



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL MODIFICATION
SCIOTO COUNTY**

CERTIFIED MAIL

Street Address:

50 West Town Street, Suite 700

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049

Application No: 07-00511

Fac ID: 0773000182

DATE: 1/15/2008

Haverhill North Coke Company
Stan Wash
2446 Gallia Pike
Franklin Furnace, OH 45629

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: USEPA

PCHD



**Permit To Install
Terms and Conditions**

**Issue Date: 1/15/2008
Effective Date: 1/15/2008**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 07-00511

Application Number: 07-00511
Facility ID: 0773000182
Permit Fee: **\$7825**
Name of Facility: Haverhill North Coke Company
Person to Contact: Stan Wash
Address: 2446 Gallia Pike
Franklin Furnace, OH 45629

Location of proposed air contaminant source(s) [emissions unit(s)]:

**2446 Gallia Pike
Franklin Furnace, Ohio**

Description of proposed emissions unit(s):

Administrative modification to increase the PM/PM10 emissions limit from the HRSG by-pass vents stacks based on actual stack test data.

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

Part I - GENERAL TERMS AND CONDITIONS

A. State and Federally Enforceable Permit-To-Install General Terms and Conditions

1. Monitoring and Related Recordkeeping and Reporting Requirements

- a. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
 - i. The date, place (as defined in the permit), and time of sampling or measurements.
 - ii. The date(s) analyses were performed.
 - iii. The company or entity that performed the analyses.
 - iv. The analytical techniques or methods used.
 - v. The results of such analyses.
 - vi. The operating conditions existing at the time of sampling or measurement.
- 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, 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.
- c. Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
 - i. Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
 - ii. Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to

the appropriate Ohio EPA District Office or local air agency. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See B.9 below if no deviations occurred during the quarter.

- iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
 - iv. If this permit is for an emissions unit located at a Title V facility, then 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 are true, accurate, and complete.
- d. The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

2. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

3. Risk Management Plans

If the permittee is required to 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"), the permittee shall comply with the requirement to register such a plan.

4. 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.

5. 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.

6. General Requirements

- a. The permittee must comply with all terms and conditions of this permit. 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 re-issuance, or modification
- 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 permit.
- c. This permit may be modified, revoked, or revoked and reissued, for cause. 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 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.

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7. 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. The permittee shall pay all applicable permit-to-install fees within 30 days after the issuance of any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

8. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any 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 and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

9. Compliance Requirements

- a. Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, 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:
 - i. 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.
 - ii. 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 ORC section 3704.08.
 - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

- iv. 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 appropriate Ohio EPA District Office or local air agency 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:
 - i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - ii. 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.

10. Permit-To-Operate Application

- a. If the permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77, the permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).
- b. If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this permit is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. Permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the source(s) covered by this permit.

11. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

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12. 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.

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13. Permit-To-Install

A permit-to-install must be obtained pursuant to OAC Chapter 3745-31 prior to "installation" of "any air contaminant source" as defined in OAC rule 3745-31-01, or "modification", as defined in OAC rule 3745-31-01, of any emissions unit included in this permit.

B. State Only Enforceable Permit-To-Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from state-only required emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. 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 (i.e., postmarked) 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.)

3. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder.

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The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

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4. Authorization To Install or Modify

If applicable, authorization to install or modify any new or existing emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

5. Construction of New Sources(s)

This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

6. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

7. Applicability

This Permit to Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

8. Construction Compliance Certification

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If applicable, the applicant shall provide Ohio EPA with a written certification (see enclosed form if applicable) that the facility has been constructed in accordance with the permit-to-install application and the terms and conditions of the permit-to-install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

9. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)

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 (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

C. Permit-To-Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)	
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS	
<u>Pollutant</u>	<u>Tons Per Year</u>
PM/PM ₁₀ (stack)	676.78
PM (fugitive)	22.07
PM ₁₀ (fugitive)	8.41

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	1829.66
SO ₂	909.22
	265.18
NO _x	218.8
	0.41
CO	0.003
VOC	63.54
Lead	
Mercury	
HCl	

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Part II - FACILITY SPECIFIC TERMS AND CONDITIONS

A. State and Federally Enforceable Permit To Install Facility Specific Terms and Conditions

I. PSD REQUIREMENTS

The source described in this Permit to Install is subject to the applicable provisions of the Prevention of Significant Deterioration (PSD) regulations as promulgated by the United States Environmental Protection Agency 40 CFR 52.21. The authority to apply and enforce the PSD regulations has been delegated to the Ohio Environmental Protection Agency. The terms and conditions of this permit and the requirements of the PSD regulations are also enforceable by the United States Environmental Protection Agency.

In accordance with 40 CFR 124.15, 124.19 and 124.20, the following shall apply: (1) the effective date of this permit shall be 30 days after the service of notice to any public commentors of the final decision to issue, modify, or revoke and re-issue the permit, unless the service of notice is by mail, in which case the effective date of the permit shall be 33 days after the service of notice; and (2) if an appeal is made to the Environmental Protection Agency, the effective date of the permit is suspended until such time as the appeal is resolved or denied.

Appeals will be addressed to:

United States Environmental Protection Agency
Environmental Appeals Board
401 M. Street, SW (MC-113do)
Washington, DC 20460

II. Requirements of 40 CFR Part 63, Subpart A, General Provisions

40 CFR 63.1 Applicability.

Only those sections of the General Provisions that apply to nonrecovery coke ovens are applicable.

(a) *General.*

(1) Terms used throughout this part are defined in section 63.2 or in the Clean Air Act

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(Act) as amended in 1990, except that individual subparts of this part may include specific definitions in addition to or that supersede definitions in section 63.2.

(2) This part contains national emission standards for hazardous air pollutants (NESHAP) established pursuant to section 112 of the Act as amended November 15, 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act. This section explains the applicability of such standards to sources affected by them. The standards in this part are independent of NESHAP contained in 40 CFR part 61. The NESHAP in part 61 promulgated by signature of the Administrator before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990) remain in effect until they are amended, if appropriate, and added to this part.

