:

a. Submit an initial notification as required in Condition 14. The notification shall include the information in Conditions 19.3a(i) through 19.3a(v):

- (i) Name and address of the owner or operator;
- (ii) The address of the affected source;
- (iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
- (iv) Emission control equipment; and
- (v) Fuel used.

[40 C.F.R. 60.4214(a)(1), 7/11/06]

b. If the stationary CI ICE is an emergency stationary ICE, the Permittee is not required to submit an initial notification.

[40 C.F.R. 60.4214(b), 7/11/06]

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<sup>6</sup> For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

<sup>7</sup> As defined in 40 CFR 60.14, incorporated by reference in 18 AAC 50.040(a)(1).

<sup>8</sup> As defined in 40 CFR 60.15, incorporated by reference in 18 AAC 50.040(a)(1).

19.4 Performance Tests. The Permittee shall conduct performance tests in accordance with 40 C.F.R. 60.4212 for stationary CI ICE with a displacement of less than 30 liters per cylinder; or 40 C.F.R. 60.4213 for stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder.

[40 C.F.R. 60.4212 & 60.4213, 7/11/06]

**20. NSPS Subpart IIII Fuel Requirements.** The Permittee shall comply with the following:

20.1 Prior to December 1, 2010, refer to 40 C.F.R. Part 69 to determine diesel fuel requirements applicable to such engines.

20.2 Beginning December 1, 2010, comply with the applicable fuel requirements in 40 C.F.R. 60.4207, as provided under 40 C.F.R. 60.4216 for engines operated in Alaska, as follows:

- a. For CI ICE that use diesel fuel, use diesel fuel that meets the requirements of 40 C.F.R. 80.510(a).
- b. For CI ICE with a displacement of less than 30 liters per cylinder that use diesel fuel, use diesel fuel that meets the requirements of 40 C.F.R. 80.510(b) for non road diesel fuel.
- c. For pre-2011 model year stationary CI ICE, the Permittee may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of Conditions 20.2a or 20.2b beyond the date required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the Permittee is required to submit a new petition to the Administrator.
- d. The Permittee may petition the Administrator for approval to use any fuels mixed with used lubricating oil that do not meet the fuel requirements of Conditions 20.2a or 20.2b. The Permittee must demonstrate in the petition to the Administrator that there is no other place to use the lubricating oil. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.

[18 AAC 50.040(j)(4) & 50.326(j)]

[40 C.F.R. 60.4207(a) – (d) & 60.4216(a), 7/11/06]

[40 C.F.R. 80.510(a) & (b), Subpart I, 7/15/05]

**21. NSPS Subpart IIII Emission Standards.** The Permittee shall comply with the applicable emission standards for the affected facility, as listed below.

[18 AAC 50.040(j)(4) & 50.326(j)]

[40 C.F.R. 71.6(a)(1)]

[40 C.F.R. 60.4200(a)(2)(i), Subpart IIII, 7/11/06]

*For Non-Emergency Engines*

21.1 The Permittee shall comply with the emission standards in Table 1 to NSPS Subpart III.

[40 C.F.R. 60.4204(a) & Table 1, Subpart III, 7/11/06]

21.2 The Permittee shall comply with the emission standards in 40 C.F.R. 94.8(a)(1), as follows:

- a. 17.0 g/kW-hr when maximum test speed is less than 130 rpm, or
- b.  $45.0 \times N^{-0.20}$  when maximum test speed is at least 130 rpm but less than 2000 rpm, where N is the maximum test speed of the engine in revolutions per minute<sup>9</sup>, or
- c. 9.8 g/kW-hr when maximum test speed is 2000 rpm or more.

[40 C.F.R. 60.4204(a), Subpart III, 7/11/06]  
[40 C.F.R. 94.8(a)(1)(i) - (iii), Subpart A, 12/5/07]

21.3 The Permittee shall certify to the certification emission standards for new marine CI engines in 40 C.F.R. 94.8, as applicable, for all pollutants, for the same displacement and maximum engine power.

[40 C.F.R. 60.4204(b) & 4201(d), Subpart III, 7/11/06]  
[40 C.F.R. 94.8(a)(1), 12/5/07]

21.4 The Permittee shall meet the following requirements:

- a. Reduce nitrogen oxides (NO<sub>x</sub>) emissions by 90 percent or more, or limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to 1.6 grams per kW-hour (g/kW-hr) (1.2 grams per Hp-hour (g/Hp-hr)); and
- b. Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/kW-hr (0.11 g/Hp-hr).

[40 C.F.R. 60.4204(c), Subpart III, 7/11/06]

*For Emergency Engines*

21.5 The Permittee shall comply with the emission standards in Table 1 to NSPS Subpart III.

[40 C.F.R. 60.4205(a) & Table 1, Subpart III, 7/11/06]

21.6 The Permittee shall comply with the emission standards in 40 C.F.R. 94.8(a)(1).

[40 C.F.R. 60.4205(a), Subpart III, 7/11/06]  
[40 C.F.R. 94.8(a)(1), 12/5/07]

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<sup>9</sup> Round speed-dependent standards to the nearest 0.1 g/kW-hr.

