Ohio Environmental Protection Agency

**John R. Kasich**, Governor
**Mary Taylor**, Lt. Governor
**Craig W. Butler**, Director

1/25/2016

Genevieve Damico *Via E-Mail Notification*
United States Environmental Protection Agency
Mail Code: AR-18J
77 West Jackson Blvd.
Chicago, IL 60604-3507

RE: PROPOSED AIR POLLUTION TITLE V PERMIT
Facility Name: Defiance Energy, LLC
Facility ID: 0320010044
Permit Type: Renewal
Permit Number: P0119591

Dear Ms. Damico:

A proposed OAC Chapter 3745-77 Title V permit for the referenced facility has been issued for review by U.S. EPA. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Search for Permits" link under the Permitting topic on the Programs tab. If U.S. EPA does not object to this proposed permit, the permit will be processed for issuance as a final action not less than 45 days from the date of this letter. Please contact me at (614) 644-2835 by the end of the 45 day review period if you wish to object to the proposed permit.

Sincerely,

Michael E. Hopkins, P.E.
Assistant Chief, Permitting Section, DAPC

Cc: Ohio EPA DAPC, Northwest District Office

# PROPOSED

# Division of Air Pollution Control
# Title V Permit
for
Defiance Energy, LLC

| | |
|---|---|
| Facility ID: | 0320010044 |
| Permit Number: | P0119591 |
| Permit Type: | Renewal |
| Issued: | 1/25/2016 |
| Effective: | To be entered upon final issuance |
| Expiration: | To be entered upon final issuance |

Ohio Environmental Protection Agency

**Division of Air Pollution Control**
**Title V Permit**
for
Defiance Energy, LLC

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# Authorization

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|---|---|
| Facility ID: | 0320010044 |
| Facility Description: | Central Utility Complex (CUC) of GM Powertrain. Defiance Energy was contracted by GM to manage the CUC which will supply steam, compressed air and chilled water to the Defiance Plant. |
| Application Number(s): | A0054361 |
| Permit Number: | P0119591 |
| Permit Description: | Renewal Title V operating permit for the Central Utility Complex (CUC) of GM Powertrain. This facility was contracted by GM to manage the CUC which will supply steam, compressed air and chilled water to the Defiance Plant. |
| Permit Type: | Renewal |
| Issue Date: | 1/25/2016 |
| Effective Date: | To be entered upon final issuance |
| Expiration Date: | To be entered upon final issuance |
| Superseded Permit Number: | P0115431 |

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

Defiance Energy, LLC
26787 State Route 281 East
Defiance, OH 43512

Ohio Environmental Protection Agency (EPA)District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Northwest District Office
347 North Dunbridge Road
Bowling Green, OH 43402
(419)352-8461

The above named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Ohio EPA DAPC, Northwest District Office. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months and no later than 6 months prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Craig W. Butler
Director

# A. Standard Terms and Conditions

## 1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions

(2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions

(3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting For State-Only Requirements

(4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

(5) Standard Term and Condition A. 30.

*(Authority for term: ORC 3704.036(A))*

## *2.* Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.

*(Authority for term: OAC rule 3745-77-07(A)(3)(b)(i))*

b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include all calibration and maintenance records and all original strip-chart recordingsfor continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

*(Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii))*

c) The permittee shall submit required reports in the following manner:

(1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:

Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c).

In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).

In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis.

Any submittedscheduled maintenancerequests, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.

*(Authority for term: OAC rule 3745-77-07(A)(3)(c))*

(2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the

probable cause of such deviations, and (c) any corrective actions or preventive measures taken, shall be submitted promptly to the Ohio EPA DAPC, Northwest District Office. Except as provided below, the written reports shall be submitted by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation.

These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule.

If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition.

See A.29 below if no deviations occurred during the quarter.

*(Authority for term: OAC rule 3745-77-07(A)(3)(c))*

(3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2)c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.19, A.20, A.21, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted to the Ohio EPA DAPC, Northwest District Office by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally

enforceable requirements not specifically addressed by permit or rule for the insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule.

In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation.

These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above.

If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.

*(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b))*

(4) Each written report shall be signed by a Responsible Official certifying that, "based on information and belief formed after reasonable inquiry, the statements and information in the report (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete." Signature by the Responsible Official may be represented by entry of the personal identification number (PIN) by the Responsible Official as part of the electronic submission process or by the scanned attestation document signed by the Responsible Official that is attached to the electronically submitted written report.