(3) No emission standard or other requirement established under this part shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement established by the Administrator pursuant to other authority of the Act (section 111, part C or D or any other authority of this Act), or a standard issued under State authority. The Administrator may specify in a specific standard under this part that facilities subject to other provisions under the Act need only comply with the provisions of that standard.

(4) (i) Each relevant standard in this part 63 must identify explicitly whether each provision in this subpart A is or is not included in such relevant standard.

(ii) If a relevant part 63 standard incorporates the requirements of 40 CFR part 60, part 61 or other part 63 standards, the relevant part 63 standard must identify explicitly the applicability of each corresponding part 60, part 61, or other part 63 subpart A (General) provision.

(iii) The General Provisions in this subpart A do not apply to regulations developed pursuant to section 112(r) of the amended Act, unless otherwise specified in those regulations.

(5) [Reserved]

(6) To obtain the most current list of categories of sources to be regulated under section 112 of the Act, or to obtain the most recent regulation promulgation schedule established pursuant to section 112(e) of the Act, contact the Office of the Director, Emission Standards Division, Office of Air Quality Planning and Standards, U.S. EPA (MD-13), Research Triangle Park, North Carolina 27711.

(7) [Reserved]

(8) [Reserved]

(9) [Reserved]

(10) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.

(11) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, test plan, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a

particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

(12) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in section 63.9(i).

(13) [Removed]

(14) [Removed]

(b) *Initial applicability determination for this part.*

(1) The provisions of this part apply to the owner or operator of any stationary source that:

(i) Emits or has the potential to emit any hazardous air pollutant listed in or pursuant to section 112(b) of the Act; and

(ii) Is subject to any standard, limitation, prohibition, or other federally enforceable requirement established pursuant to this part.

(2) [Reserved]

(3) An owner or operator of a stationary source who is in the relevant source category and who determines that the source is not subject to a relevant standard or other requirement established under this part must keep a record as specified in section 63.10(b)(3).

(c) *Applicability of this part after a relevant standard has been set under this part.*

(1) If a relevant standard has been established under this part, the owner or operator of an affected source must comply with the provisions of that standard and of this subpart as provided in paragraph (a)(4) of this section.

(2) Except as provided in section 63.10(b)(3), if a relevant standard has been established under this part, the owner or operator of an affected source may be required to obtain a title V permit from a permitting authority in the State in which the source is located. Emission standards promulgated in this part for area sources pursuant to section 112(c)(3) of the Act will specify whether:

(i) States will have the option to exclude area sources affected by that standard from the requirement to obtain a title V permit (i.e., the standard will exempt the category of area sources altogether from the permitting requirement);

(ii) States will have the option to defer permitting of area sources in that category until the Administrator takes rulemaking action to determine applicability of the permitting requirements; or

(iii) If a standard fails to specify what the permitting requirements will be for area sources affected by such a standard, then area sources that are subject to the standard will be subject to the requirement to obtain a title V permit without any deferral.

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(3) [Reserved]

(4) [Reserved]

(5) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source also shall be subject to the notification requirements of this subpart.

(d) [Reserved]

(e) If the Administrator promulgates an emission standard under section 112(d) or (h) of the Act that is applicable to a source subject to an emission limitation by permit established under section 112(j) of the Act, and the requirements under the section 112(j) emission limitation are substantially as effective as the promulgated emission standard, the owner or operator may request the permitting authority to revise the source's title V permit to reflect that the emission limitation in the permit satisfies the requirements of the promulgated emission standard. The process by which the permitting authority determines whether the section 112(j) emission limitation is substantially as effective as the promulgated emission standard must include, consistent with part 70 or 71 of this chapter, the opportunity for full public, EPA, and affected State review (including the opportunity for EPA's objection) prior to the permit revision being finalized. A negative determination by the permitting authority constitutes final action for purposes of review and appeal under the applicable title V operating permit program.

40 CFR 63.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Pub. L. 101-549, 104 Stat. 2399).

Actual emissions is defined in subpart D of this part for the purpose of granting a compliance extension for an early reduction of hazardous air pollutants.

Administrator means the Administrator of the United States Environmental Protection Agency or his or her authorized representative (e.g., a State that has been delegated the authority to implement the provisions of this part).

Affected source, for the purposes of this part, means the collection of equipment, activities, or both within a single contiguous area and under common control that is

included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act. Each relevant standard will define the "affected source," as defined in this paragraph unless a different definition is warranted based on a published justification as to why this definition would result in significant administrative, practical, or implementation problems and why the different definition would resolve those problems. The term "affected source," as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Affected source may be defined differently for part 63 than affected facility and stationary source in parts 60 and 61, respectively. This definition of "affected source," and the procedures for adopting an alternative definition of "affected source," shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002.

Alternative emission limitation means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an approved permit program.

Alternative emission standard means an alternative means of emission limitation that, after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator's satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

Alternative test method means any method of sampling and analyzing for an air pollutant that is not a test method in this chapter and that has been demonstrated to the Administrator's satisfaction, using Method 301 in Appendix A of this part, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this part.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

Commenced means, with respect to construction or reconstruction of an affected source, that an owner or operator has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

Compliance date means the date by which an affected source is required to be in compliance with a relevant standard, limitation, prohibition, or any federally enforceable

requirement established by the Administrator (or a State with an approved permit program) pursuant to section 112 of the Act.

Compliance plan [Removed]

Compliance schedule means: (1) In the case of an affected source that is in compliance with all applicable requirements established under this part, a statement that the source will continue to comply with such requirements; or
(2) In the case of an affected source that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or
(3) In the case of an affected source not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a relevant standard, limitation, prohibition, or any federally enforceable requirement established pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

Construction means the on-site fabrication, erection, or installation of an affected source. Construction does not include the removal of all equipment comprising an affected source from an existing location and reinstallation of such equipment at a new location. The owner or operator of an existing affected source that is relocated may elect not to reinstall minor ancillary equipment including, but not limited to, piping, ductwork, and valves. However, removal and reinstallation of an affected source will be construed as reconstruction if it satisfies the criteria for reconstruction as defined in this section. The costs of replacing minor ancillary equipment must be considered in determining whether the existing affected source is reconstructed.

