Alaska Department of Environmental Conservation
Air Permits Program

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United States Air Force
Eareckson Air Station

STATEMENT OF BASIS
for the terms and conditions of
Permit No. AQ0307TVP04

Prepared by Zachary Boyden
ADEC AQ/APP (Anchorage)

INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ0307TVP04.

STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ0307TVP04 contains information on the stationary source as provided in the Title V permit application.

The Eareckson Air Station is owned and operated by the United States Air Force, the Permittee for the stationary source's operating permit. The SIC code for this stationary source is 9711 - National Security. The North American Industrial Classification System (NAICS) code is 928110 – National Security.

The Eareckson Air Station stationary source's primary missions are the operation and maintenance of a radar system, a 10,000-foot airfield supporting the northern pacific air bridge, and the support of several different tenant units and non-tenant activities located at Eareckson. The stationary source consists of diesel engines, boilers, fuel tanks, incinerators, and a solid waste landfill.

The Eareckson Air Station stationary source is a Prevention of Significant Deterioration (PSD) Major Source as described in 40 C.F.R. 52.21 for having the potential to emit more than 250 tons per year (TPY) of a regulated air pollutant, oxides of nitrogen (NO_x).

EMISSIONS UNIT INVENTORY AND DESCRIPTION

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

The emissions units at the Eareckson Air Station that have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of Operating Permit No. AQ0307TVP04.

Table A of Operating Permit No. AQ0307TVP04 contains information on the emissions units regulated by this permit as provided in the application. The table is provided for informational and identification purposes only. Specifically, the emissions unit rating/size provided in the table is not intended to create an enforceable limit.

EMISSIONS

A summary of the potential to emit (PTE)[1] and assessable PTE as indicated in the application from the Eareckson Air Station is shown in the table below. The Department notes that the Permittee provided additional PTE estimates in June 9, 2021 and May 31, 2023 addendums to their Title V permit renewal application submitted June 2020. The addenda PTE estimates were

[1] *Potential to Emit* or *PTE* means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source, as defined in AS 46.14.990(22).

used to replace original PTE estimates for EU IDs 62a and 74a in the application, add new equipment, and incorporate various units found onsite previously unpermitted.

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

Emissions	NO_x	CO	PM_{10}	SO_2	VOC	CO_2e[1]	HAPs	Total[2]
PTE	964.52	64.40	14.40	165.54	64.26	106,838.02	0.76	1,273.12
Assessable PTE	964.52	64.40	14.40	165.54	64.26	0	0	1273.12

Notes:

1. CO_2e emissions are defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential.
2. Total PTE and total assessable PTE shown in the table do not include CO2e and HAPs.
3. HAP emissions are a subset of either VOC emissions or PM_{10} emissions and are excluded from the assessable emissions total to avoid double counting.

The assessable PTE listed under Condition 55.1 is the sum of the PTE of each individual air pollutant, other than greenhouse gases (GHGs). The emissions listed in Table D are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit for the stationary source.

For criteria pollutants and GHGs, the PTE was estimated based on AP-42 emission factors current as of the date of the permit renewal application submittal, manufacturer supplied emission factors, and 40 C.F.R. 98 for GHG CO_{2e}, applicable to the emission units at the stationary source. Additionally, prior PTE calculations were applying unrestricted operation to EU IDs 7 – 10. PTE from EU IDs 7 – 10 are limited by the NO_x ORL (Condition 19). PTE estimates for addended emission units were based on EPA AP-42 emission factors and mass balance.

The Department revised the PTE calculations by the Permittee as follows: changed the emission factor for heaters and boilers from distillate oil back to No. 2 fuel oil to match previous permits and current operations, and fixed emergency engines hours of operation to accept addendum and historic actual operating hours. The Permittee calculated HAP emissions using AP-42 emission factors.

BASIS FOR REQUIRING AN OPERATING PERMIT

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

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

- A major source;
- A stationary source, including an area source, subject to federal New Source Performance Standards (NSPS) under Section 111 of the Clean Air Act or National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the CAA;

[2] *Title V source* means a stationary source classified as needing a permit under AS 46.14.130(b) [ref. 18 AAC 50.990(111)].

- Another stationary source designated by the Federal Administrator by regulation.

The Permittee is required to obtain an operating permit for the Eareckson Air Station as specified under 18 AAC 50.326(a) and 40 C.F.R. 71.3(a), because the stationary source is:

- A major source. This stationary source is a major source because
  - as defined in Section 302 of the CAA, it directly emits, or has the potential to emit, 100 TPY or more of any air pollutant subject to regulation; and
- A source, including an area source, subject to a standard, limitation, or other requirement under Section 111 of the Act (NSPS) not exempted or deferred under AS 46.14.120(e) or (f);
- A source, including an area source, subject to a standard or other requirement under Section 112 of the Act (NESHAP) not exempted or deferred under AS 46.14.120(e) or (f).

AIR QUALITY PERMITS

Permits-to-Operate

The last Permit-to-Operate issued for this stationary source is Permit to Operate No. 9325-AA007, issued September 21, 1994. This Permit-to-Operate included all construction authorizations since it was issued before January 18, 1997 (the effective date of the new divided Title I/Title V permitting program). All stationary source-specific requirements established in this permit are included in this Title V operating permit, Permit No. AQ0307TVP04, as described in Table E.

Title I (Construction and Minor) Permits

Permit No. 307CPT01. The Department issued Construction Permit No. 307CPT01 to this stationary source on September 29, 2003. This permit included a determination that Selective Catalytic Reduction and Oxidation Catalyst were considered as Best Available Control Technology (BACT) for oxides of nitrogen (NO_x) and carbon monoxide (CO), with regard to the main generator units EU IDs 5 and 6. The applicant subsequently filed for an informal appeal of the Department's BACT determination in this permit and provided detailed cost estimates on November 17, 2003. The Department, upon review of the applicant's submittals and cost estimates, reversed its initial BACT determination in favor of 'good combustion process'; details of the BACT evaluations can be found in the Addendum to the Technical Analysis Report for Permit 307CP01 Revision 1.

- Revision No. 1. The department issued Construct Permit 307CP01 Revision 1 on February 9, 2005, to address its revised BACT determination. The stationary source-specific requirements in Construction Permit 307CP01 Revision 1 were incorporated in Title V Operating Permit AQ0307TVP02. Details of the BACT evaluations can be found in the Addendum to the Technical Analysis Report for Permit 307CP01 Revision 1.

Minor Permit No. AQ0307MSS01. On March 21, 2013, the Permittee submitted a minor permit application to remove six 3,000-kilowatt (kW) Cooper engine-generators and replace with four 4,600 kW Caterpillar engine-generators; it rescinded Construction Permit 307CP01 Revision 1. The Department issued Minor Permit No. AQ0307MSS01 to this stationary source on August 9,

2013. The stationary source-specific requirements in Minor Permit AQ0307MSS01 were incorporated by administrative amendment in Title V Operating Permit AQ0307TVP02 Revision 1.

Minor Permit No. AQ0307MSS02. The Department issued Minor Permit AQ0307MSS02 on December 11, 2015. This permit addressed the applicant's request to delete obsolete EUs and their associated permit conditions, as well as updating the EU inventory; it rescinded Minor Permit AQ0307MSS01. The stationary source-specific requirements in Minor Permit AQ0307MSS02 were incorporated by integrated review[3] in Title V Operating Permit AQ0307TVP03.

All stationary source-specific requirements established in this permit are included in Operating Permit No. AQ0307TVP04 as described in Table F.

Minor Permit No. AQ0307MSS03. The Department issued Minor Permit AQ0307MSS03 on May 24, 2017. This permit authorized revision to PSD-avoidance owner requested limits (ORLs) established in Minor Permit AQ0307MSS02. The applicant submitted an initial application on July 14, 2016, in response to a request for information from the Department's Compliance staff.[4] They revised their initial application on January 27 and February 2, 2017, by requesting changes to limits on the combined annual operating hours of, sulfur content of fuels fired in, and combined average annual operating load of EUs 7-10. The applicant requested the Department perform an integrated review of this permit as a significant modification to the Title V Operating Permit. Minor Permit AQ0307MSS03 revised Minor Permit AQ0307MSS02. The stationary source-specific requirements in Minor Permit AQ0307MSS03 were incorporated by integrated review in Title V Operating Permit AQ0307TVP03 Revision 1.