21.7 The Permittee shall certify to the following emission standards for new non road CI engines in 40 C.F.R. 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

[40 C.F.R. 60.4205(b), 60.4202(a)(1& 2), 60.4202(b)(2), & Table 2, Subpart III, 7/11/06]  
[40 C.F.R. 89.112, 7/13/05; 40 C.F.R. 89.113, Subpart B, 10/23/98]  
[40 C.F.R. 1039.104, 105, 107, 115, Subpart B, 9/18/07]

21.8 The Permittee shall comply with the emission standards in Table 4 to NSPS Subpart III, for all pollutants.

[40 C.F.R. 60.4205(c) & Table 4, Subpart III, 7/11/06]

21.9 The Permittee shall meet the following requirements:

- a. Reduce nitrogen oxides (NO<sub>x</sub>) emissions by 90 percent or more, or limit the emissions of NO<sub>x</sub> in the stationary CI internal combustion engine exhaust to 1.6 grams per kW-hour (g/kW-hr) (1.2 grams per Hp-hour (g/Hp-hr)); and
- b. Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/kW-hr (0.11 g/Hp-hr).

[40 C.F.R. 60.4205(d), Subpart III, 7/11/06]

*For Stationary CI ICE using Special Fuels*

21.10 The Permittee may petition the Administrator for approval of alternative emission standards, if the Permittee can demonstrate that the fuel used in the affected facility is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in 40 C.F.R. 60.4202 or 40 C.F.R. 60.4203 using such fuels.

[40 C.F.R. 60.4217(a), Subpart III, 7/11/06]

**22. NSPS Subpart III Monitoring and Recordkeeping.** The Permittee shall meet the monitoring requirements, as follows:

[18 AAC 50.040(j)(4) & 50.326(j)]  
[40 C.F.R. 71.6(a)(3)(i & ii)]  
[40 C.F.R. 60.4209(a) & (b), Subpart III, 7/11/06]

22.1 Install a non-resettable hour meter prior to startup of the engine.

- a. Starting with the model years in Table 5 to NSPS Subpart III, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year,
  - (i) keep records of the time of operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter, and
  - (ii) the reason the engine was in operation during that time.

[40 C.F.R. 60.4209(a) & 60.4214(b), Subpart III, 7/11/06]

22.2 Install the diesel particulate filter with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

- a. Keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

[40 C.F.R. 60.4209(b) & 60.4214(c), Subpart III, 7/11/06]

22.3 Demonstrate compliance according to one of the methods specified in Conditions 22.3a through 22.3d:

- a. Purchasing an engine certified according to 40 C.F.R. Part 89 or 40 C.F.R. Part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications;
- b. Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in Section 6 and these methods must have been followed correctly;
- c. Keeping records of engine manufacturer data indicating compliance with the standards; and
- d. Keeping records of control device vendor data indicating compliance with the standards.
- e. Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in 40 C.F.R. 60.4212, as applicable.

[40 C.F.R. 60.4211(b), Subpart III, 7/11/06]

22.4 Keep records of the information in Conditions 22.4a through 22.4d:

- a. All notifications required in Condition 19.3 and all documentation supporting any notification;
- b. Maintenance conducted on the engine;
- c. If the stationary CI ICE is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards; and
- d. If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

[40 C.F.R. 60.4211(b), Subpart III, 7/11/06]

**23. NSPS Subpart III Reporting.** The Permittee shall report in the operating report required by Condition 52 the following:

- 23.1 upon initial startup, provide a copy of the records required in Conditions 22.4c or 22.4d in the next operating report;

- 23.2 the method of compliance used to demonstrate compliance with Condition 22.3; and
- 23.3 the records required in Conditions 22.1, 22.2, and 22.3.

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

**Area Source New RICE Subject to NESHAPS Subpart ZZZZ**

**24. NESHAPS Subpart ZZZZ Requirements.** The provisions of 40 C.F.R. 63 Subpart ZZZZ is applicable to the affected facility as follows:

- 24.1 An affected source that is new or reconstructed stationary reciprocating internal combustion engines (RICE) located at an area source must meet the requirements of Subpart ZZZZ by meeting the requirements of 40 C.F.R. 60 Subpart IIII in Conditions 19 through 23 for compression ignition engines. No further requirements apply for such engines under this part.

[18 AAC 50.040(j), 12/3/05; 18 AAC 50.326(j), 12/1/04]  
[40 C.F.R. 63.6590(c), Subpart ZZZZ, 7/16/07]

## **Section 5. General Conditions**

### **Standard Terms and Conditions**

25. 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)]
26. 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)]
27. 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)]
28. **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), 11/04; AS 46.14.240, 6/7/03]
29. **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
- 29.1 the stationary source's assessable potential to emit of 369.2 TPY; or
- 29.2 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
- an enforceable test method described in 18 AAC 50.220;
  - material balance calculations;
  - emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or
  - 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)]

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

- 30.1 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., Juneau, AK 99801-1795; 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
- 30.2 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 29.1.

[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)]

**31. Good Air Pollution Control Practice.** The Permittee shall do the following for the diesel engines:

- 31.1 perform regular maintenance considering the manufacturer's or the operator's maintenance procedures;
- 31.2 keep records of any maintenance that would have a significant effect on emissions; the records may be kept in electronic format; and
- 31.3 keep a copy of either the manufacturer's or the operator's maintenance procedures.