Continuous emission monitoring system (CEMS) means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

Continuous monitoring system (CMS) is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

Continuous opacity monitoring system (COMS) means a continuous monitoring system that measures the opacity of emissions.

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Continuous parameter monitoring system means the total equipment that may be required to meet the data acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

Effective date means:

- (1) With regard to an emission standard established under this part, the date of promulgation in the FEDERAL REGISTER of such standard; or
- (2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent emission limitation becomes effective according to the provisions of this part.

Emission standard means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

Emissions averaging is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

EPA means the United States Environmental Protection Agency.

Equivalent emission limitation means any maximum achievable control technology emission limitation or requirements which are applicable to major source of hazardous air pollutants and are adopted by the Administrator (or a State with an approved permit program) on a case-by-case basis, pursuant to section 112(g) or (j) of the Act.

Excess emissions and continuous monitoring system performance report is a report that must be submitted periodically by an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

Existing source means any affected source that is not a new source.

Federally enforceable means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other statutes administered by the Administrator. Examples of federally enforceable limitations and

conditions include, but are not limited to:

- (1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;
- (2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;
- (3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;
- (4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);
- (5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;
- (6) Limitations and conditions that are part of an operating permit where the permit and the permitting program pursuant to which it was issued meet all of the following criteria:
 - (i) The operating permit program has been submitted to and approved by EPA into a State implementation plan (SIP) under section 110 of the CAA;
 - (ii) The SIP imposes a legal obligation that operating permit holders adhere to the terms and limitations of such permits and provides that permits which do not conform to the operating permit program requirements and the requirements of EPA's underlying regulations may be deemed not "federally enforceable" by EPA;
 - (iii) The operating permit program requires that all emission limitations, controls, and other requirements imposed by such permits will be at least as stringent as any other applicable limitations and requirements contained in the SIP or enforceable under the SIP, and that the program may not issue permits that waive, or make less stringent, any limitations or requirements contained in or issued pursuant to the SIP, or that are otherwise "federally enforceable";
 - (iv) The limitations, controls, and requirements in the permit in question are permanent, quantifiable, and otherwise enforceable as a practical matter; and
 - (v) The permit in question was issued only after adequate and timely notice and opportunity for comment for EPA and the public.
- (7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and
- (8) Individual consent agreements that the EPA has legal authority to create.

Fixed capital cost means the capital needed to provide all the depreciable components of an existing source.

Fugitive emissions means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

Lesser quantity [Removed]

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Monitoring means the collection and use of measurement data or other information to control the operation of a process or pollution control device or to verify a work practice standard relative to assuring compliance with applicable requirements. Monitoring is composed of four elements:

(1) Indicator(s) of performance: the parameter or parameters you measure or observe for demonstrating proper operation of the pollution control measures or compliance with the applicable emissions limitation or standard. Indicators of performance may include direct or predicted emissions measurements (including opacity), operational parametric values that correspond to process or control device (and capture system) efficiencies or emissions rates, and recorded findings of inspection of work practice activities, materials tracking, or design characteristics. Indicators may be expressed as a single maximum or minimum value, a function of process variables (for example, within a range of pressure drops), a particular operational or work practice status (for example, a damper position, completion of a waste recovery task, materials tracking), or an interdependency between two or among more than two variables.

(2) Measurement techniques: the means by which you gather and record information of or about the indicators of performance. The components of the measurement technique include the detector type, location and installation specifications, inspection procedures, and quality assurance and quality control measures. Examples of measurement techniques include continuous emission monitoring systems, continuous opacity monitoring systems, continuous parametric monitoring systems, and manual inspections that include making records of process conditions or work practices.

(3) Monitoring frequency: the number of times you obtain and record monitoring data

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over a specified time interval. Examples of monitoring frequencies include at least four points equally spaced for each hour for continuous emissions or parametric monitoring systems, at least every 10 seconds for continuous opacity monitoring systems, and at least once per operating day (or week, month, etc.) for work practice or design inspections.

(4) Averaging time: the period over which you average and use data to verify proper operation of the pollution control approach or compliance with the emissions limitation or standard. Examples of averaging time include a 3-hour average in units of the emissions limitation, a 30-day rolling average emissions value, a daily average of a control device operational parametric range, and an instantaneous alarm.

New affected source means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory that is subject to a section 112(d) or other relevant standard for new sources. This definition of "new affected source," and the criteria to be utilized in implementing it, shall apply to each section 112(d) standard for which the initial proposed rule is signed by the Administrator after June 30, 2002. Each relevant standard will define the term "new affected source," which will be the same as the "affected source" unless a different collection is warranted based on consideration of factors including:

- (1) Emission reduction impacts of controlling individual sources versus groups of sources;
- (2) Cost effectiveness of controlling individual equipment;
- (3) Flexibility to accommodate common control strategies;
- (4) Cost/benefits of emissions averaging;
- (5) Incentives for pollution prevention;
- (6) Feasibility and cost of controlling processes that share common equipment (e.g., product recovery devices);
- (7) Feasibility and cost of monitoring; and
- (8) Other relevant factors.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part establishing an emission standard applicable to such source.

One-hour period, unless otherwise defined in an applicable subpart, means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background. For continuous opacity monitoring

systems, opacity means the fraction of incident light that is attenuated by an optical medium.

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Part 70 permit [Removed]

Performance audit means a procedure to analyze blind samples, the content of which is known by the Administrator, simultaneously with the analysis of performance test samples in order to provide a measure of test data quality.

Performance evaluation means the conduct of relative accuracy testing, calibration error testing, and other measurements used in validating the continuous monitoring system data.

Performance test means the collection of data resulting from the execution of a test method (usually three emission test runs) used to demonstrate compliance with a relevant emission standard as specified in the performance test section of the relevant standard.