Minor Permit No. AQ0307MSS04. The Department issued Minor Permit AAQ0307MSS04 on October 15, 2018. This permit authorized revisions to the EU inventory. It revised Minor Permit AQ0307MSS03. The stationary source-specific requirements in Minor Permit AQ0307MSS04 were incorporated by integrated review in Title V Operating Permit AQ0307TVP03 Revision 2.

Minor Permit No. AQ0307MSS05. The Permittee submitted an application for Minor Permit AQ0307MSS05 on July 28, 2020, and amended the application on March 1, 2023 and again on May 31, 2023. The application requested to update emission unit inventory, revise the used oil provision emission unit list, remove the historic ORL on emergency engine hours of operation, and add an alternative NO_x ORL monitoring method. Additionally, this application requests the Department perform an integrated review of this permit as a significant modification to the Title V Operating Permit. The Department reviewed this application as an element of integrated review with an application for Title V Operating Permit AQ0307TVP04.

[3] Per 18 AAC 50.326(c)(1).

[4] USAF notified the Department that EUs 7 – 10 could not comply with the emission standards for NO_x+THC in AQ0307TVP03 nor the operating hours limits in AQ0307MSS02 following two source tests of EU 10 in December of 2015 and February of 2016. The Department found that the emission standards for EUs 7 – 10 in AQ0307TVP03 did not use factor of 1.25, required by 40 C.F.R. 60.4242(c), for exhaust emission standards of EUs that undergo performance tests. USAF subsequently submitted a permit application requesting the Department revise the ORLs in AQ0307TVP03 that allowed the installation of EUs 7 – 10 to avoid PSD review, and that it add not-to-exceed emission standards with which EUs 7 – 10 must comply when undergoing performance tests.

Title V Operating Permits

Permit No. AQ0307TVP01. The owner or operator submitted an application for an initial Title V operating permit dated December 8, 1997. The Department issued Operating Permit No. AQ0307TVP01 on November 28, 2003.

- Revision No. 1. The Permittee requested an administrative permit amendment on April 1, 2005, incorporating the terms and conditions of both Permit to Operate No. 9325-AA007 and Construction Permit 307CP01 Revision 1. The Department issued Revision 1 to this permit on August 3, 2005.

Permit No. AQ0307TVP02. The Permittee submitted an application to renew Operating Permit No. AQ0307TVP01 dated July 1, 2008. The Department received additional information on September 26, 2008. The Department deemed the application complete on October 27, 2008, and issued Operating Permit No. AQ0307TVP02 on December 20, 2010.

- Revision No. 1. The Permittee requested an administrative modification on March 21, 2013, incorporating the terms and conditions of Minor Permit AQ03077MSS01. The Department issued Revision 1 to this permit on October 11, 2013.

Permit No. AQ0307TVP03. The Permittee submitted an application to renew Operating Permit No. AQ0307TVP02 dated May 27, 2015. The Department received additional information on June 30, 2015. The Department issued Operating Permit No. AQ0307TVP03 on January 29, 2016.

- Revision No. 1. The Permittee requested an administrative permit modification on July 14, 2016, incorporating the terms and conditions of Minor Permits No. AQ0307MSS02 and AQ0307MSS03, respectively. The Department issued Revision 1 to this permit on May 24, 2017.
- Revision No. 2. The Permittee requested an administrative permit modification on October 17, 2017, incorporating the terms and conditions of Minor Permit AQ0307MSS04. The Department issued Revision 2 to this permit on February 6, 2019.

Permit No. AQ0307TVP04. United States Air Force submitted an application to renew Operating Permit No. AQ0307TVP03 under a July 28, 2020, cover letter. The Permittee amended the application on June 9, 2021 and again on May 31, 2023. The Department reviewed this application as an element of integrated review with an application for Minor Permit AQ0307MSS05.

COMPLIANCE HISTORY

The stationary source has operated at its current location since 1976. Review of the permit files for this stationary source, which includes the past inspection reports and compliance evaluations, indicates a stationary source generally operating in compliance with its operating permit.

An off-site compliance evaluation in 2004, an on-site visit in 2004, and a full compliance evaluation in 2006 found the stationary source to be in compliance. However, the Department identified procedural violations associated with failures to submit certifications, emissions inventory information, and reports in a timely manner. The Permittee promptly resolved the aforementioned issues, which were not present during full on-site compliance evaluations in

2008, 2010, and 2012. A full on-site compliance evaluation performed in 2014 determined the stationary source to be in full compliance.

The Department identified select EU IDs that exceeded the visible emissions standards for fuel burning equipment during a full compliance evaluation on January 12, 2015, which covered the period of December 1, 2014, through December 10, 2015; the Permittee subsequently addressed the violations.

The Department found that the Permittee failed to follow the order of the staged replacement of EU IDs 1 – 6 with EU IDs 7-10 as described in AQ0307MSS02; it additionally found that EU IDs 7 – 10 exceeded their combined annual operating hour limits. The Department took no further actions, except requesting the Permittee to submit an application to revise the combined annual operating hour limits for EU IDs 7 – 10.

APPLICABLE REQUIREMENTS FROM PRECONSTRUCTION PERMITS

Incorporated by reference at 18 AAC 50.326(j), 40 C.F.R. Part 71.2 defines "applicable requirement" to include the terms and conditions of any preconstruction permit issued under rules approved in Alaska's State Implementation Plan (SIP).

Alaska's SIP includes the following types of preconstruction permits:

- Permit to Operate issued on or before January 17, 1997 (these permits cover both construction and operations);
- Construction permits issued on or after January 18, 1997; and
- Minor permits issued on or after October 1, 2004.

Preconstruction permit terms and conditions include both source-specific conditions and conditions derived from regulatory applicable requirements such as standard conditions, generally applicable conditions, and conditions that quote or paraphrase requirements in regulation. These requirements include, but are not limited to, each emissions unit- or source-specific requirement established in these permits issued under 18 AAC 50 that are still in effect at the time of issuance of Operating Permit No. AQ0307TVP04.

Table E and Table F below lists the requirements carried into Operating Permit No. AQ0307TVP04 to ensure compliance with the preconstruction permit requirements.

Table E - Comparison of Permit to Operate No. 9325-AA007 Conditions to Operating Permit No. AQ0307TVP04 Conditions[1]

9325-AA007 Condition No.	Description of Requirement	AQ0307TVP04 Condition No.	How Condition was Revised
1 – 2	Compliance with Ambient Air Quality Standards	14, 15, 18, 19, 90	Expanded to Operating Limits
3 – 15	Operating and Maintenance Requirements	12, 13, 57, 59	Removed conditions regarding soil remediation unit. Revised Sulfur limit. Removed generator hour limits. Revised details on used oil burning.

17 – 23	Source Testing Requirements	64 - 66	Removed conditions regarding soil remediation unit.
24 – 27	Reporting of Excess Emissions	78	Expanded to Excess Emissions and Permit Deviations
29 – 33	Periodic Reporting and Records Management	74, 79	Expanded to Recordkeeping Requirements

Note:

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

Table F - Comparison of Minor Permit No. AQ0307MSS02 Conditions to Operating Permit No. AQ0307TVP04 Conditions[1]

AQ0307MSS02 Condition No.	Description of Requirement	AQ0307TVP04 Condition No.	How Condition was Revised
2 – 3	Emission Fees	54 - 55	No change.
4 – 6	State Emission Standards and Requirements	1 - 13	Included Used Oil specifications and greater detail to Visual, PM emission standards. Revised Emission Unit list using fuel blend.
7 – 10	Requirements for Ambient Air Quality Protection	14 - 16	Removed MUR fuel restriction for EU IDs 50 and 51. Removed operating hour limits for emergency engines.
11	BACT	17	Removed aircraft barrier engines from NO_x limits
12 – 15	ORLs to Avoid PSD Modification	18 - 19	Removed dedicated fuel storage tanks requirement from SO_2 limits. Added alternative compliance method for NO_x limits.