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

**32. 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)]

**33. 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)]

33.1 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 33.1 or to address the results of Department inspections that found potential problems; and
- (ii) to prevent future dust problems.

33.2 The Permittee shall report according to Condition 35.

- 34. 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 source 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)]

- 35. 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)]

**35.1 Monitoring, Recordkeeping, and Reporting for Condition 35**

- a. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to Condition 51.
- 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 35.

**35.2 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 35; or
- b. the Department notifies the Permittee that it has found a violation of Condition 35.

**35.3 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 35; and
- d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.

**35.4 With each stationary source operating report under Condition 52, 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.

35.5 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.

36. **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]

### **Open Burning Requirements**

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

37.1 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.

37.2 Compliance with this condition shall be an annual certification conducted under Condition 53.

[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**

- 38. 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)]
- 39. Operating Conditions.** Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing  
[18 AAC 50.220(b)]
- 39.1 at a point or points that characterize the actual discharge into the ambient air; and
- 39.2 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.
- 40. Reference Test Methods.** The Permittee shall use the following as reference test methods when conducting source testing for compliance with this permit:
- 40.1 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]
- 40.2 Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(b) must be conducted in accordance with the methods and procedures specified in 40 C.F.R. 61.  
[18 AAC 50.040(b) & 50.220(c)(1)(B)]  
[40 C.F.R. 61]
- 40.3 Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 C.F.R. 63.  
[18 AAC 50.040(c) & 50.220(c)(1)(C)]  
[40 C.F.R. 63]
- 40.4 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 9 to record data.  
[18 AAC 50.030 & 50.220(c)(1)(D)]

- 40.5 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]
- 40.6 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]
- 40.7 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]
41. **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)]
42. **Test Exemption.** The Permittee is not required to comply with Conditions 44, 45 and 46 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)]
43. **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)]
44. **Test Plans.** Except as provided in Condition 42, 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 38 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)]

- 45. Test Notification.** Except as provided in Condition 42, 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)]

- 46. Test Reports.** Except as provided in Condition 42, 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 48. 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)]

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

### **Recordkeeping Requirements**

- 47. 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)]

- 47.1 copies of all reports and certifications submitted pursuant to this section of the permit; and
- 47.2 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**

- 48. 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.

- 48.1 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 48.1a, 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)]

- 49. 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 48.

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

- 50. 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)]

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

51.1 Except as provided in Condition 35, 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 51.1c(ii) and 51.1c(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 51.1c(i); and
  - (iii) for failure to monitor, as required in other applicable conditions of this permit.

51.2 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 11 of this permit. The Permittee must provide all information called for by the form that is used.

51.3 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)]

**52. Operating Reports.** During the life of this permit<sup>10</sup>, 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.

52.1 The operating report must include all information for the period of this report 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

52.2 If excess emissions or permit deviations that occurred during the reporting period are not reported under Condition 52.1, 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 51 the Permittee shall cite the date or dates of those reports.

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

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<sup>10</sup> *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.

52.4 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)]

**53. 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<sup>11</sup>. The Permittee, at their discretion, may submit one copy in electronic format (PDF or other Department compatible image format).

53.1 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 1 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;

53.2 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.

53.3 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)]

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<sup>11</sup> See Condition 53.2 for clarification on the number of reports required.

## ***Section 8. Permit Changes and Renewal***

- 54. 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)]

- 55. 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:

- 55.1 Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;
- 55.2 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;
- 55.3 The change shall not qualify for the shield under 40 C.F.R. 71.6(f);
- 55.4 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)]

- 56. 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):

- 56.1 The Permittee shall provide EPA and the Department with a notification no less than 7 days in advance of the proposed change.
- 56.2 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.
- 56.3 The permit shield described in 40 C.F.R. 71.6(f) shall not apply to any change made pursuant to Condition 56.

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

**57. Construction of a New Major Stationary Source or Major Modification.** An owner or operator must obtain a construction permit before beginning actual construction of a new major stationary source, a major modification, a PAL major modification, or a new stationary source or modification subject to the construction permitting requirements of 42 U.S.C. 7412(i) (Clean Air Act sec. 112(i)).

[18 AAC 50.302]

**58. Transfer of Ownership.** The Permittee may apply for a transfer or ownership to change the ownership or operational control of a stationary source by providing to the Department a written agreement containing a specific date for the transfer or permit responsibility, coverage, and liability between the current and new Permittee.

[18 AAC 50.040(j)(4) and 50.326(c)(2) & (j)(2)]  
[40 C.F.R. 71.5(a)(iii) and 71.7(c)(1)]

**59. Permit Renewal.** To renew this permit, the Permittee shall submit an application under 18 AAC 50.326 no sooner than **November 17, 2013** and no later than **November 17, 2014**. The renewal application shall be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the 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**

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

60.1 included and specifically identified in the permit; or

60.2 determined in writing in the permit to be inapplicable.

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

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

61.1 For applicable requirements with which the source is in compliance, the Permittee shall continue to comply with such requirements.