Permit modification means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permit revision means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

Permitting authority means: (1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or
(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Pollution Prevention means *source reduction* as defined under the Pollution Prevention Act (42 U.S.C. 13101-13109). The definition is as follows:

(1) *Source reduction* is any practice that:

- (i) Reduces the amount of any hazardous substance, pollutant, or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment, or disposal; and
- (ii) Reduces the hazards to public health and the environment associated with the release of such substances, pollutants, or contaminants.

(2) The term *source reduction* includes equipment or technology modifications, process or procedure modifications, reformulation or redesign of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control.

(3) The term *source reduction* does not include any practice that alters the physical, chemical, or biological characteristics or the volume of a hazardous substance, pollutant, or contaminant through a process or activity which itself is not integral to and necessary for the production of a product or the providing of a service.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary 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.

Reconstruction, unless otherwise defined in a relevant standard, means the replacement of components of an affected or a previously nonaffected source to such an extent that:

- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and
- (2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

Regulation promulgation schedule means the schedule for the promulgation of emission standards under this part, established by the Administrator pursuant to section 112(e) of the Act and published in the FEDERAL REGISTER.

Relevant standard means:

- (1) An emission standard;
- (2) An alternative emission standard;
- (3) An alternative emission limitation; or
- (4) An equivalent emission limitation established pursuant to section 112 of the Act that applies to the collection of equipment, activities, or both regulated by such standard or limitation. A relevant standard may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or existing sources to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part, as provided by section 63.1(a)(4), and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

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Responsible official means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

(ii) The delegation of authority to such representative is approved in advance by the Administrator.

(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).

(4) For affected sources (as defined in this part) applying for or subject to a title V permit: "responsible official" shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

Run means one of a series of emission or other measurements needed to determine emissions for a representative operating period or cycle as specified in this part.

Shutdown means the cessation of operation of an affected source or portion of an affected source for any purpose.

Six-minute period means, with respect to opacity determinations, any one of the 10 equal parts of a 1-hour period.

Source at a Performance Track member facility means a major or area source located at a facility which has been accepted by EPA for membership in the Performance Track Program (as described at www.epa.gov/PerformanceTrack) and is still a member of the Program. The Performance Track Program is a voluntary program that encourages continuous environmental improvement through the use of environmental management systems, local community outreach, and measurable results.

Standard conditions means a temperature of 293 K (68EF) and a pressure of 101.3 kilopascals (29.92 in. Hg).

Startup means the setting in operation of an affected source or portion of an affected source for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

- (1) The provisions of this part and/or
- (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Test method means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of Appendix A of this part.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Visible emission means the observation of an emission of opacity or optical density above the threshold of vision.

Working day means any day on which Federal Government offices (or State government offices for a State that has obtained delegation under section 112(l)) are open for normal business. Saturdays, Sundays, and official Federal (or where delegated, State) holidays are not working days.

40 CFR 63.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) *System International (SI) units of measure:*

A = ampere

g = gram

Hz = hertz

J = joule

EK = degree Kelvin

kg = kilogram

l = liter

m = meter

m³ = cubic meter

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mg = milligram = 10^{-3} gram

ml = milliliter = 10^{-3} liter

mm = millimeter = 10^{-3} meter

Mg = megagram = 10^6 gram = metric ton

MJ = megajoule

mol = mole

N = newton

ng = nanogram = 10^{-9} gram

nm = nanometer = 10^{-9} meter

Pa = pascal

s = second

V = volt

W = watt

V = ohm

Fg = microgram = 10^{-6} gram

Fl = microliter = 10^{-6} liter

(b) *Other units of measure:*

Btu = British thermal unit

EC = degree Celsius (centigrade)

cal = calorie

cfm = cubic feet per minute

cc = cubic centimeter

cu ft = cubic feet

d = day

dcf = dry cubic feet

dcm = dry cubic meter

dscf = dry cubic feet at standard conditions

dscm = dry cubic meter at standard conditions

eq = equivalent

EF = degree Fahrenheit

ft = feet

ft² = square feet

ft³ = cubic feet

gal = gallon

gr = grain

g-eq = gram equivalent

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g-mole = gram mole
 hr = hour
 in. = inch
 in. H₂O = inches of water
 K = 1,000
 kcal = kilocalorie
 lb = pound
 lpm = liter per minute
 meq = milliequivalent
 min = minute
 MW = molecular weight
 oz = ounces
 ppb = parts per billion
 ppbw = parts per billion by weight
 ppbv = parts per billion by volume
 ppm = parts per million
 ppmw = parts per million by weight
 ppmv = parts per million by volume
 psia = pounds per square inch absolute
 psig = pounds per square inch gage
 ER = degree Rankine
 scf = cubic feet at standard conditions
 scfh = cubic feet at standard conditions per hour
 scm = cubic meter at standard conditions
 scmm = cubic meter at standard conditions per minute
 sec = second
 sq ft = square feet
 std = at standard conditions
 v/v = volume per volume
 yd² = square yards
 yr = year

(c) Miscellaneous:

act = actual
 avg = average
 I.D. = inside diameter
 M = molar
 N = normal
 O.D. = outside diameter
 % = percent

40 CFR 63.4 Prohibited activities and circumvention.

(a) Prohibited activities.

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(1) No owner or operator subject to the provisions of this part must operate any affected source in violation of the requirements of this part. Affected sources subject to and in compliance with either an extension of compliance or an exemption from compliance are not in violation of the requirements of this part. An extension of compliance can be granted by the Administrator under this part; by a State with an approved permit program; or by the President under section 112(i)(4) of the Act.

(2) No owner or operator subject to the provisions of this part shall fail to keep records, notify, report, or revise reports as required under this part.

(3) [Reserved]

(4) [Reserved]

(5) [Reserved]

(b) *Circumvention*. No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes, but is not limited to:

(1) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;

(2) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions; and

(3) [Removed]

(c) *Fragmentation*. Fragmentation after November 15, 1990 which divides ownership of an operation, within the same facility among various owners where there is no real change in control, will not affect applicability. The owner and operator must not use fragmentation or phasing of reconstruction activities (i.e., intentionally dividing reconstruction into multiple parts for purposes of avoiding new source requirements) to avoid becoming subject to new source requirements.