Note:

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

NON-APPLICABLE REQUIREMENTS

This section discusses standard conditions that have not been included in the permit and other requirements that are not included for specific reasons.

- 40 C.F.R. 60 Subpart WWW. The design capacity of the landfill, EU ID 85, is below the 2.5 million megagrams and 2.5 million cubic meters applicability thresholds. In accordance with 40 C.F.R. 60.752(a), the Permittee submitted an initial design capacity report to the Administrator and has fulfilled the requirements of NSPS Subpart WWW. Therefore, the Department did not carry forward the initial notification requirements beginning in Title V Operating Permit AQ0307TVP02 and subsequent renewals/revisions.

- 40 C.F.R. 64 Compliance Assurance Monitoring (CAM): None of the emissions units at the stationary source use a control device to achieve compliance with emission limits or standards. Therefore, CAM requirements are not applicable.
- 40 C.F.R. 68 Chemical Accident Prevention Provisions: The Risk Management Plan (RMP) requirements do not apply because the stationary source has no threshold quantities of a regulated substance used in a process as defined in 40 C.F.R. 68.10.

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The Department adopted regulations from 40 C.F.R. 71, as specified in 18 AAC 50.040(j), to establish operating permit regulations. The EPA fully approved the Alaska Operating Permit Program on November 30, 2001, as noted in Appendix A to 40 C.F.R. 70. This Statement of Basis, required under 40 C.F.R. 71.11(b), provides the legal and factual basis for each condition of Operating Permit No. AQ0307TVP04. Additionally, and as required by 40 C.F.R. 71.6(a)(1)(i), the state and federal regulations for each permit condition are cited in the permit.

Conditions 1 through 4, Visible Emissions Standard and MR&R

Legal Basis: These conditions require compliance with the applicable requirements in 18 AAC 50.055(a).

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 7 - 10, 13 - 17, 24, 27, 30, 30a, 32 - 36, 39 - 42, 50a, 51a, 54a, 55a, 61, 62a, 63, 64, 67, 68, 70a, 71, 72, 73, 74a, 75, 77 - 82, 86 - 88, 90 - 92, and 95 - 112 are fuel-burning equipment.

U.S. EPA approved the addition of these standards to the SIP, as noted in 40 C.F.R. 52.70. The Department included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

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). MR&R requirements are listed in Conditions 2 through 4. These conditions have been adopted into regulation as Standard Permit Condition (SPC) IX – Visible Emissions and Particulate Matter Monitoring Plan for Liquid Fuel-Burning Equipment and Flares.

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

The Permittee must establish by visual observations of emissions unit exhaust, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state emission standards for visible emissions.

These conditions detail a stepwise process for monitoring to determine compliance with the state's visible emissions standard for liquid fuel-burning equipment. Equipment types covered by these conditions are stationary internal combustion engines, turbines, heaters, boilers, and flares. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

Reasonable action thresholds are established in these conditions that require the Permittee to progressively address potential visible emission problems from emissions units either through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

Liquid Fuel- Burning Equipment:

Monitoring – The emissions unit exhaust must be observed by either the Method 9 Plan or the Smoke/No Smoke Plan as detailed in Condition 2. Corrective actions such as maintenance procedures or more frequent observations may be required depending on the results of the observations.

Recordkeeping - The Permittee is required to record the results of all observations of emissions unit exhaust and record any actions taken to reduce visible emissions.

Reporting - The Permittee is required to report emissions in excess of the state visible emissions standard and deviations from permit conditions. The Permittee is also required to include in the operating report copies of the results of all visible emission observations.

Significant Emissions Units under 18 AAC 50.326(d)(1):

EU IDs 13 – 17, 24, 27, 30, 30a, 34, 35, 39 – 41, 50a, 51a, 54a, 55a, 61, 70a, 73, 77, 86, 88, 90 – 92, and 95 – 112 do not qualify as insignificant per 18 AAC 50.326(d)(1) because they are subject to standards established under a Title I permit. Additionally, EU IDs 13 – 17, 24, 27, 30, 30a, 34, 35, 39, 40, 41, 50a, 51a, 91, and 92 are subject to standards established under 40 C.F.R. 63, Subpart ZZZZ, and EU IDs 55a and 61 are subject to standards established under 40 C.F.R. 63, Subpart JJJJJJ.

- EU IDs 13 -17 are emergency firewater pump engines;
- EU IDs 24, 27, 30, 30a, 34, 35, 39 – 41, 91, and 92 are emergency backup generators;
- EU IDs 50a and 51a are emergency barrier engines;
- EU IDs 54a, 55a, 61, 70a, 73, 77, 86, 88, and 90 are <1.6 MMBtu/hr boilers and heaters;
- and EU IDs 95 – 112 are 0.394 MMBtu/hr microturbines;

Thus, these units have potential emissions less than the significant emissions thresholds in 18 AAC 50.326(e). Therefore, the Department has waived visible emissions monitoring for EU IDs 13 – 17, 24, 27, 30, 30a, 34, 35, 39 – 41, 50a, 51a, 54a, 55a, 61, 70a, 73, 77, 86, 88, 90 – 92, and 95 – 112, but these units are subject to compliance certification requirements, in accordance with Department Policy and Procedure No. 04.02.103, Topic #3.

Conditions 5 and 6 through 12, PM Standard and MR&R

Legal Basis: These conditions require compliance with the applicable requirement in 18 AAC 50.055(b).

- 18 AAC 50.055(b)(1) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 7 - 10, 13 - 17, 24, 27, 30, 30a, 32 - 36, 39 - 42, 50a, 51a, 54a, 55a, 61, 62a, 63, 64, 67, 68, 70a, 71, 72, 73, 74a, 75, 77 - 82, 86 - 88, 90 - 92, and 95 - 112 are fuel-burning equipment.

This PM standard applies because it is contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: Condition 5 prohibits emissions in excess of the applicable state PM standard. MR&R requirements are listed in Conditions 6 through 8, 9 through 11, and 12 of the permit. These conditions have been adopted into regulation as SPC IX.

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

The Permittee must establish by visual observations, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state's emission standards for PM.

Liquid Fuel-Burning Equipment:

Monitoring – The Permittee is required to either take corrective action or conduct PM source testing, if opacity threshold values are exceeded. For liquid fuel-burning engines and turbines, the Department set opacity threshold values of 15 percent for stack diameters less than 18 inches and 20 percent for stack diameters equal to or greater than 18 inches. These opacity thresholds are based on a study conducted by the Department in an effort to establish a correlation between opacity and PM. The data was collected from diesel engines of various stack sizes and the results are as follows:

- For stacks normalized to 21 inches – 0.05 gr/dscf corresponds to 27% opacity
- For stacks normalized to 18 inches – 0.05 gr/dscf corresponds to 23% opacity
- For stacks normalized to 12 inches – 0.05 corresponds to 16.8 % opacity
- For stacks normalized to 10 inches – 0.05 corresponds to 14.3 %

This means that the trend line for the complete data set predicts that 20% opacity corresponds to a little less than the PM limit for an 18-inch stack. There may be engines that exceed the thresholds, but the intent of the standard condition is not to guarantee that each engine that might exceed the PM standard will be tested. The Department expects few, if any, engines to actually be tested under this condition. What the Department does expect is that with the adopted condition in place, operators that find an opacity above or near the testing threshold will take corrective action necessary to reduce PM emissions. This would achieve the desired environmental outcome without the added cost of testing. The Department expects this to be the case with both thresholds.

The method is premised on the fact that a five percent difference in opacity is distinguishable. The conditions mean that if opacity readings as measured using Method 9 – with all of its limitations – exceed the threshold, the Permittee must either take corrective action or conduct a PM source test. The compliance conditions for PM do not draw a legal conclusion about whether the method shows compliance with the visible emissions standard.