61.2 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), 7/25/08; 18 AAC 50.326(j) and 18 AAC 50.345(a) & (c)]  
[40 CFR 71.6(c)(3) & 71.5(c)(8)(iii)(A)]

**62.** 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)]

**63.** 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

63.1 enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

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

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

63.4 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)]

**Section 10. Visible Emissions Forms**

**Visible Emissions Field Data Sheet**

Certified Observer: \_\_\_\_\_

Company &  
 Stationary  
 Source: \_\_\_\_\_

Location: \_\_\_\_\_

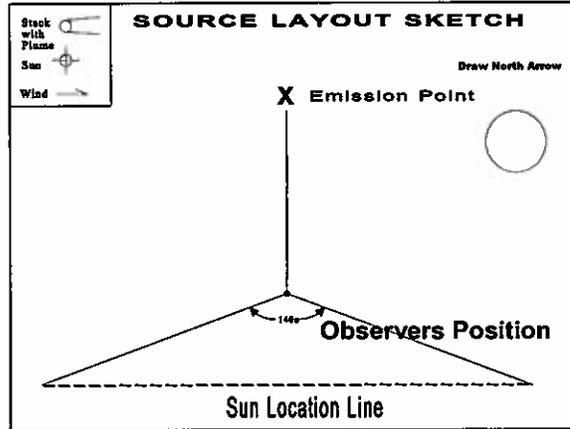
Test No.: \_\_\_\_\_ Date: \_\_\_\_\_

Emission Unit: \_\_\_\_\_

Production Rate/Operating  
 Rate: \_\_\_\_\_

Unit Operating Hours: \_\_\_\_\_

Hrs. of observation: \_\_\_\_\_



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



**Section 11. ADEC Notification Form<sup>12</sup>**

Stationary Source Name \_\_\_\_\_

Air Quality Permit No. \_\_\_\_\_

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

(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

<sup>12</sup> Revised as of August 20, 2008.

- (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  Generally Applicable Requirements  
 Failure to Monitor/Report  Reporting/Monitoring for Diesel Engines  
 General Source Test/Monitoring Requirements  Recordkeeping Failure  
 Recording/Reporting/Compliance Certification  Insignificant Emission Unit  
 Standard Conditions Not Included in the Permit  Stationary Source Wide

Other Section: \_\_\_\_\_ (Title of section and section number of your permit).

(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](mailto: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 52.*

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)]

**Section 12. Semiannual Operating Report Form**

Stationary Source Name \_\_\_\_\_

Air Quality Permit Number \_\_\_\_\_

Company Name \_\_\_\_\_

**Operating Report for:**

- 1/1/\_\_\_\_ - 6/30/\_\_\_\_ Due on **August 1**, or
- 7/1/\_\_\_\_ - 12/31/\_\_\_\_ Due on **February 1** to ADEC.

**NSPS Subpart IIII Requirements:** Complete the following tables for each emission unit as set out by Condition 22. Attach the following documentation:

- Documentation showing that each engine meets the emission standards under Conditions 22.4c or 22.4d.
- Records of corrective action taken after the backpressure monitor shows the engine is approaching its backpressure limit under Condition 22.2a.
- Compliance for each engine using one of the methods described in Condition 22.3.

EU ID	Model Year	Emergency Engine?		Non-Resettable Hour Meter Installed?		Backpressure Monitor Installed?		No. of times backpressure limit has been approached
		Yes	No	Yes	No	Yes	No	

EU ID	Compliance Method (Choose one)				
	Purchased a certified engine (Cond. 22.3a)	Kept Records of performance tests (Cond. 22.3b)	Kept Records of Vendor Data (Cond. 22.3c)	Kept Records of Control Device Data (Cond. 22.3d)	Initial Performance Test (Cond. 22.3e)

**Sulfur Content:** Complete the following table for each fuel delivery as set out by Condition 10.5.

Date of Delivery	Fuel Grade	Tested Fuel Sulfur Content or Maximum Fuel Sulfur for that Fuel Grade

**Blending with Used Oil:** Complete the following table when used oil is burned as set out by Conditions 10 and 11. Attach results of each used oil analysis.

Date Blended	Used Oil Quantity	Fuel Oil Quantity	Equipment used for the Burn	Calculated Sulfur Content of Blend

**Fuel Consumption:** Complete the following table to track fuel (e.g., fuel oil and used oil) consumption for the stationary source per Condition 13.3.

12 Month Period	Fuel Consumption, gallons per 12 month period

**Emission Complaints:** Complete the following table to track complaints received at the stationary source per Condition 35.5.

Number of Complaints Received	Number of Times Corrective Action Necessary	Number of Times Action Taken within 24 hours	Status on Corrective Actions Found Necessary that were not Taken within 24 hours

**Excess Emission or Permit Deviations:** Complete the following table to track excess emissions or permit deviations within the reporting period per Conditions 51 and 52.2 or attach copies of all ADEC Notification Forms pursuant to Section 11.

Not Yet Reported per Condition 51		Previously Reported per Condition 51	
Date of Deviations or Excess Emissions		Dates of Reported Excess Emission or Permit Deviations	
Equipment Involved			
Permit Conditions Affected			
Description of Excess Emissions or Permit Deviations			
Corrective Actions Taken and Dates of such Actions			
Date of anticipated submittal of the notification form pursuant to Condition 51			

**Visible Emissions:** Complete the following table to track visible emissions per Condition 4.1. Attach copies of all Method 9 readings.