40 CFR 63.5 Preconstruction review and notification requirements.

(a) *Applicability*.

(1) This section implements the preconstruction review requirements of section 112(i)(1). After the effective date of a relevant standard, promulgated pursuant to section 112(d), (f), or (h) of the Act, under this part, the preconstruction review requirements in this section apply to the owner or operator of new affected sources and reconstructed affected sources that are major-emitting as specified in this section. New and reconstructed affected sources that commence construction or reconstruction

before the effective date of a relevant standard are not subject to the preconstruction review requirements specified in paragraphs (b)(3), (d), and (e) of this section.

(2) This section includes notification requirements for new affected sources and reconstructed affected sources that are not major-emitting affected sources and that are or become subject to a relevant promulgated emission standard after the effective date of a relevant standard promulgated under this part.

(b) Requirements for existing, newly constructed, and reconstructed affected sources.

(1) A new affected source for which construction commences after proposal of a relevant standard is subject to relevant standards for new affected sources, including compliance dates. An affected source for which reconstruction commences after proposal of a relevant standard is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

(2) [Reserved]

(3) After the effective date of any relevant standard promulgated by the Administrator under this part, no person may, without obtaining written approval in advance from the Administrator in accordance with the procedures specified in paragraphs (d) and (e) of this section, do any of the following:

(i) Construct a new affected source that is major-emitting and subject to such standard;
(ii) Reconstruct an affected source that is major-emitting and subject to such standard;
or

(iii) Reconstruct a major source such that the source becomes an affected source that is major-emitting and subject to the standard.

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

(5) [Reserved]

(6) After the effective date of any relevant standard promulgated by the Administrator under this part, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard must be considered part of the affected source and subject to all provisions of the relevant standard established for that affected source.

(c) [Reserved]

(d) *Application for approval of construction or reconstruction.* The provisions of this paragraph implement section 112(i)(1) of the Act.

(1) *General application requirements.*

(i) An owner or operator who is subject to the requirements of paragraph (b)(3) of this section must submit to the Administrator an application for approval of the construction or reconstruction. The application must be submitted as soon as practicable before actual construction or reconstruction begins. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of section 63.9(b)(5). The owner or operator may submit the application for approval well in advance of the date actual construction or reconstruction begins in order to ensure a timely review by the Administrator and that the planned date to begin will not be delayed.

(ii) A separate application shall be submitted for each construction or reconstruction. Each application for approval of construction or reconstruction shall include at a minimum:

(A) The applicant's name and address;

(B) A notification of intention to construct a new major affected source or make any physical or operational change to a major affected source that may meet or has been determined to meet the criteria for a reconstruction, as defined in section 63.2 or in the relevant standard;

(C) The address (i.e., physical location) or proposed address of the source;

(D) An identification of the relevant standard that is the basis of the application;

(E) The expected date of the beginning of actual construction or reconstruction;

(F) The expected completion date of the construction or reconstruction;

(G) [Reserved]

(H) The type and quantity of hazardous air pollutants emitted by the source, reported in units and averaging times and in accordance with the test methods specified in the relevant standard, or if actual emissions data are not yet available, an estimate of the type and quantity of hazardous air pollutants expected to be emitted by the source reported in units and averaging times specified in the relevant standard. The owner or operator may submit percent reduction information if a relevant standard is established in terms of percent reduction. However, operating parameters, such as flow rate, shall be included in the submission to the extent that they demonstrate performance and compliance; and

(I) [Reserved]

(J) Other information as specified in paragraphs (d)(2) and (d)(3) of this section.

(iii) An owner or operator who submits estimates or preliminary information in place of the actual emissions data and analysis required in paragraphs (d)(1)(ii)(H) and (d)(2) of this section shall submit the actual, measured emissions data and other correct information as soon as available but no later than with the notification of compliance status required in section 63.9(h) [see section 63.9(h)(5)].

(2) *Application for approval of construction.* Each application for approval of construction must include, in addition to the information required in paragraph (d)(1)(ii) of this section, technical information describing the proposed nature, size, design, operating design capacity, and method of operation of the source, including an identification of each type of emission point for each type of hazardous air pollutant that is emitted (or could reasonably be anticipated to be emitted) and a description of the planned air pollution control system (equipment or method) for each emission point. The description of the equipment to be used for the control of emissions must include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions must include an estimated control efficiency (percent) for that method. Such technical information must include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations.

(3) *Application for approval of reconstruction.* Each application for approval of reconstruction shall include, in addition to the information required in paragraph (d)(1)(ii) of this section:

(i) A brief description of the affected source and the components that are to be replaced;

(ii) A description of present and proposed emission control systems (i.e., equipment or methods). The description of the equipment to be used for the control of emissions shall include each control device for each hazardous air pollutant and the estimated control efficiency (percent) for each control device. The description of the method to be used for the control of emissions shall include an estimated control efficiency (percent) for that method. Such technical information shall include calculations of emission estimates in sufficient detail to permit assessment of the validity of the calculations;

(iii) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new source;

(iv) The estimated life of the affected source after the replacements; and

(v) A discussion of any economic or technical limitations the source may have in complying with relevant standards or other requirements after the proposed replacements. The discussion shall be sufficiently detailed to demonstrate to the Administrator's satisfaction that the technical or economic limitations affect the source's ability to comply with the relevant standard and how they do so.

(vi) If in the application for approval of reconstruction the owner or operator designates the affected source as a reconstructed source and declares that there are no economic or technical limitations to prevent the source from complying with all relevant standards or other requirements, the owner or operator need not submit the information required in paragraphs (d)(3)(iii) through (d)(3)(v) of this section.

(4) *Additional information.* The Administrator may request additional relevant information after the submittal of an application for approval of construction or reconstruction.