*(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))*

(5) Consistent with A.2.c.1. above, reports of any required monitoring and/or record keeping information required to be submitted to Ohio EPA shall be submitted to Ohio EPA DAPC, Northwest District Office unless otherwise specified.

*(Authority for term: OAC rule 3745-77-07(A)(3)(c))*

**3. Reporting of Any Exceedence of a Federally Enforceable Emission Limitation or Control Requirement Resulting From Scheduled Maintenance**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.

*(Authority for term: OAC rule 3745-77-07(A)(3)(c))*

**4. Risk Management Plans**

If applicable, the permittee shall develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq. ("Act"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

a) a compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or

b) as part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

*(Authority for term: OAC rule 3745-77-07(A)(4))*

**5. Title IV Provisions**

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

*(Authority for term: OAC rule 3745-77-07(A)(5))*

**6. Severability Clause**

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

*(Authority for term: OAC rule 3745-77-07(A)(6))*

**7. General Requirements**

a) Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.

b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permitexcept as provided pursuant to A.16 below.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with A.11 below. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

d) This permit does not convey any property rights of any sort, or any exclusive privilege.

e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

f) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:

(1) the permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on the permanent shutdown and removal of one or more emissions units identified in this permit; or

(2) the permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable ; or

(3) a combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminant sources once this permit ceases to be enforceable. The permittee shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.

*(Authority for term: OAC rule 3745-77-01(W), OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77(A)(7))*

**8. Fees**

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78.

*(Authority for term: OAC rule 3745-77-07(A)(8))*

**9. Marketable Permit Programs**

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.

*(Authority for term: OAC rule 3745-77-07(A)(9))*

**10. Reasonably Anticipated Operating Scenarios**

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.

*(Authority for term: OAC rule 3745-77-07(A)(10))*

**11. Reopening for Cause**

This Title V permit will be reopened prior to its expiration date under the following conditions:

a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.

c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.

d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

*(Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D))*

**12. Federal and State Enforceability**

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

*(Authority for term: OAC rule 3745-77-07(B))*

**13. Compliance Requirements**

a) Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V permit shall include a certification by a Responsible

Officialthat, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.

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

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the Ohio EPA DAPC, Northwest District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the Director (the Ohio EPA DAPC, Northwest District Office) and the Administrator of the U.S. EPA in the following manner and with the following content:

(1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

a. Identification of each term or condition that is the basis of the certification. The identification may include a statement by the Responsible Official that every term and condition that is federally enforceable has been reviewed, and such terms and conditions with which there has been continuous compliance throughout the year are not separately identified.

b. The permittee's current compliance status.

c. Whether compliance was continuous or intermittentconsistent with A.13.d.2.a above.

d. The method(s) used for determining the compliance status of the source currently and over the required reporting period consistent with A.13.d.2.a above.

e. Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.

(3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

*(Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L))*

**14. Permit Shield**

a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

*(Authority for term: OAC rule 3745-77-07(F))*

**15. Operational Flexibility**

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the Ohio EPA DAPC, Northwest District Office with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the Ohio EPA DAPC, Northwest District Office as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).

*(Authority for term: OAC rules 3745-77-07(H)(1) and (2))*

**16. Emergencies**

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.

*(Authority for term: OAC rule 3745-77-07(G))*

**17. Off-Permit Changes**

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.

b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as insignificant emissions levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.

c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).

d) The permittee shall keep a record describing all 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.

e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.

*(Authority for term: OAC rule 3745-77-07(I))*

**18. Compliance Method Requirements**

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Federal Register 8314, Feb. 24, 1997), in the context of any future proceeding.

*(This term is provided for informational purposes only.)*

**19. Insignificant Activities or Emissions Levels**

Each IEU that is subject to one or more applicable requirements shall comply with those applicable requirements.

*(Authority for term: OAC rule 3745-77-07(A)(1))*

**20. Permit to Install Requirement**

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.

*(Authority for term: OAC rule 3745-77-07(A)(1))*

**21. Air Pollution Nuisance**

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

*(Authority for term: OAC rule 3745-77-07(A)(1))*

**22. Permanent Shutdown of an Emissions Unit**

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the Responsible Official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the Responsible Official that the emissions unit was permanently shut down.

After the date on which an emissions unit is permanently shut down (i.e., that has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01(O)), rendering existing permit terms and conditions irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law.

Unless otherwise exempted, noemissions unit identified in this permit that has beencertified by the Responsible Official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.