Emission Unit Identification	Visible Emission Plan (list either Method 9 or smoke/no-smoke)	For Method 9 Readings		For Smoke/No-Smoke	
		Dates of Reading	Highest 6 Minute Averages	Dates of Readings	Smoke or No-Smoke

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: \_\_\_\_\_

Responsible Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### Section 13. Annual Compliance Certification Form

Stationary Source Name \_\_\_\_\_

Air Quality Permit Number \_\_\_\_\_

Company Name \_\_\_\_\_

**Annual Compliance Certification for:**

1/1/\_\_\_ - 12/31/\_\_\_ Due on **March 31** to ADEC and EPA.

Condition	Compliance Status	Continuous/ Intermittent	Method Used to Determine Compliance
1-4, VE	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Smoke/No-smoke monitoring plan <input type="checkbox"/> Method 9 visual observation <input type="checkbox"/> Other (attach description & documentation)
5-8, PM	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Smoke/No-smoke monitoring plan <input type="checkbox"/> Method 5 source test <input type="checkbox"/> Other (attach description & documentation)
9, SO <sub>2</sub>	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Fuel grade/sulfur content records <input type="checkbox"/> Other (attach description & documentation)
10, used oil	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Method 5 source test & fuel sulfur content records <input type="checkbox"/> Other (attach description & documentation)
11, used oil	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Fuel grade/sulfur content records <input type="checkbox"/> Other (attach description & documentation)
12, insignificant units	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept & reported <input type="checkbox"/> Other (attach description & documentation)
13, NO <sub>x</sub>	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Fuel Records kept <input type="checkbox"/> Other (attach description & documentation)
22-24, NSPS/ MACT	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept & reported <input type="checkbox"/> Other (attach description & documentation)
29, Fees	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Fees paid upon billing <input type="checkbox"/> Fees not paid <input type="checkbox"/> Other (attach description & documentation)
30, Fees	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Fee Form Submitted ___/___/___ <input type="checkbox"/> Form Not Submitted <input type="checkbox"/> Other (attach description & documentation)
31, control practices	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept <input type="checkbox"/> Other (attach description & documentation)
32, dilution	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> units do not allow for dilution of exhaust <input type="checkbox"/> units allow for dilution, but dilution not used during compliance tests <input type="checkbox"/> Other (attach description & documentation)
33, fugitive dust	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept <input type="checkbox"/> Other (attach description & documentation)

Condition	Compliance Status	Continuous/ Intermittent	Method Used to Determine Compliance
34, stack injection	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept <input type="checkbox"/> Other (attach description & documentation)
35, air pollution	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept & reported <input type="checkbox"/> Other (attach description & documentation)
36, asbestos	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept and Reported <input type="checkbox"/> No asbestos demolition/renovation done <input type="checkbox"/> Other (attach description & documentation)
37, open burning	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> No burning conducted <input type="checkbox"/> Other (attach description & documentation)
38, requested tests	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Test not requested <input type="checkbox"/> Test requested and conducted <input type="checkbox"/> Other (attach description & documentation)
39-41, source tests	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Test not conducted <input type="checkbox"/> Test conducted and records kept <input type="checkbox"/> Other (attach description & documentation)
42-44, source tests	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Test not conducted <input type="checkbox"/> Test conducted and reported <input type="checkbox"/> Other (attach description & documentation)
47, records kept	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Records kept <input type="checkbox"/> Records not kept <input type="checkbox"/> Other (attach description & documentation)
48, certification	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> reports are certified <input type="checkbox"/> reports are not certified <input type="checkbox"/> Other (attach description & documentation)
49, submittals	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> reports are submitted as directed <input type="checkbox"/> reports are not submitted as directed <input type="checkbox"/> Other (attach description & documentation)
50, information requests	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> No information requests <input type="checkbox"/> Information provided timely <input type="checkbox"/> Other (attach description & documentation)
51, excess emissions	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> No excess emissions or deviations generated <input type="checkbox"/> Excess emissions and deviation reports filed
52, operating reports	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> January through June Report submitted timely <input type="checkbox"/> July through December Report submitted timely
53, annual compliance	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Compliance Certification submitted to EPA and ADEC timely <input type="checkbox"/> Compliance Certification not submitted to EPA and ADEC timely
59, permit renewal	<input type="checkbox"/> In Compliance <input type="checkbox"/> Not in Compliance <input type="checkbox"/> Not Applicable	<input type="checkbox"/> Continuous <input type="checkbox"/> Intermittent	<input type="checkbox"/> Renewal submitted <input type="checkbox"/> Other (attach description & documentation)

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: \_\_\_\_\_

Responsible Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Section 14. Emission Calculations for Emission Fees**

Stationary Source Name \_\_\_\_\_

Air Quality Permit Number \_\_\_\_\_

Company Name \_\_\_\_\_

**Emission Fees Assessment Estimated from:**

1/1/\_\_\_ - 12/31/\_\_\_ Due on **March 31** to ADEC.

Step 1: Use the following table to identify your emission factor, based on your yearly fuel consumption.

Fuel Consumption Range, gal/yr	Emission Factor, tons/gal
0 to 33,061	Zero
33,062 to 153,473	0.000302
153,474 to 288,712	0.000368
288,713 to 416,571	0.000402
416,572 to 470,322	0.000426
Over 470,322	0.000448

Step 2: Use the following table to calculate your emission fees.