(e) *Approval of construction or reconstruction.*

(1) (i) If the Administrator determines that, if properly constructed, or reconstructed, and operated, a new or existing source for which an application under paragraph (d) of this

section was submitted will not cause emissions in violation of the relevant standard(s) and any other federally enforceable requirements, the Administrator will approve the construction or reconstruction.

(ii) In addition, in the case of reconstruction, the Administrator's determination under this paragraph will be based on:

(A) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new source;

(B) The estimated life of the source after the replacements compared to the life of a comparable entirely new source;

(C) The extent to which the components being replaced cause or contribute to the emissions from the source; and

(D) Any economic or technical limitations on compliance with relevant standards that are inherent in the proposed replacements.

(2) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 60 calendar days after receipt of sufficient information to evaluate an application submitted under paragraph (d) of this section. The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(3) Before denying any application for approval of construction or reconstruction, the Administrator will notify the applicant of the Administrator's intention to issue the denial together with:

(i) Notice of the information and findings on which the intended denial is based; and

(ii) Notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator to enable further action on the application.

(4) A final determination to deny any application for approval will be in writing and will specify the grounds on which the denial is based. The final determination will be made within 60 calendar days of presentation of additional information or arguments (if the application is complete), or within 60 calendar days after the final date specified for presentation if no presentation is made.

(5) Neither the submission of an application for approval nor the Administrator's approval of construction or reconstruction shall:

(i) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

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(ii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(f) *Approval of construction or reconstruction based on prior State preconstruction review.*

(1) Preconstruction review procedures that a State utilizes for other purposes may also be utilized for purposes of this section if the procedures are substantially equivalent to those specified in this section. The Administrator will approve an application for construction or reconstruction specified in paragraphs (b)(3) and (d) of this section if the owner or operator of a new affected source or reconstructed affected source, who is subject to such requirement meets the following conditions:

(i) The owner or operator of the new affected source or reconstructed affected source has undergone a preconstruction review and approval process in the State in which the source is (or would be) located and has received a federally enforceable construction permit that contains a finding that the source will meet the relevant promulgated emission standard, if the source is properly built and operated.

(ii) Provide a statement from the State or other evidence (such as State regulations) that it considered the factors specified in paragraph (e)(1) of this section.

(2) The owner or operator must submit to the Administrator the request for approval of construction or reconstruction under this paragraph (f)(2) no later than the application deadline specified in paragraph (d)(1) of this section (see also section 63.9(b)(2)). The owner or operator must include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in paragraph (e) of this section. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction under this paragraph (f)(2).

40 CFR 63.6 Compliance with standards and maintenance requirements.

(a) *Applicability.*

(1) The requirements in this section apply to the owner or operator of affected sources for which any relevant standard has been established pursuant to section 112 of the Act and the applicability of such requirements is set out in accordance with section 63.1(a)(4) unless:

(i) The Administrator (or a State with an approved permit program) has granted an extension of compliance consistent with paragraph (i) of this section; or

(ii) The President has granted an exemption from compliance with any relevant standard in accordance with section 112(i)(4) of the Act.

(2) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous air pollutants) such that the source is a major source, such source shall be subject to the relevant emission standard or other requirement.

(b) *Compliance dates for new and reconstructed affected sources.*

(1) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source for which construction or reconstruction commences after proposal of a relevant standard that has an initial startup before the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard not later than the standard's effective date.

(2) Except as specified in paragraphs (b)(3) and (4) of this section, the owner or operator of a new or reconstructed affected source that has an initial startup after the effective date of a relevant standard established under this part pursuant to section 112(d), (f), or (h) of the Act must comply with such standard upon startup of the source.

(3) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established under this part pursuant to sections 112(d), 112(f), or 112(h) of the Act but before the effective date (that is, promulgation) of such standard shall comply with the relevant emission standard not later than the date 3 years after the effective date if:

(i) The promulgated standard (that is, the relevant standard) is more stringent than the proposed standard; for purposes of this paragraph, a finding that controls or compliance methods are "more stringent" must include control technologies or performance criteria and compliance or compliance assurance methods that are different but are substantially equivalent to those required by the promulgated rule, as determined by the Administrator (or his or her authorized representative); and

(ii) The owner or operator complies with the standard as proposed during the 3-year period immediately after the effective date.

(4) The owner or operator of an affected source for which construction or reconstruction is commenced after the proposal date of a relevant standard established pursuant to section 112(d) of the Act but before the proposal date of a relevant standard established pursuant to section 112(f) shall not be required to comply with the section 112(f) emission standard until the date 10 years after the date construction or reconstruction is commenced, except that, if the section 112(f) standard is promulgated more than 10 years after construction or reconstruction is commenced, the owner or operator must comply with the standard as provided in paragraphs (b)(1) and (2) of this section.

(5) The owner or operator of a new source that is subject to the compliance requirements of paragraph (b)(3) or (4) of this section must notify the Administrator in accordance with section 63.9(d).

(6) [Reserved]

(7) When an area source becomes a major source by the addition of equipment or operations that meet the definition of new affected source in the relevant standard, the portion of the existing facility that is a new affected source must comply with all requirements of that standard applicable to new sources. The source owner or operator must comply with the relevant standard upon startup.

(c) Compliance dates for existing sources.

(1) After the effective date of a relevant standard established under this part pursuant to section 112(d) or 112(h) of the Act, the owner or operator of an existing source shall comply with such standard by the compliance date established by the Administrator in the applicable subpart(s) of this part. Except as otherwise provided for in section 112 of the Act, in no case will the compliance date established for an existing source in an applicable subpart of this part exceed 3 years after the effective date of such standard.

(2) If an existing source is subject to a standard established under this part pursuant to section 112(f) of the Act, the owner or operator must comply with the standard by the date 90 days after the standard's effective date, or by the date specified in an extension granted to the source by the Administrator under paragraph (i)(4)(ii) of this section, whichever is later.