Recordkeeping - The Permittee is required to record the results of PM source tests and visible emissions observations conducted during the source tests.

Reporting - The Permittee is required to report incidents when emissions in excess of the opacity threshold are observed and the results of PM source tests. The Permittee is also required to include copies of the results of all visible emission observations taken during PM source testing in the operating report.

Used Oil Burning Emission Units:

For EU IDs 7-10, the Permittee is required to blend used oil with diesel fuel oil at no greater than the maximum blending rate at which the emission unit was source tested, not to exceed the ratio of 1 part used oil to 57 parts JP-8. The blending ratio is based on the applicant's proposal to use the WOTEC system that automatically blends the fuels to a maximum ratio of 1:57.

There are no AP-42 emission factors established for diesel engines burning JP-8 and used oil blend. As such, the Department requires the Permittee to test the diesel engines within 90 days after initially burning used oil blend to demonstrate compliance with state's grain loading standards.

For EU IDs 54a, 55a, 62a, 63, 67, 68, 71a -75, 77-82, 86, and 90, the Permittee is required to blend used oil with diesel fuel oil in the ratio of no more than 1:2 JP-8 to comply with the grain loading requirement. The determination was based on a 0.36 percent ash content in the used oil determined from fuel analysis. Additionally, the Permittee is required to comply with the requirements of significant concentrations of halogenated compounds listed in 40 C.F.R. Part 261, Appendix VIII and 40 C.F.R. 279.11, Table 1, as originally required by Condition 15 of Permit 9325-AA007, issued September 21, 1994.

Significant Emissions Units under 18 AAC 50.326(d)(1):

EU IDs 13 – 17, 24, 27, 30, 30a, 34, 35, 39 – 41, 50a, 51a, 54a, 55a, 61, 70a, 73, 77, 86, 88, and 90 – 92, do not qualify as insignificant per 18 AAC 50.326(d)(1) because they are subject to a fuel blending requirement established under a Title I permit. Additionally, EU IDs 13 – 17, 24, 27, 30, 30a, 34, 35, 39, 40, 41, 50a, 51a, 91, and 92 are subject to standards established under 40 C.F.R. 63, Subpart ZZZZ, and EU IDs 55a and 61 are subject to standards established under 40 C.F.R. 63, Subpart JJJJJJ,.

- EU IDs 13 -17 are emergency firewater pump engines;
- EU IDs 24, 27, 30, 30a, 34, 35, 39 – 41, 91, and 92 are emergency backup generators;
- EU IDs 50a and 51a are emergency barrier engines;
- EU IDs 54a, 55a, 61, 70a, 73, 77, 86, 88, and 90 are <1.6 MMBtu/hr boilers and heaters;

Thus, these units have potential emissions less than the significant emissions thresholds in 18 AAC 50.326(e). Therefore, the Department has waived particulate matter emissions monitoring for EU IDs 13 – 17, 24, 27, 30, 30a, 34, 35, 39 – 41, 50a, 51a, 54a, 55a, 61, 70a, 73, 77, 86, 88, 90 – 92, and 95 – 112, but these units are subject to compliance certification requirements, in accordance with Department Policy and Procedure No. 04.02.103, Topic #3.

Condition 13, Sulfur Compound Emissions Standard and MR&R

Legal Basis: This condition requires compliance with the sulfur compound emissions standard under 18 AAC 50.055(c).

- 18 AAC 50.055(c) applies to the operation of fuel-burning equipment and industrial processes. EU ID(s) 7 - 10, 13 - 17, 24, 27, 30, 30a, 32 - 36, 39 - 42, 50a, 51a, 54a, 55a, 61, 62a, 63, 64, 67, 68, 70a, 71, 72, 73, 74a, 75, 77 - 82, 86 - 88, 90 - 92, and 95 - 112 are fuel-burning equipment.

The sulfur compound standard applies because it is contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The Permittee may not cause or allow the affected equipment to violate the applicable sulfur compound standard. Sulfur dioxide comes from the sulfur in the fuel (e.g., fuel oils).

Liquid Fuels:

For the liquid fuel-burning equipment, EU IDs 7 - 10, 13 - 17, 24, 27, 30, 30a, 32 - 36, 39 - 42, 50a, 51a, 54a, 55a, 61, 62a, 63, 64, 67, 68, 70a, 71, 72, 73, 74a, 75, 77 - 82, 86 - 88, 90 - 92, and 95 - 112, the MR&R conditions are SPCs XI and XII adopted into regulation pursuant to AS 46.14.010(e). Sulfur dioxide comes from the sulfur in the liquid, hydrocarbon fuel (e.g., diesel or No.2 fuel oil). Fuel sulfur testing will verify compliance. Fuel containing no more than 0.75 percent sulfur by weight will always comply with the emission standard. For fuels with a sulfur content higher than 0.75 percent, the condition requires the Permittee to use the equations in Section 11, or Method 19 of 40 C.F.R. 60, Appendix A-7, adopted by reference in 18 AAC 50.040(a)(3), to calculate the sulfur-dioxide concentration to show that the standard is not exceeded.

All equipment at the stationary source burn JP-8, a blend of used oil and JP-8, or MUR that contain no more than 0.3 percent by weight of sulfur. To protect the SO_2 ambient air quality standards and comply with Best Available Control Technology (BACT) and owner requested limits, the Permittee is required to limit sulfur contents of diesel fuel burned in the emissions units to concentrations lower than necessary, as shown in Condition(s) 17.3, 18.1.a, and 20.3. Therefore, the MR&R requirements in Condition 15 for compliance with the state SO_2 standard in Condition 13 have been streamlined based on the more stringent fuel sulfur content limit(s) of 0.3 percent by weight rather than have two sets of MR&R.

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

Condition 14 through 19, Preconstruction Permit Requirements

Legal Basis: The Permittee is required to comply with all stationary source-specific requirements that were carried forward from previous SIP-approved Permits to Operate (PTO) issued on or before January 17, 1997 and operating permits issued between January 18, 1997 and September 30, 2004, and with all stationary source-specific requirements in EPA PSD permits, SIP-approved construction permits, SIP-approved minor permits, and owner requested limits (ORLs) established under 18 AAC 50.225. These requirements include Best Available Control Technology (BACT), limits to ensure compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, and owner requested limits. Requirements from the permits listed above apply because they were originally developed through case-by-case action under a federally-approved SIP or approved operating permit program.

Factual Basis:

Conditions 14 through 19 are carried over from Minor Permit AQ0307MSS05. Condition 14 specifies the fuel types authorized to be burned in the fuel burning equipment. Condition 15 limits the sulfur content of fuel oil burned to no more than 0.3% by weight because the Permittee used 0.3% fuel oil sulfur content to demonstrate compliance with ambient air quality standards. The Permittee assumed the emission factors for diesel fuel oil to be the same as JP-8.

Condition 16 requires the Permittee to track the use of nonroad engines and report those nonroad engines that have lost the status of nonroad engines. This ensures that any engine which no longer meets the definition of a nonroad engine is appropriately permitted. Due to the Eareckson Air Station's remote location, the Department determined that additional monitoring of nonroad engines was required. The Permittee must report any engines identified as losing nonroad engine status within 60 days of discovery.

The stationary source was subject to retroactive PSD review for NO_x and CO for modifications in 1988 and was subject to PSD review for NO_x and SO_2 for the proposed 2003-2007 modifications. See addendum to the Technical Analysis Report for Preliminary Construction Permit 307CP01, Revision 1. Conditions 17.1 - 17.2 require the Permittee to comply with good combustion practices for EUs 13 - 17, and boilers EUs 78 - 82. Condition 17.3 limits the sulfur content of the fuel burned by the listed emission units as BACT.