Actual Fuel Consumption, gal/yr		Emission Factor, tons/gal	=	Emissions Estimate, tons/yr		Emission Fee Rate, \$/ton	=	Emission Fee, \$/yr
	x		=		x	\$33.37	=	

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: \_\_\_\_\_

Responsible Official Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

**General Permit for  
Diesel Electric Generating Stations**

**STATEMENT OF BASIS  
of the terms and conditions for  
GP-A**

**Prepared by Krystin Bablinskas**

**May 17, 2010**

## INTRODUCTION

This document sets forth the legal and factual basis for the terms and conditions of the General Permit A (GP-A) for diesel electric generating stations with diesel engines and auxiliary fuel burning equipment.

## PROCESS DESCRIPTION

The GP-A regulates emissions from diesel-electric generating stations that have requested a fuel limit to avoid classification as Prevention of Significant Deterioration (PSD) major under 18 AAC 50.306. The stationary sources are described under SIC Codes 4911 and 4931.

Diesel-engine powered electric generators provide electric power for many communities in rural Alaska. These stationary sources have primary and backup generator sets to accommodate peak power demands, and to provide uninterrupted service during scheduled and unscheduled maintenance. Emission sources include diesel engines and auxiliary fuel burning equipment.

## QUALIFYING CRITERIA

1. Described by SIC codes 4911 and 4931 and produces electricity - this defines the group of stationary source.
2. The stationary source is classified under 18 AAC 50.326 - restricts the permit to those stationary sources that have the potential to emit at least 100 TPY.
3. Will not consume more than 825,000 gallons of fuel oil in any consecutive twelve months at the entire stationary source - ensures that emissions of NO<sub>x</sub> remain less than 250 TPY, and that the stationary source can comply with the permit.
4. Not subject to an existing stationary source-specific requirement, other than a fuel use limit - permit does not provide for compliance with these types of limits; ensures that stationary sources subject to BACT or LAER limits cannot use the permit.
5. Not subject to a fuel-use limit that ensures compliance with ambient air quality standards - permit does not ensure compliance with ambient air quality standards; ensures that stationary sources that need a limit to comply with the AAQS cannot use the permit.
6. Was not built in a sulfur dioxide special protection area after January 18, 1997 - the permit does not protect ambient air quality from a new stationary source in an SO<sub>2</sub> special protection area; this criterion prevents new stationary sources in an SO<sub>2</sub> special protection area from using the permit.
7. Does not contain any boilers subject to 40 C.F.R. 60, Subparts D, Da, Db, or Dc; gas turbines; fuel storage tanks subject to 40 C.F.R. 60, Subparts K, Ka, or Kb; units subject to any other federal emission standard in 40 C.F.R. 60, 61, or 63 other than a reciprocating internal combustion engine, woodstove for space heating or an asbestos demolition /renovation project; incinerators; or units subject to any standard in 18 AAC 50.055(a) – (f) other than the general standards for fuel burning equipment in (a)(1), (b)(1), and (c) - the permit does not include all the applicable requirements for these units; therefore, stationary sources containing these sources may not use the permit.

8. The stationary source obtained all required air quality permits when the stationary source was built or modified - if a stationary source had not obtained required pre-construction/pre-modification permits, the stationary source would be in violation of these requirements. The operating permit would have to include a plan to bring the stationary source into compliance. Because this general permit does not include such a plan, stationary sources that require the compliance plan may not use this general permit.

### EMISSIONS

A summary of the potential to emit (PTE)<sup>1</sup> and assessable PTE as indicated in the application as calculated by the Department is shown in the table below.

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

Pollutant	NOx	CO	PM-10	SO <sub>2</sub>	VOC	HAPs	Total
PTE	249.5	53.8	17.5	28.6	19.8	0.2	369.4
Assessable PTE	249.5	53.8	17.5	28.6	19.8	0	369.2

The assessable PTE listed under Condition 29.1 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.

Emissions of hazardous air pollutants (HAPs) are less than 10 TPY, estimated at 0.2 TPY. Therefore, the Department determined that these stationary sources are not subject to the HAP major source National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines listed in 40 C.F.R. 63.

### BASIS FOR REQUIRING AN OPERATING PERMIT

Stationary sources operating under the GP-A require an operating permit because they have the potential to emit 100 TPY or more of a regulated air pollutant as set out by 18 AAC 50.326(a) and 40 C.F.R. 71.3(a)(5).

These stationary sources avoid classification as PSD major as defined in 18 AAC 50.306 because potential to emit is limited to less than 250 TPY of a regulated air pollutant in an area classified as attainment or unclassifiable.

Alaska regulations require operating permit applications to include identification of "regulated emission units." As it applies to this stationary source, the state regulations require a description of:

- ⇒ Each emission unit regulated by a standard in 18 AAC 50.055, Industrial Processes and Fuel Burning Equipment, under 18 AAC 50.326(a);

<sup>1</sup> *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.

- ⇒ Each emission unit regulated by a standard incorporated by reference in 18 AAC 50.040(a)-(d); and
- ⇒ Emission units subject to requirements in an existing Department permit 18 AAC 50.326(a).

## STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The state and federal regulations for each condition are cited in the GP-A.

### Conditions 1 - 4 & Section 10, 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. Diesel engines 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). The Permittee shall not cause or allow the equipment to violate these standards.