(3) [Reserved]

(4) [Reserved]

(5) Except as provided in paragraph (b)(7) of this section, the owner or operator of an area source that increases its emissions of (or its potential to emit) hazardous air pollutants such that the source becomes a major source shall be subject to relevant standards for existing sources. Such sources must comply by the date specified in the standards for existing area sources that become major sources. If no such compliance date is specified in the standards, the source shall have a period of time to comply with the relevant emission standard that is equivalent to the compliance period specified in the relevant standard for existing sources in existence at the time the standard becomes effective.

(d) [Reserved]

(e) Operation and maintenance requirements.

(1) (i) At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and

maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.

(ii) Malfunctions must be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section. To the extent that an unexpected event arises during a startup, shutdown, or malfunction, an owner or operator must comply by minimizing emissions during such a startup, shutdown, and malfunction event consistent with safety and good air pollution control practices.

(iii) Operation and maintenance requirements established pursuant to section 112 of the Act are enforceable independent of emissions limitations or other requirements in relevant standards.

(2) [Reserved]

(3) Startup, Shutdown, and Malfunction Plan.

(i) The owner or operator of an affected source must develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown, and malfunction, and a program of corrective action for malfunctioning process and air pollution control and monitoring equipment used to comply with the relevant standard. This plan must be developed by the owner or operator by the source's compliance date for that relevant standard. The purpose of the startup, shutdown, and malfunction plan is to:

(A) Ensure that, at all times, the owner or operator operates and maintains each affected source, including associated air pollution control and monitoring equipment, in a manner which satisfies the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;

(B) Ensure that owners or operators are prepared to correct malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of hazardous air pollutants; and

(C) Reduce the reporting burden associated with periods of startup, shutdown, and malfunction (including corrective action taken to restore malfunctioning process and air pollution control equipment to its normal or usual manner of operation).

(ii) During periods of startup, shutdown, and malfunction, the owner or operator of an

affected source must operate and maintain such source (including associated air pollution control and monitoring equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed under paragraph (e)(3)(i) of this section.

(iii) When actions taken by the owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist," or other effective form of recordkeeping that confirms conformance with the startup, shutdown, and malfunction plan for that event. In addition, the owner or operator must keep records of these events as specified in section 63.10(b), including records of the occurrence and duration of each startup, shutdown, or malfunction of operation and each malfunction of the air pollution control and monitoring equipment. Furthermore, the owner or operator shall confirm that actions taken during the relevant reporting period during periods of startup, shutdown, and malfunction were consistent with the affected source's startup, shutdown and malfunction plan in the semiannual (or more frequent) startup, shutdown, and malfunction report required in section 63.10(d)(5).

(iv) If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with section 63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).

(v) The owner or operator must maintain at the affected source a current startup, shutdown, and malfunction plan and must make the plan available upon request for inspection and copying by the Administrator. In addition, if the startup, shutdown, and malfunction plan is subsequently revised as provided in paragraph (e)(3)(viii) of this section, the owner or operator must maintain at the affected source each previous (i.e., superseded) version of the startup, shutdown, and malfunction plan, and must make each such previous version available for inspection and copying by the Administrator for a period of 5 years after revision of the plan. If at any time after adoption of a startup, shutdown, and malfunction plan the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the Administrator. The Administrator may at any time request in writing that the owner or operator submit a copy of any startup, shutdown, and malfunction plan (or a portion thereof) which is maintained at the

affected source or in the possession of the owner or operator. Upon receipt of such a request, the owner or operator must promptly submit a copy of the requested plan (or a portion thereof) to the Administrator. The Administrator must request that the owner or operator submit a particular startup, shutdown, or malfunction plan (or a portion thereof) whenever a member of the public submits a specific and reasonable request to examine or to receive a copy of that plan or portion of a plan. The owner or operator may elect to submit the required copy of any startup, shutdown, and malfunction plan to the Administrator in an electronic format. If the owner or operator claims that any portion of such a startup, shutdown, and malfunction plan is confidential business information entitled to protection from disclosure under section 114(c) of the Act or 40 CFR 2.301, the material which is claimed as confidential must be clearly designated in the submission.

(vi) To satisfy the requirements of this section to develop a startup, shutdown, and malfunction plan, the owner or operator may use the affected source's standard operating procedures (SOP) manual, or an Occupational Safety and Health Administration (OSHA) or other plan, provided the alternative plans meet all the requirements of this section and are made available for inspection when requested by the Administrator.

(vii) Based on the results of a determination made under paragraph (e)(1)(i) of this section, the Administrator may require that an owner or operator of an affected source make changes to the startup, shutdown, and malfunction plan for that source. The Administrator must require appropriate revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:

(A) Does not address a startup, shutdown, or malfunction event that has occurred;
(B) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with the general duty to minimize emissions established by paragraph (e)(1)(i) of this section;

(C) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or

(D) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in section 63.2.

(viii) The owner or operator may periodically revise the startup, shutdown, and malfunction plan for the affected source as necessary to satisfy the requirements of this part or to reflect changes in equipment or procedures at the affected source. Unless the permitting authority provides otherwise, the owner or operator may make such revisions to the startup, shutdown, and malfunction plan without prior approval by the Administrator or the permitting authority. However, each such revision to a startup, shutdown, and malfunction plan must be reported in the semiannual report required by

section 63.10(d)(5). If the startup, shutdown, and malfunction plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the startup, shutdown, and malfunction plan at the time the owner or operator developed the plan, the owner or operator must revise the startup, shutdown, and malfunction plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment. In the event that the owner or operator makes any revision to the startup, shutdown, and malfunction plan which alters the scope of the activities at the source which are deemed to be a startup, shutdown, or malfunction, or otherwise modifies the applicability of any emission limit, work practice requirement, or other requirement in a standard established under this part, the revised plan shall not take effect until after the owner or operator has provided a written notice describing the revision to the permitting authority.