Condition 18 limits the SO_2 emissions emitted by EUs 7 - 10 by limiting the sulfur content and amount of the fuel burned by EUs 7 - 10 to avoid PSD modification for the installation of EUs 7 - 10. The Department revised the previous ORL surrogate from operating hours to fuel consumption because fuel consumption and sulfur content are a more accurate way of estimating SO_2 emissions. The Department determined the gallons of fuel burned assuming the density of the fuel is 7.05 pounds per gallon (lb/gal), as given in AP-42, Appendix A: Densities of Selected Substances. The Department can revise the 3,390,000 gallons per year consumption if USAF provides the density of JP-8 as stated in fuel supplier documentation, a fuel test, or other form of Department-approved documentation.

The NCBI provides the density of JP-8 as 0.775 kilograms per liter[5], equivalent to about 6.469 lb/gal. Per Condition 5.4.a, the fuel burned in EUs 7 - 10 may contain 4 percent used oil and 96 percent JP-8. If USAF provides densities of the used oil and JP-8, the Department can revise the 3,390,000 gallons to reflect the actual density of the fuel. Assuming the density of used oil as 7.05 lb/gal and density of JP-8 as 6.47 lb/gal, the density of fuel burned in EUs 7 - 10 could be 6.5 lb/gal.

Condition 19 limits NO_x emissions emitted by EUs 7 - 10 to 874.2 TPY to ensure emissions from the engine replacement project do not exceed the thresholds of a PSD modification. Condition 19.1 requires the Permittee to monitor NO_x emissions by tracking kilowatt-hours of EU IDs 7 – 10 continuously and recording the sum total of kilowatt-hours for each month. The rolling sum of kilowatt-hours for the preceding 12 consecutive months is multiplied by either 0.021 lb/kW-hr (derived from 2015 source test) or the maximum emission rate determined in the most recent Department-approved source test to determine the rolling 12

[5] https://www.ncbi.nlm.nih.gov/books/NBK231234/

consecutive month total NO_x emissions. USAF requested an alternative monitoring plan in the event any of the kilowatt-hour meters become inoperable. Due to the remote location of the source, a repair or replacement meter may not be feasible in a timely manner. The Department approved two alternatives for estimating kilowatt-hour operation. The Permittee may either record hourly operating hours and load rate and use these to calculate total kilowatt-hours, or assume maximum kilowatt-hour production and calculate using known operating hours.

Condition 19.2 requires the Permittee to conduct a source test on one of the EU IDs 7 – 10 should the 12-month rolling total NO_x emissions reach 75% of the limit in Condition 19. This requirement replaces the condition in AQ0307TVP03 Revision 2 to conduct a source test on one of the EU IDs 7 – 10 every five years. .

Condition 20, Insignificant Emissions Units

Legal Basis: The Permittee is required to meet the state emission standards in 18 AAC 50.050(a) for all incinerators regardless of size and 18 AAC 50.055 for all industrial processes and fuel-burning equipment regardless of size. 18 AAC 50.050(a) and 50.055 are contained in the federally-approved SIP. The Department also added permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The condition requires insignificant emissions units to comply with the state emission standards for visible emissions, particulate matter emissions, and sulfur-compound emissions. Insignificant emissions units are not generally listed in operating permits unless specific monitoring, recordkeeping, and reporting are necessary to ensure compliance with the state emission standards. However, the Permittee may not cause or allow insignificant emissions units at the stationary source to violate these standards whether or not they are listed in the operating permit.

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

Condition 20.4.a requires certification that the insignificant emissions units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution, based on reasonable inquiry.

The Department used the language in SPC V, adopted by reference under 18 AAC 50.346(b)(4), for the permit condition.

Conditions 21 through 22, NSPS Subpart A Requirements

Legal Basis: The EPA approved Alaska's Part 70 Program granted on November 30, 2001 (40 C.F.R. 70 Appendix A). The Department is the permitting authority for the Part 70 program. As the permitting authority, the Department requires compliance with all permit conditions. Although the EPA has not delegated to the Department the authority to administer the New Source Performance Standard (NSPS) program, NSPS requirements are included in the definition for "applicable requirement" under 40 C.F.R. 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, EU IDs 7-10 are subject to NSPS Subpart IIII and therefore subject to Subpart A.

Conditions 21.1 through 21.3 - The Permittee has already complied with the notification requirements in 40 C.F.R. 60.7 (a)(1) - (4) for EU IDs 7-10. However, the Permittee is still subject to these requirements in the event of a new NSPS affected facility[6] or in the event of a modification or reconstruction of an existing facility[7] into an affected facility.

Condition 21.4 - 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 22 - Concealment of emissions prohibitions in 40 C.F.R. 60.12 are applicable to EU IDs 7-10.

Factual Basis: Subpart A contains general requirements applicable to all affected facilities (emissions 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 23 through 31, NSPS Subpart IIII Requirements

Legal Basis: NSPS Subpart IIII applies to stationary compression ignition internal combustion engines (CI ICE) that commence construction, modification, or reconstruction after July 11, 2005, where the stationary CI ICEs are manufactured after April 1, 2006 for non-fire pump engines and manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006 for fire pump engines.

EU IDs 7 – 10 were constructed after July 11, 2005. These EUs meet the applicability criteria of Subpart IIII under 40 C.F.R. 60.4200(a)(2)(i) and (ii).

Factual Basis: These conditions incorporate the Subpart IIII emissions standards applicable to EU IDs 7 – 10. The Permittee may not cause or allow these emissions units to violate these standards. These conditions also provide MR&R specifically called out for the EUs within the Subpart. EU IDs 7 – 10 are CAT C280-16 engines. The emission limits in Condition 28 apply to CAT C280-16, V-16 engines with a total displacement of 296 liters (or 18.5 liters per cylinder). The Permittee confirmed the displacement data. 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.

Because the stationary source location meets the definition of "remote Alaska" in 40 C.F.R. 60.4219, the applicable standards and MR&R requirements for EU IDs 7 – 10 are rooted from the provisions under 40 C.F.R. 60.4216 that specifically address engines used in remote

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

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

Alaska. In particular, 40 C.F.R. 60.4216(c) allows the Permittee to comply with the applicable emission standards for emergency engines in 40 C.F.R. 60.4202 and 60.4205, and not those for non-emergency engines in 40 C.F.R. 60.4201 and 60.4204, whether the unit is operated as emergency or non-emergency CI ICE.

The Department added Condition 30 to gap-fill the operating and excess emissions and permit deviation reporting requirements. The Department has also added Condition 29.3 to provide compliance monitoring for the fuel requirements under Condition 27.

The NSPS GAPCP requirements provided in 40 C.F.R. 60.4211(a), as reflected in Condition 26, suffices the State GAPCP requirement under 18 AAC 50.346(b)(5). MR&R requirements are provided in Conditions 29 through 30. Provisions for importing or installing stationary CI ICE in previous model years required under 40 C.F.R. 60.4208 are provided in Condition 31.

The provisions of NSPS Subpart IIII listed in Conditions 23 through 31 are current as amended through August 10, 2022. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 32, NESHAP Subpart A Requirements

Legal Basis: Most sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements are subject to NESHAP Subpart A. This stationary source is subject to 40 C.F.R. 63 Subparts ZZZZ and JJJJJJ, and therefore is subject to the general provisions of Subpart A as specified in the provisions for the applicability of NESHAP Subpart A in Table 8 to NESHAP Subpart ZZZZ and in Table 8 to NESHAP Subpart JJJJJJ.

Factual Basis: Subpart A contains the general requirements applicable to all affected sources subject to NESHAP. In general, the intent of NESHAP is to regulate specific categories of stationary sources that emit or have the potential to emit one or more hazardous air pollutants.

Conditions 33 through 39, NESHAP Subpart ZZZZ Requirements

Legal Basis: The Department has incorporated by reference the NESHAP requirements for specific industrial activities, as listed in 18 AAC 50.040(c). NESHAP Subpart ZZZZ applies to owners and operators of any existing, new, or reconstructed stationary reciprocating internal combustion engines (RICE), whose construction commenced before June 12, 2006, located at major and area sources of HAP emissions, excluding stationary RICE units being tested at a stationary RICE test cell/stand. Eareckson Air Station is an area source that owns and operates RICE units EU IDs 13 – 17, 24, 27, 30, 32 – 36, 39 – 42, 87, 91, and 92, subject to NESHAP Subpart ZZZZ. EU IDs 7 – 10, 30a, 50a, and 51 must comply with Subpart ZZZZ by complying with the NSPS Subpart IIII requirements in Conditions 23 through 31.