Conditions 2 through 4 and Section 10 MR&R conditions are standard conditions adopted into regulation pursuant to AS 46.14.010(e).

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).

#### **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.

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.

#### **Insignificant Emission Units:**

No visible emissions monitoring is required because these units are insignificant emission units based on actual emissions. As long as the units do not exceed the thresholds, they are insignificant by emissions rate as specified in 18 AAC 50.326(e) and no monitoring is required in accordance with Department Policy and Procedure No. AWQ 04.02.103, Topic # 3, 10/8/04. The Permittee must annually certify compliance under Condition 53 with the opacity standard.

### Conditions 5 - 6 & Section 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.

- Diesel engines are fuel-burning equipment.

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 or industrial processes to violate this standard.

The Permittee must establish by actual visual observations which can be supplemented by other means, such as a defined Operation and Maintenance Program that the emission unit is in continuous compliance with the State's emission standards for particulate matter.

#### **Liquid Fuel-Fired Burning Equipment:**

For liquid fuel units the MR&R conditions are 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).

#### **Insignificant Emission Units:**

No monitoring is required because these are insignificant emission units based on actual emissions. These units must not exceed operational thresholds. As long as they operate within these thresholds they are considered insignificant emission units as specified in 18 AAC 50.326(e) and no monitoring is required in accordance with Department Policy and Procedure No. AWQ 04.02.103, Topic # 3, 10/8/04. The Permittee must annually certify compliance under Condition 53 with the particulate matter standard.

### Condition 9, Sulfur Compound Emissions

**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.

- Diesel Engines are fuel-burning equipment.

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

**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.

Sulfur dioxide comes from the sulfur in the fuel (e.g. coal, natural gas, fuel oils).

### **Liquid Fuels:**

For oil fired fuel burning equipment, the MR&R conditions are Standard Permit Conditions XI and XII adopted into regulation pursuant to AS 46.14.010(e). These conditions have been modified in this permit as follows.

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 10, Used Oil in Diesel Engines**

**Legal Basis:** If the Permittee burns used oil in engines, then these requirements apply.

**Factual Basis:** This condition sets out the requirements for burning used oil in engines.

The Permittee is prohibited from burning used oil blends in the engines until the Department approves of a source test demonstrating that burning the used oil will comply with the particulate matter emission standard of Condition 5 and the visible emission standard of Condition 1. Because of various metal pollutants, used oil may have higher particulate emissions and sulfur emissions than virgin fuel oil. Staff experience indicates that burning used oil by itself may violate 18 AAC 50.055(b)(1) and (c).

The Permittee shall remember that used oil is fuel that is limited and monitored as set out by Condition 10. In addition, although this condition should ensure compliance with the applicable emission standards of 18 AAC 50, this permit does NOT ensure compliance with other applicable state or federal laws concerning management, use, or disposal of used oil.

The permit lists blending, testing, recording, and reporting requirements. The Department added a requirement to blend at a ratio of no more than in the particulate matter source test, unless Department approved to mix at a greater ratio. However, the Permittee must still test for sulfur and ensure that the ratio of used oil with comply with the sulfur limit.

### **Condition 11, Used Oil in Boilers or Heaters**

**Legal Basis:** If the Permittee burns used oil in boilers and heaters, then these requirements may apply.

**Factual Basis:** This condition specifies requirements for burning used oil at the stationary source in only boilers and heaters.

The Permittee shall remember that used oil is fuel that is limited and monitored as set out by Condition 11. In addition, although this condition should ensure compliance with the applicable emission standards of 18 AAC 50, this permit does NOT ensure compliance with other applicable state or federal laws concerning management, use, or disposal of used oil.

The permit lists blending, testing, recording, and reporting requirements. The Department added a requirement to blend at a ratio of no more than 1 part used oil with 6 parts virgin oil to comply with the particulate matter standard, unless Department approved to mix at a greater ratio. However, the Permittee must still test for sulfur and ensure that the ratio of used oil with comply with the sulfur limit.

### Condition 12, 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 12.4a requires certification that the units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution. As long as they do not exceed the thresholds, they are considered insignificant units and no monitoring is required in accordance with Department Policy and Procedure No. AWQ 04.02.103, Topic # 3, 10/8/04 for standby emission units.

### Condition 13, NOx PSD Avoidance

**Legal Basis:** These conditions are owner requested limits to avoid a PSD review for NOx.

**Factual Basis:** Condition 13 limits emission of NOx to less than 250 TPY to avoid classification as PSD major. The limit is applicable to all emission units at the stationary source, including auxiliary equipment and insignificant emission units. If the stationary source were permitted to emit 250 TPY or more, it would be subject to PSD review which entails the imposition of best available control technology.

The Permittee shall monitor compliance with the TPY limit by limiting fuel consumption to 825,000 gallons in any 12 consecutive month period. Total fuel consumption must be tracked to ensure compliance with this limit. To simplify the monitoring process, the stationary source does not track diesel engines fuel consumption separate from boilers or heater fuel consumption. Instead, all fuel is assumed to be consumed in the diesel engines, a conservative approach.