*(Authority for term: OAC rule 3745-77-01)*

**23. Title VI Provisions**

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a) Persons operating appliances for maintenance, service, repair, or disposal must comply with the required practices specified in 40 CFR 82.156.

b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment specified in 40 CFR 82.158.

c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

*(Authority for term: OAC rule 3745-77-01(H)(11)))*

**24. Reporting Requirements Related to Monitoring and Record Keeping RequirementsUnder State Law Only**

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or record keeping information shall be submitted to theOhio EPA DAPC, Northwest District Office.

b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (i) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Ohio EPA DAPC, Northwest District Office. In identifying each deviation, the permittee shall specify the applicable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

**25. Records Retention RequirementsUnder State Law Only**

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

**26. Inspections and Information Requests**

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine

whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

*(Authority for term: OAC rule 3745-77-07(C))*

**27. Scheduled Maintenance/Malfunction Reporting For State-Only Requirements**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the Ohio EPA DAPC, Northwest District Office in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

**28. Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The Ohio EPA DAPC, Northwest District Office must be notified in writing of any transfer of this permit.

*(Authority for term: OAC rule 3745-77-01(C))*

**29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations**

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

a) where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or

b) where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potential to emit; or

c) where the company's Responsible Official has certified that an emissions unit has been permanently shut down.

## 30. Submitting Documents Required by this Permit

All applications, notifications or reports required by terms and conditions in this permit to be submitted or "reported in writing" are to be submitted to Ohio EPA through the Ohio EPA's eBusiness Center: Air Services web service ("Air Services"). Ohio EPA will accept hard copy submittals on an as-needed basis if the permittee cannot submit the required documents through the Ohio EPA eBusiness Center. In the event ofan alternative hard copy submission in lieu of the eBusiness Center, the post-marked date or the date the document is delivered in person will be recognized as the date submitted. Electronic submission of applications, notifications, or reports required to be submitted to Ohio EPA fulfills the requirement to submit the required information to the Director, the Ohio EPA DAPC, Northwest District Office, and/or any other individual or organization specifically identified as an additional recipient identified in this permit unless otherwise specified. Consistent with OAC rule 3745-15-03, the required application, notification or report is considered to be "submitted" on the date the submission is successful using a valid electronic signature. Signature by the Responsible Official may be represented as provided through procedures established in Air Services.

# B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) None.

2. There are no insignificant emissions units at this facility.

# C. Emissions Unit Terms and Conditions

## 1. Emissions Unit Group – Main Boilers: B001, B002, B003

| EU ID | Operations, Property and/or Equipment Description |
|---|---|
| B001 | Natural Gas Fired Boiler #1 – 22 million Btu/hr maximum heat input |
| B002 | Natural Gas Fired Boiler #2 – 22 million Btu/hr maximum heat input |
| B003 | Natural Gas Fired Boiler #3 – 22 million Btu/hr maximum heat input |

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operation(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

| | Applicable Rules/Requirements | Applicable Emissions Limitations/Control Measures |
|---|---|---|
| a. | OAC rule 3745-31-10 through 20 (PTI #03-13598 modified on 10/27/05) | Nitrogen oxides (NOx) emissions shall not exceed 6.96 tons per rolling, 12-month period, for emissions units B001, B002, and B003, combined<br><br>See b)(2)a. and b)(2)b. |
| b. | OAC rule 3745-31-05(A)(3) (PTI #03-13598 modified on 10/27/05) | The requirements of this rule also include compliance with the requirements of 40 CFR, Part 60, Subpart Dc and OAC rules 3745-31-10 through 20, 3745-17-10(B) and 3745-17-07(A).<br><br>From each emissions unit individually:<br><br>NOx emissions shall not exceed 1.1 pounds per hour (lbs/hr) and 4.82 tons per year (tpy)<br><br>Carbon monoxide (CO) emissions shall not exceed 1.85 lbs/hr and 8.1 tpy.<br><br>Particulate emissions (PE) shall not exceed 0.44 lb/hr and 1.9 tpy. |
| c. | OAC rule 3745-17-10(B) | 0.020 lb PE/mmBtu of actual heat input, from each emissions unit individually |

| | | |
|---|---|---|
| d. | OAC rule 3745-17-07(A) | Visible PE shall not exceed 20% opacity as a six-minute average, except as provided by rule. |
| e. | 40 CFR 60.48c (g)<br>NSPS Subpart Dc | See d)(2). |
| f. | 40 CFR, Part 63, Subpart DDDDD<br>(40 CFR 63.7480-63.7575) | See b)(2)e., d)(3) and e)(3) |
| g. | 40 CFR 63.1-15<br>(40 CFR 63.7565) | Table 10 to Subpart DDDDD of 40 CFR, Part 63 – Applicability of General Provisions to Subpart DDDD shows which parts of the General Provisions in 40 CFR 63.1-15 apply |