Factual Basis: These conditions incorporate the current (as amended through August 10, 2022) NESHAP Subpart ZZZZ requirements applicable to the existing stationary RICE, EU IDs 7 – 10, 13 – 17, 24, 27, 30, 30a, 32 – 36, 39 – 42, 50a, 51, 87, 91, and 92. Eareckson Air Station is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS). Therefore, fuel requirements in 40 C.F.R. 63.6604 do not apply. The numerical CO emission limitations in Items 2 and 3 of Table 2d of 40 C.F.R. 63, Subpart ZZZZ and the requirements to install a crankcase ventilation or filtration system in 40 C.F.R. 63.6625(g) do not apply because the engines are emergency engines.

For EU IDs 13 – 17, 24, 27, 30, 32 – 36, 39 – 42, 87, 91, and 92, the Permittee is required to perform inspections and maintenance at intervals specified by the subpart (see Conditions 35.1 through 35.3); as well as, comply with the NESHAP GAPCP requirements, as reflected in Condition 34, which suffices the State GAPCP requirement under 18 AAC 50.346(b)(5).

The Permittee must comply with the recordkeeping requirements of 40 C.F.R. 63.6655(e), 63.6625(i), and 63.6660, as set out in Condition 35.4. The reporting requirements are provided in Condition 39. The Permittee is required to include reports of deviations from NESHAP Subparts A and ZZZZ requirements with the semiannual operating reports, per 40 C.F.R. 63.6650(f). The Department also added an excess emissions and permit deviation gap-fill reporting requirement in Condition 39.2.

The provisions of NESHAP Subpart ZZZZ listed in Conditions 32 through 35.4 are current as amended through August 10, 2022. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Conditions 40 through 45, NESHAP Subpart JJJJJJ

Legal Basis: NESHAP Subpart JJJJJJ is a federal rule that took effect on May 20, 2011. This subpart applies to owners and operators of industrial, commercial, or institutional boiler as defined in 40 C.F.R. 63.11237 that is located at, or is part of, an area source of HAP emissions. The Eareckson Air Station is an area source of HAP emissions that operates boilers (EU IDs 55a, 61, 63, 67, 68, 71, 72, 75, and 78 – 82) subject to the provisions of NESHAP Subpart JJJJJJ under 40 C.F.R. 63.11194(a)(1) and (b) for existing industrial boilers whose construction or reconstruction commenced on or before June 4, 2010.

Factual Basis: These conditions incorporate the Subpart JJJJJJ work or management practices applicable to EU IDs 55a, 61, 63, 67, 68, 71, 72, 75, and 78 – 82. The Permittee is required to operate and maintain the emissions units according to the manufacturer's emission-related operation and maintenance instructions which provides for the maintenance and operation of the emissions units in a manner consistent with good air pollution control practice for minimizing emissions. The Generally Available Control Technology (GACT) work or management practice standard separates existing affected boilers by size or rating, as set forth in Condition 42. Biennial tune-ups are required for existing oil-fired units with a heat input capacity of greater than 5 MMBtu/hr; hence, apply to EU IDs 67 and 75. Five-year tune-ups are required for existing oil-fired units with a heat input capacity of 5 MMBtu/hr or less, hence, apply to EU IDs 55a, 61, 63, 68, 71, 72, and 78 – 82.

Recordkeeping and reporting requirements that apply to EU IDs 55a, 61, 63, 67, 68, 71, 72, 75, and 78 – 82 are provided in Conditions 44 and 45.

The provisions of NESHAP Subpart JJJJJJ listed in Conditions 32.2 and 40 through 45 are current as amended through September 14, 2016. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 46, Asbestos NESHAP

Legal Basis: The requirements of 40 C.F.R. 61 are applicable requirements for Title V permitting purposes, as stated in item 4 of the "applicable requirement" definition under 40 C.F.R. 71.2. The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 C.F.R. 61, Subpart M and associated general provisions under Subpart A, as adopted by reference under 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. ADEC received delegation for §61.145 and §61.154 of Subpart M (Asbestos), along with other sections and appendices which are referenced in §61.145, as §61.145 applies to sources required to obtain an operating permit under Alaska's regulations. ADEC has not received delegation for Subpart M for sources not required to obtain an operating permit under Alaska's regulations.

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.

Conditions 47 through 49, Protection of Stratospheric Ozone, 40 C.F.R. 82

Legal Basis: The requirements of 40 C.F.R. 82 are applicable requirements for Title V permitting purposes, as stated in item 12 of the "applicable requirement" definition under 40 C.F.R. 71.2.

Condition 47 requires compliance with the applicable requirements in 40 C.F.R. 82, as adopted by reference under 18 AAC 50.040(d). The requirements apply if the Permittee engages in the recycling or disposal of certain refrigerants. The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants in 40 C.F.R. 82, Subpart F.

Conditions 48 and 49 also require compliance with the applicable requirement adopted under 18 AAC 50.040(d). Condition 48 prohibitions apply to all stationary sources that use substitutes for ozone-depleting compounds. Condition 49 prohibitions apply to all stationary sources that use halon for extinguishing fires and inert gas to reduce explosion risk. These conditions prohibit the Permittee from causing or allowing violations of these requirements. The Eareckson Air Station uses halon and is therefore subject to the federal regulations contained in 40 C.F.R. 82.

Factual Basis: These conditions incorporate applicable 40 C.F.R. 82 requirements. 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 require compliance with this federal regulation.

Condition 50, NESHAP Applicability Determinations

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

Factual Basis: The Permittee has conducted an analysis of the stationary source and determined that it is not a major HAPs stationary source based on emissions. This condition requires the Permittee to notify the Department and EPA if the stationary source becomes an affected source subject to a standard promulgated by EPA under 40 C.F.R. 63 and to keep records of applicability determinations and make those records available to the Department.

Conditions 51 through 53, Standard Terms and Conditions

Legal Basis: These are standard conditions required for all operating permits under 18 AAC 50.345(a) and (e)-(g). As stated in 18 AAC 50.326(j)(3), the standard permit conditions of 18 AAC 50.345 replace the provisions of 40 C.F.R. 71.6(a)(5) – (7).

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

Condition 54, Administration Fees

Legal Basis: This condition requires compliance with the applicable fee requirements in 18 AAC 50.400-403. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 C.F.R. 71.9 is not applicable.

Factual Basis: Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action. The regulations in 18 AAC 50.400-403 specify the amount, payment period, and the frequency of fees applicable to a permit action.

Conditions 55 and 56, Emission Fees

Legal Basis: These conditions require compliance with the applicable fee requirements in 18 AAC 50.410-420. The regulations specify the time period for the assessable emissions and the methods the Permittee may use to calculate assessable emissions. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 C.F.R. 71.9 is not applicable.

Factual Basis: The Department used the language in SPC I, adopted by reference under 18 AAC 50.346(b), for the permit. SPC I requires 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 assessable emissions are the lesser of the stationary source's potential or projected emissions of each air pollutant at 10 tons per year or greater (AS 46.14.250(h)(1)).

SPC I also allows the Permittee to recalculate the stationary source's assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1), assessable emissions are based on each air pollutant. Therefore, fees shall be paid on any pollutant emitted whether or not the permit contains any limitation for that pollutant.

This standard condition specifies that, unless otherwise approved by the Department, calculations of assessable emissions must be based on actual emissions for the previous calendar year. Since each current year's assessable emissions 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.

As indicated in Condition 56.3, if the stationary source has not commenced construction or operation on or before March 31st, the Permittee may submit a waiver letter certified by the responsible official under 18 AAC 50.205 indicating that the assessable emissions for the source is zero for the previous fiscal year.