The Department calculated the amount of fuel that would result in the production of just under 250 tons of NOx based on AP-42 emission factors for a diesel engines. The Department used Table 3.3-1 for diesel engines up to 600 hp, because these factors were greater (worst-case) than using Table 3.4-1 for diesel engines greater than 600 hp. See calculations as follows:

Diesel fuel density assumed at 7.1 lbs/gallon

Diesel fuel heating value assumed at 19,300 Btu/lb

$19300 \text{ Btu/lb} \times 7.1 \text{ lb/gal} = 137,030 \text{ Btu/gal}$

$1000000 \text{ Btu} / 137030 \text{ Btu/gal} = 7.29 \text{ gal/MMBtu}$

$\text{AP-42 Emission Factor for NOx} = 4.41 \text{ lb/MMBtu} = 4.41 \text{ lb NOx} / 7.29 \text{ gal}$

$4.41 \text{ lb NO}_x / 7.29 \text{ gal} = 250 \text{ ton} \times 2000 \text{ lb/ton} / X$   
 $X = 826,530 \text{ gal/year}$   
the fuel limit was set at 825,000 gallons per year.

The emission factors used to set this limit are inexact and may vary by more than 10%. Therefore, Condition 13 has the requirement to source test diesel engines rated greater than 400 hp to determine equipment specific emission factors when the stationary source annual fuel consumption exceeds 750,000 gallons per 12 months.

### Conditions 14 – 18, 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<sup>2</sup>.

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, the affected facility is subject to NSPS Subpart IIII and therefore subject to Subpart A.

Conditions 14.1 through 14.3 - The Permittee has already complied with the notification requirements in 40 C.F.R. 60.7 (a)(1) - (4) for the affected facility. However, the Permittee is still subject to these requirements in the event of a new NSPS affected facility<sup>3</sup> or in the event of a modification or reconstruction of an existing facility<sup>4</sup> into an affected facility.

Condition 14.4- 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 15 - 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 47)

Condition 16 - Good air pollution control practices in 40 C.F.R. 60.11 are applicable to all NSPS affected facilities subject to Subpart A.

Condition 17 - States that any credible evidence may be used to demonstrate compliance or establishing violations of relevant NSPS standards for the affected facility

Condition 18 - Concealment of emissions prohibitions in 40 C.F. R. 60.12 are applicable to the affected facility.

The flare is not subject to 40 C.F. R. 60.18 because it is a safety device and not a control device. It does not receive any tank vapors from any NSPS regulated emission units.

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<sup>2</sup> EPA has not delegated to the Department the authority to administer the NSPS program as of the issue date of this permit

<sup>3</sup> *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.

<sup>4</sup> *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.

**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 19 - 23, NSPS Subpart III Requirements**

**Legal Basis:** NSPS Subpart III 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.

**Factual Basis:** These conditions incorporate the Subpart III emissions standards applicable to the affected facility. The Permittee may not cause or allow the affected facility 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 Permittee is required to monitor and record the monthly engine hours of operation and the rolling 12-month hours of operation on each affected CI ICE. Each affected pre-2007 model year stationary CI ICE must comply with the emission standards in Table 2 to Subpart III. Upon initial startup the Permittee shall provide a copy of the Manufacturer's Engine Certification in the next operating report required by Condition 52. The requirement in Condition 23 is added to fill gap in the reporting requirement under this Subpart.

#### **Condition 24, 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.

**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. The affected facility is subject to Subpart ZZZZ based on its construction, manufacturer, or reconstruction date. However, per 40 C.F.R.63.6590(c), an affected new or reconstructed stationary reciprocating internal combustion engines (RICE) located at an area source must meet the requirements of Subpart ZZZZ by meeting the requirements of 40 C.F.R. 60 Subpart III and no further requirements apply for such engines under 40 C.F.R. 63. EU IDs 38, 59, 138, 139, and 143 meet these criteria.

#### **Conditions 25 - 27, 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 28, 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 29 - 30 & Section 14, 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 30.2 such that it referenced "submitted" (i.e., postmarked) rather than "received" in accordance with the timeframe of Condition 30.1.

#### **Condition 31, 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 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 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 32, 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 33, 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 34, 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 35, 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 36, 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 37, 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 37.1 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 53.

### **Condition 38, 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 39 - 41, 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 39 through 41.

**Factual Basis:** These conditions supplement the specific monitoring requirements stated elsewhere in this permit. Compliance monitoring with Conditions 39 through 41 consist of the test reports required by Condition 46.

### **Condition 42, 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 43 - 46, 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 47, 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 48, 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 49, 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 50, 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 51 & Section 11, 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 11, Notification Form*

The Department modified the notification form contained in Standard Permit Condition IV in a revised rulemaking dated August 20, 2008 to more adequately meet the requirements of Chapter 50, Air Quality Control. The rulemaking for these changes took effect November 9, 2008. The modification consisted of correcting typos and moving "Failure to Monitor/Report" and "Recordkeeping Failure" to Section 2 - permit deviations.

#### **Condition 52 & Section 12, 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 53 & Section 13, 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 53.2 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.

#### **Conditions 54 - 56, 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 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.

#### **Condition 59, 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 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 60 - 63, 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. Additionally, Permit Condition 61 includes the compliance plan and schedule element as required by 40 CFR 71.6(c)(3) and 71.5(c)(8) by reference.

**Factual Basis:** These are standard conditions for compliance required for all operating permits and for Condition 61.1, minimum elements of an operating permit incorporated by reference in 18 AAC 50.040(j).