(2) Additional Terms and Conditions

a. The permittee shall employ best available control technology (BACT) for this emissions unit. BACT has been determined to be the use of a control system that shall meet the following requirements for controlling NOx emissions:

i. the emissions unit shall be equipped with low NOx burners and flue gas recirculation; and

ii. theemissions unit shall emit NOx at a rate of no more than 50 lbs/mm cu. ft of natural gas burned.

b. In order to comply with the Prevention of Significant Deterioration (PSD) Significant Impact Increment for NOx, the permittee has requested federally enforceable restrictions to limit the potentials to emit for the emissions units contained in this permit by limiting the annual natural gas usage rate [see c)(2)].

The annual NOx emissions, for emissions units B001, B002, and B003, combined, shall not exceed 6.96 tons/yr, based upon a rolling, 12-month summation of the monthly NOx emission rates.

c. All PE is assumed to be in the form of $PM_{10}$.

d. OAC Chapter 3745-18 does not establish a sulfur dioxide emission limitation for this emissions unit because it employs only natural gas as fuel.

e. Emissions units B001, B002 and B003 meet the definition of existing boilers or process heaters with a heat input capacity of greater than 10 mmBtu per hour; therefore, the following requirements found in 40 CFR, Part 63, Subpart DDDDD are applicable:

| | |
|---|---|
| Work Practice Standards | 63.7500 (a)(3), (f) and Table 3 |
| General Compliance Requirements | 63.7505(a), 63.7515(d), 63.7540(a)(10) and (a)(13), 63.7565 and Table 10 |

[Authority for term: 40 CFR, Part 63, Subpart DDDDD]

c) Operational Restrictions

(1) The permittee shall burn only natural gas as fuel in this emissions unit.

[Authority for term: OAC rule 3745-77-07(A)(1) and PTI #03-13598]

(2) The maximum annual natural gas usage rate, for emissions units B001, B002, and B003, combined, shall not exceed 278.4 mm cu. ft /yr, based upon a rolling, 12-month summation of the monthly natural gas usage rates.

[Authority for term: OAC rule 3745-77-07(A)(1) and PTI #03-13598]

d) Monitoring and/or Recordkeeping Requirements

(1) For each day during which the permittee burns a fuel other than natural gas, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

(2) The permittee shall calculate and maintain monthly records of the following information for emissions units B001, B002, and B003, combined:

a. the quantity of natural gas combusted, in mm cu. ft;

b. the rolling, 12-month natural gas usage rate, in mm cu. ft;

c. the calculated NOx emission rate [i.e., the monthly natural usage rate, from d)(2)a. above, multiplied by the emission factor determined from the most recent emission testing that demonstrated the emissions unit was in compliance), in tons; and

d. the rolling, 12-month NOx emission rate, in tons.

[Authority for term: OAC rule 3745-77-07(C)(1), PTI #03-13598 and 40 CFR 60.48(g)]

(3) The permittee shall comply with the applicable monitoring and record keeping requirements under 40 CFR, Part 63, Subpart DDDDD, including the following sections:

| | |
|---|---|
| Record Keeping Requirements | 63.7530(e), (f), 63.7555(a), (i), (j), 63.7560(a), (b) and (c) |

[Authority for term: OAC rule 3745-77-07(C)(1) and 40 CFR, Part 63, Subpart DDDDD]

e) Reporting Requirements

(1) The permittee shall submit deviation(excursion) reports that identify each day when a fuel other than natural gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

[Authority for term: OAC 3745-77-07(C)(1) and PTI #03-13598]

(2) The permittee shall submit quarterly deviation (excursion) reports that identify the following:

a. all exceedances of the rolling, 12-month natural gas usage restriction of 278.4 mm cu. ft [for emissions units B001, B002, and B003, combined]; and

b. all exceedances of the rolling, 12-month NOx emission limitation of 6.96 tons [for emissions units B001, B002, and B003, combined].

The permittee shall submit these reports in accordance with the Standard Terms and Conditions of this permit.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

(3) The permittee shall comply with the applicable monitoring and record keeping requirements under 40 CFR, Part 63, Subpart DDDDD, including the following sections:

| | |
|---|---|
| Reporting Requirements | 63.7530(e), (f), 63.7545(a), (f), (h), 63.7550(a), (b), (c) and (h) |

[Authority for term: OAC rule 3745-77-07(C)(1) and 40 CFR, Part 63, Subpart DDDDD]

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. <u>Emission Limitations:</u>

NOx emissions shall not exceed 1.1 lbs/hr and 50 lbs/mm cu. ft of natural gas combusted.