Condition 57, Good Air Pollution Control Practice

Legal Basis: This condition requires compliance with the requirements in 18 AAC 50.346(b)(5) and applies to all emission units, **except** those subject to an emission standard in 40 C.F.R 60, 61, or 63, those subject to continuous emission or parametric monitoring requirements, and insignificant emission units; i.e., EU IDs 54a, 62a, 70a, 74a, 77, 86, and 90.

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 SPC VI pursuant to AS 46.14.010(e). Records kept in accordance with Condition 57.2 for units subject to GAPCP need to be maintained for 5 years in accordance with Condition 74 even if a unit is no longer subject to this condition.

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 an adequate maintenance schedule is not maintained.

Condition 58, Dilution

Legal Basis: This condition reiterates 18 AAC 50.045(a), which prohibits the Permittee from using dilution as an emission control strategy. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

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

Condition 59, Reasonable Precautions to Prevent Fugitive Dust

Legal Basis: This condition reiterates 18 AAC 50.045(d), which requires a person to use reasonable precautions when handling, storing or transporting bulk materials or engaging in an industrial activity. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

Factual Basis: The Department used the language in SPC X for the permit. The condition requires the Permittee to take reasonable action to prevent particulate matter from being emitted into the ambient air in accordance with 18 AAC 50.045(d).

Condition 60, Stack Injection

Legal Basis: This condition reiterates 18 AAC 50.055(g), which 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). 18 AAC 50.055 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

Stack injection requirements apply to stacks of emissions units at a stationary source constructed or modified after November 1, 1982.

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

Condition 61, Air Pollution Prohibited

Legal Basis: This condition requires compliance with 18 AAC 50.110. 18 AAC 50.110 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2. 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. The Department also included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The Department used the language in SPC II for the permit. This condition spells out how to monitor, record, and report prohibited air pollution. While the other permit conditions and emissions limitations 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.

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 must submit copies of these records upon request of the Department.

Condition 62, Technology-Based Emission Standard

Legal Basis: The Permittee is required to take reasonable steps to minimize emissions if unavoidable emergency, malfunction, or non-routine repair activities cause an exceedance of any technology-based emission standard in this permit. This condition requires compliance with the requirement in 18 AAC 50.235. Technology-Based Emission Standard requirements apply because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, MACT, LAER, NSPS or any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Factual Basis: The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with

Condition 78. Excess emission reporting under Condition 78 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 78.

Condition 63, Open Burning

Legal Basis: The condition requires the Permittee to comply with the regulatory requirements in 18 AAC 50.065 when conducting open burning at the stationary source. 18 AAC 50.065 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2. The state open burning regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

Factual Basis: The Permittee may conduct open burning by following the provisions of 18 AAC 50.065 and by following the Department guidelines posted at the website http://dec.alaska.gov/air/air-permit/open-burn-info. Condition 63.1 requires the Permittee to keep records to demonstrate compliance with the standards for conducting open burning.

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 80.

Condition 64, Requested Source Tests

Legal Basis: The Permittee is required to conduct source tests as requested by the Department. This requirement is under 18 AAC 50.220(a) and 50.345(k), which are included in the SIP approved by EPA.

Factual Basis: This condition applies because this is a standard condition to be included in all operating permits, as specified in 18 AAC 50.345(a). Compliance is demonstrated through the submission of the required source test plan and report.

Conditions 65 through 67, Operating Conditions, Reference Test Methods, Excess Air Requirements

Legal Basis: Conditions 65 and 67 require compliance with the applicable requirements in 18 AAC 50.220(b) and (c)(3), which are included in the SIP approved by EPA. Condition 66 specifies source test methods, as required by 40 C.F.R. 71.6(a)(3)(i) and 71.6(c)(1). These requirements apply because the Permittee is required by the permit to conduct source tests or a source test may be requested by the Department. The Permittee is required to conduct source tests in the manner set out in Conditions 65 through 67.

Factual Basis: These conditions supplement the specific monitoring requirements stated elsewhere in this permit.

Condition 68, Test Exemption

Legal Basis: This condition incorporates the source test exemption in 18 AAC 50.345(a) regarding visible emissions observations. 18 AAC 50.345(a) is included in the SIP approved by EPA.

Factual Basis: As provided in 18 AAC 50.345(a), 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 69 through 72, Test Deadline Extension, Test Plans, Notifications and Reports

Legal Basis: Conditions 70 through 72 require compliance with the applicable requirements in 18 AAC 50.345(m) through (o), which are included in the SIP approved by EPA. Condition 69 contains the requirement in 18 AAC 50.345(l). The requirements in 18 AAC 50.345(l) through (o) constitute standard conditions that must be included in each operating permit, as specified in 18 AAC 50.345(a). These requirements apply because the Permittee is required to conduct source tests as set out by this permit or as requested by the Department.

Factual Basis: These standard conditions supplement specific monitoring requirements stated elsewhere in this permit.

Condition 73, Particulate Matter Calculations

Legal Basis: This condition requires the Permittee to reduce particulate matter data in accordance with 18 AAC 50.220(f), which is included in the SIP approved by EPA. It applies when the Permittee tests for compliance with the particulate matter standards in 18 AAC 50.050 or 50.055.

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

Condition 74, Recordkeeping Requirements

Legal Basis: This condition requires the Permittee to keep records in accordance with 40 C.F.R. 71.6(a)(3)(ii), which the Department adopted by reference under 18 AAC 50.040(j)(4). It also incorporates the general NSPS recordkeeping requirement under 40 C. F. R. 60.7(f), which the Department adopted by reference under 18 AAC 50.040(a)(1).

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 evidence of compliance with this requirement.

40 C.F.R. 60.7(f) requires records retention for at least two years of the measurements required to be maintained by this Part while 40 C.F.R. 71.6(a)(3)(ii) requires at least five years of records retention. The five-year records retention requirement in Condition 74 satisfies both 40 C.F.R. 60.7(f) and 40 C.F.R. 71.6(a)(3)(ii).

Condition 75, Certification

Legal Basis: All operating permits must contain a requirement to certify permit applications, reports, affirmations, or compliance certification, per 18 AAC 50.345(j). The requirement is a part of the SIP approved by EPA.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. The requirement in 18 AAC 50.345(j) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). 18 AAC 50.345(j) allows the excess emissions reports to be certified with the operating report. However, the Department reminds the Permittee that excess emissions reports must be submitted according to the applicable deadline given in Condition

78 and must not be withheld from the Department until the deadline for submittal of an operating report. This condition supplements the reporting requirements of this permit. The certification statement through electronic signature and options for submittal provide paperless options for reporting without compelling Permittees to any specific means of submission.

Condition 76, Submittals

Legal Basis: This condition applies because the Permittee is required to send reports to the Department and supplements the standard reporting and notification requirements of this permit.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. This condition lists the Department's appropriate address for reports and written notices. This condition states that the Department requires one certified copy of submitted reports (except as otherwise required by the Department or other conditions of the permit) and provides an allowance for either electronic or hard copy document submittals. The condition also directs the Permittee to refer to the submission instructions on the Department's Standard Permit Conditions webpage for additional information regarding document submittals (e.g., the appropriate Department address).

Condition 77, Information Requests

Legal Basis: All operating permits must include a condition that requires the Permittee to furnish certain information upon request, per 18 AAC 50.345(i). The requirement is part of the SIP approved by EPA.

Factual Basis: The requirement in 18 AAC 50.345(i) is a standard condition that must be included in each operating permit, as specified in 18 AAC 345(a). This condition requires the Permittee to submit information requested by the Department.

Condition 78 and Section 12, Excess Emission and Permit Deviation Reports and Notification Form

Legal Basis: This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) and 18 AAC 50.240(c). 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.

Except as noted in the last paragraph, the Department used the language in SPC III and IV, adopted by reference under 18 AAC 50.346(b)(2), for the permit condition. The Department used the Notification Form in SPC IV adopted by reference under 18 AAC 50.346(b)(3), for the notification requirements (see Section 12).

The Department has modified Condition 78.3 and the Notification Form in Section 12 to reflect the electronic submittal requirements in 18 AAC 50.270 using the Department's online form to submit notification of excess emission and permit deviations beginning September 7, 2023. The electronic notification form is found at the Division of Air Quality's

Air Online Services (AOS) system webpage http://dec.alaska.gov/applications/air/airtoolsweb using the Permittee Portal option. Submittal through other methods may be allowed only upon written Department approval. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 79, Operating Reports

Legal Basis: The condition specifies reporting requirements as required by 40 C.F.R. 71.6(a)(3)(iii)(A) which the Department has adopted by reference under 18 AAC 50.040(j)(4).

Factual Basis: The Department used the language in SPC VII, adopted by reference under 18 AAC 50.346(b)(6), for the permit condition. The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements identified elsewhere in the permit.

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

Condition 80, Annual Compliance Certification

Legal Basis: This condition requires compliance with the requirements in 40 C.F.R. 71.6(c)(5), which the Department adopted by reference under 18 AAC 50.040(j).

Factual Basis: This condition specifies the periodic compliance certification requirements, and specifies a due date for the annual compliance certification.

Condition 80.2 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 annual compliance certification report. The Permittee may submit the required report electronically at their discretion.

Condition 81, Emission Inventory Reporting

Legal Basis: This condition requires the Permittee to submit emissions data to the state so the state is able to satisfy the federal requirement to submit emission inventory data from point sources to the EPA as required under 40 C.F.R. 51.15 and 51.321. The emission inventory requirement applies to sources defined as point sources in 40 C.F.R. 51.50. The state must report emissions data as described in 40 C.F.R 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A to EPA.

Factual Basis: The Department used the language in SPC XV, as adopted by reference under 18 AAC 50.346(b)(8), for the permit condition.

The emission inventory data is due to EPA 12 months after the end of the reporting year (40 C.F.R. 51.30(a)(1) and (b)(1)). Permittees have until April 30th to compile and submit the data to the Department. To expedite the Department's process of transferring data into EPA's electronic reporting system, the Department encourages Permittees to submit the emission inventory through the Department's electronic emission inventory submission system in the Permittee Portal on the Department's Air Online Services webpage http://dec.alaska.gov/Applications/Air/airtoolsweb/. A myAlaska account and profile are needed to gain access to the Permittee Portal. Other options are to submit the emission inventory via mail, email, or fax.

Detailed instructions on completing and submitting the emission inventory and the report form are available at the Point Source Emission Inventory page http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory by clicking the Emission Inventory Instructions button. The emission inventory instructions and report form may also be obtained by contacting the Department.

To ensure that the Department's electronic system reports complete information to the National Emissions Inventory, Title V stationary sources are required to submit with each report emissions data described in 40 C.F.R. 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A, as applicable. Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds shown in Condition 81.1 for Type A (large) sources, as listed in Table 1 to Appendix A of 40 C.F.R. 51 Subpart A, are required to report emission inventory data every year for the previous calendar year (also known as the inventory year). For triennial inventory years, Type A sources only need to submit one report, not both an annual report and a separate triennial report.

Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds for Type B (small) sources shown in Condition 81.2.a (for attainment and unclassifiable areas) and Condition 81.2.b (for nonattainment areas), as listed in Table 1 to Appendix A of 40 C.F.R. 51 Subpart A, are required to report emission inventory data every third year (i.e., triennially) for the previous inventory year. The emission thresholds for nonattainment areas listed in Condition 81.2.b vary depending on the nonattainment status of the area. As of June 9, 2017, Fairbanks and North Pole urban area have been designated by the federal administrator as "serious nonattainment" for $PM_{2.5}$. Therefore, a stationary source located in Fairbanks and North Pole urban area is subject to the triennial reporting requirement if its potential to emit is greater than or equal to any of the threshold values in Conditions 81.2.b(i), 81.2.b(ii), 81.2.b(iii) (PM_{10} only), and 81.2.b(iv).

As of the issue date of this permit, the Eareckson Air Station is a Type B stationary source.

Condition 82, Consistency of Reporting Methodologies

Legal Basis: Condition 82 is from 18 AAC 50.275(a) and requires all stationary sources, regardless of permit classification (with the exception of owner requested limits (ORLs) issued under 18 AAC 50.225 and preapproved emission limits (PAELs) issued under 18 AAC 50.230), to report actual emissions to the state so that the state can meet its obligation under 40 C.F.R. 51. Condition 82.1 is from 18 AAC 50.275(b) and requires consistency on the stationary sources' actual emissions reports submitted for NEI and the state's assessable emissions.

Factual Basis: The regulation was added to 18 AAC 50 on September 7, 2022 so as to include all stationary sources required to report actual emissions for the purpose of federal emissions inventory and to avoid inconsistencies in actual emissions reports submitted. When reporting actual emissions under Condition 81 or assessable emissions under Condition 55.2, consistent emission factors and calculation methods shall be used for all reporting requirements for the stationary source.

Condition 83, NSPS and NESHAP Reports

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

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

Condition 84, Permit Applications and Submittals

Legal Basis: 40 C.F.R. 71.10(d)(1), adopted by reference by the Department under 18 AAC 50.040(j)(7), requires submission of a copy of each permit application to EPA.

Factual Basis: The Department used the language in SPC XIV, adopted by reference under 18 AAC 50.346(b)(7), for the permit condition. The condition directs the applicant to send a copy of each application for modification or renewal of this permit to the EPA. The information may be submitted in electronic format, if practicable. This condition shifts the burden of compliance with 40 C.F.R. 71.10(d)(1) from the Department to the Permittee as allowed under 40 C.F.R. 71.10(d)(1).

Conditions 85 through 87, Permit Changes and Revisions Requirements

Legal Basis: The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under18 AAC 50.326(j)(4). 40 C.F.R. 71.6(a)(8), (12), and (13), incorporated by reference under 18 AAC 50.040(j), require that these provisions be included in operating permits.

Factual Basis: 40 C.F.R. 71.6(a)(12) and (13), as reflected in Conditions 86 and 87, respectively, specify changes that may be made without a permit revision, and 40 C.F.R. 71.6(a)(8) (Condition 85) states permit revisions are not required for some emissions trading and similar programs.

The Permittee did not request trading of emission increases and decreases as described in 40 C.F.R. 71.6(a)(13)(iii); therefore, language addressing these provisions has not been included in this permit as part of Condition 85.

Condition 88, 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 accordance with the operating permit program. The obligations for a timely and complete operating permit application are in 40 C.F.R. 71.5(a) – (c), adopted by reference in 18 AAC 50.040(j)(3), and 18 AAC 50.326(c).

Factual Basis: In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the stationary source as listed in this condition. As stated in 40 C.F.R. 71.5(a)(1)(iii), submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 40 C.F.R. 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 C.F.R. 71.5(c) and remits 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, as long as an application has been submitted within the timeframe specified 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.

Conditions 89 through 94, General Compliance Requirements and Schedule

Legal Basis: These conditions require compliance with the applicable requirements in 18 AAC 50.345(b) through (d) and (h) and 40 C.F.R. 71.6(c)(3). As stated in 18 AAC 50.345(a), the requirements in 18 AAC 50.345(b) through (d) and (h) are standard conditions that must be included in all operating permits issued by the Department.

Factual Basis: These are standard conditions for compliance required for all operating permits.

Conditions 95 and 96, Permit Shield

Legal Basis: These conditions require compliance with the requirements in 40 C.F.R. 71.6(f), which the Department has adopted by reference under 18 AAC 50.040(j)(4). These requirements apply because the Permittee has requested that the Department shield the stationary source from specific non-applicable requirements listed under this condition.

Factual Basis: Table C of Operating Permit No. AQ0307TVP04 shows the permit shield that the Department granted to the Permittee. The Department based the determinations on

the permit application, past operating permit, Title I permits, and inspection reports. Should any of the shielded requirements become applicable during the permit term, the Permittee is required to take necessary steps to comply with all applicable requirements in a timely manner.