Applicable Compliance Method:

Compliance with the allowable lbs/mm cu. ft NOx emission limitation above may be demonstrated in accordance with the AP-42, Table 1.4-1 (revised 7/98) emission factor for natural gas for low NOx burners (50 lbs NOx /mm cu. ft).

Compliance with the hourly allowable NOx emission limitation may be determined by multiplying the maximum hourly natural gas burning capacity of the emissions unit (mm cu. ft./hour) by the AP-42, Table 1.4-1 (revised 7/98) emission factor for natural gas for low NOx burners (50 lbs NOx /mm cu. ft).

The permittee shall also demonstrate compliance with the hourly allowable NOxemission limitation above based on the results of emission testing conducted in accordance with 40 CFR, Part 60, Appendix A, Methods 1 - 4 and 7.

[On November 27, 2001, the permittee conducted emission testing that demonstrated compliance with the allowable hourly NOx emission limitation of 1.1 lbs/hr (the calculated hourly NOx emission rate based on the results of the testing was 0.67 lb/hr)]

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

b. Emission Limitation:

CO emissions shall not exceed 1.85 lbs/hr.

Applicable Compliance Method:

Compliance with the hourly allowable CO emission limitation may be determined by multiplying the maximum hourly natural gas burning capacity of the emissions unit (mm cu. ft./hour) by the AP-42, Table 1.4-1 (revised 7/98) emission factor for natural gas of 84 lbs CO /mm cu. ft.

The permittee shall demonstrate compliance the hourly allowable CO emission limitation above based on the results of emission testing conducted in accordance with 40 CFR, Part 60, Appendix A, Methods 1 - 4 and 10.

[On November 27, 2001, the permittee conducted emission testing that demonstrated compliance with the allowable hourly CO emission limitation of 1.85 lbs/hr (the calculated hourly CO emission rate based on the results of the testing was 0.35 lb/hr)]

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

c. Emission Limitations:

PE shall not exceed 0.44 lb/hr and 0.020 lb/mmBtu of actual heat input.

Applicable Compliance Method:

Compliance with the hourly allowable PE limitation may be determined by multiplying the maximum hourly natural gas burning capacity of the emissions unit (mm cu. ft/hour) by the AP-42, Table 1.4-2 (revised 7/98) emission factor for natural gas of 1.9 lbs PE/mm cu. ft.

Compliance with the lb/mmBtu allowable PE limitation may be determined by multiplying the maximum hourly natural gas burning capacity of the emissions unit (mm cu. ft/hour) by the AP-42, Table 1.4-2 (revised 7/98) emission factor for natural gas of 1.9 lbs PE/mm cu. ft, and then dividing by the maximum heat input capacity of the emissions unit (mmBtu/hr).

If required, the permittee shall demonstrate compliance with the hourly and lb/mmBtu allowable PE limitations in accordance with 40 CFR, Part 60, Appendix A, Methods 1 through 5.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

d. Emission Limitation:

Visible PE shall not exceed 20 percent opacity, as a 6-minute average, except as provided by rule.

Applicable Compliance Method:

If required, compliance shall be determined by visible emission evaluations performed in accordance with OAC rule 3745-17-03(B)(1).

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

e. Emission Limitation:

NOx emissions shall not exceed 6.96 tons per rolling, 12-month period, for emissions units B001, B002, and B003, combined.

Applicable Compliance Method:

Compliance shall be determined by the record keeping required in d)(2)above.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

f. Emission Limitations:

NOx emissions shall not exceed 4.82 tpy.

CO emissions shall not exceed 8.1 tpy.

PE shall not exceed 1.9 tpy.

Applicable Compliance Method:

The annual limitation for each pollutant above was developed by multiplying the hourly limitation for each pollutant by the maximum operating schedule of 8,760 hrs/year, and then dividing by 2,000 lbs/ton. Therefore, provided compliance is shown with the hourly limitation for each pollutant, compliance with the annual limitation for each pollutant shall be demonstrated.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

g. Operational Restriction:

278.4 mm cu. ft of natural gas/rolling, 12-month summation, for emissions units B001, B002, and B003, combined

Applicable Compliance Method:

Compliance shall be determined by the record keeping required in d)(2) above.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI #03-13598]

g) Miscellaneous Requirements

(1) None.