(ix) The title V permit for an affected source must require that the owner or operator adopt a startup, shutdown, and malfunction plan which conforms to the provisions of this part, and that the owner or operator operate and maintain the source in accordance with the procedures specified in the current startup, shutdown, and malfunction plan. However, any revisions made to the startup, shutdown, and malfunction plan in accordance with the procedures established by this part shall not be deemed to constitute permit revisions under part 70 or part 71 of this chapter. Moreover, none of the procedures specified by the startup, shutdown, and malfunction plan for an affected source shall be deemed to fall within the permit shield provision in section 504(f) of the Act.

(f) *Compliance with nonopacity emission standards:*

(1) *Applicability.* The non-opacity emission standards set forth in this part shall apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the non-opacity emission standards set forth in this part, then that emission point must still be required to comply with the non-opacity emission standards and other applicable requirements.

(2) *Methods for determining compliance.*

(i) The Administrator will determine compliance with nonopacity emission standards in this part based on the results of performance tests conducted according to the procedures in section 63.7, unless otherwise specified in an applicable subpart of this part.

(ii) The Administrator will determine compliance with nonopacity emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in section 63.6(e) and applicable subparts of this part.

(iii) If an affected source conducts performance testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if:

(A) The performance test was conducted within a reasonable amount of time before an initial performance test is required to be conducted under the relevant standard;

(B) The performance test was conducted under representative operating conditions for the source;

(C) The performance test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in section 63.7(e) of this subpart; and

(D) The performance test was appropriately quality-assured, as specified in section 63.7(c).

(iv) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by review of records, inspection of the source, and other procedures specified in applicable subparts of this part.

(v) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards in this part by evaluation of an owner or operator's conformance with operation and maintenance requirements, as specified in paragraph (e) of this section and applicable subparts of this part.

(3) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with a non-opacity emission standard, as specified in paragraphs (f)(1) and (2) of this section, upon obtaining all the compliance information required by the relevant standard (including the written reports of performance test results, monitoring results, and other information, if applicable), and information available to the Administrator pursuant to paragraph (e)(1)(i) of this section.

(g) *Use of an alternative nonopacity emission standard.*

(1) If, in the Administrator's judgment, an owner or operator of an affected source has established that an alternative means of emission limitation will achieve a reduction in emissions of a hazardous air pollutant from an affected source at least equivalent to the reduction in emissions of that pollutant from that source achieved under any design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act, the Administrator will publish in the FEDERAL REGISTER a notice permitting the use of the alternative emission standard for purposes of compliance with the promulgated standard. Any FEDERAL REGISTER notice under this paragraph shall be published only after the public is notified and given the opportunity to comment. Such notice will restrict the permission to the stationary source(s) or category(ies) of sources from which the alternative emission standard will achieve equivalent emission reductions. The Administrator will condition permission in such notice on requirements to assure the

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proper operation and maintenance of equipment and practices required for compliance with the alternative emission standard and other requirements, including appropriate quality assurance and quality control requirements, that are deemed necessary.

(2) An owner or operator requesting permission under this paragraph shall, unless otherwise specified in an applicable subpart, submit a proposed test plan or the results of testing and monitoring in accordance with section 63.7 and section 63.8, a description of the procedures followed in testing or monitoring, and a description of pertinent conditions during testing or monitoring. Any testing or monitoring conducted to request permission to use an alternative nonopacity emission standard shall be appropriately quality assured and quality controlled, as specified in section 63.7 and section 63.8.

(3) The Administrator may establish general procedures in an applicable subpart that accomplish the requirements of paragraphs (g)(1) and (g)(2) of this section.

(h) Compliance with opacity and visible emission standards:

(1) *Applicability.* The opacity and visible emission standards set forth in this part must apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the opacity and visible emission standards set forth in this part, then that emission point shall still be required to comply with the opacity and visible emission standards and other applicable requirements.

(2) Methods for determining compliance.

(i) The Administrator will determine compliance with opacity and visible emission standards in this part based on the results of the test method specified in an applicable subpart. Whenever a continuous opacity monitoring system (COMS) is required to be installed to determine compliance with numerical opacity emission standards in this part, compliance with opacity emission standards in this part shall be determined by using the results from the COMS. Whenever an opacity emission test method is not specified, compliance with opacity emission standards in this part shall be determined by conducting observations in accordance with Test Method 9 in appendix A of part 60 of this chapter or the method specified in paragraph (h)(7)(ii) of this section. Whenever a visible emission test method is not specified, compliance with visible emission standards in this part shall be determined by conducting observations in accordance with Test Method 22 in appendix A of part 60 of this chapter.

(ii) [Reserved]

(iii) If an affected source undergoes opacity or visible emission testing at startup to obtain an operating permit in the State in which the source is located, the results of such testing may be used to demonstrate compliance with a relevant standard if:

(A) The opacity or visible emission test was conducted within a reasonable amount of time before a performance test is required to be conducted under the relevant standard;

(B) The opacity or visible emission test was conducted under representative operating conditions for the source;

(C) The opacity or visible emission test was conducted and the resulting data were reduced using EPA-approved test methods and procedures, as specified in section 63.7(e); and

(D) The opacity or visible emission test was appropriately quality-assured, as specified in section 63.7(c) of this section.

(3) [Reserved]

(4) *Notification of opacity or visible emission observations.* The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting opacity or visible emission observations in accordance with section 63.9(f), if such observations are required for the source by a relevant standard.

(5) *Conduct of opacity or visible emission observations.* When a relevant standard under this part includes an opacity or visible emission standard, the owner or operator of an affected source shall comply with the following:

(i) For the purpose of demonstrating initial compliance, opacity or visible emission observations shall be conducted concurrently with the initial performance test required in section 63.7 unless one of the following conditions applies:

(A) If no performance test under section 63.7 is required, opacity or visible emission observations shall be conducted within 60 days after achieving the maximum production rate at which a new or reconstructed source will be operated, but not later than 120 days after initial startup of the source, or within 120 days after the effective date of the relevant standard in the case of new sources that start up before the standard's effective date. If no performance test under section 63.7 is required, opacity or visible emission observations shall be conducted within 120 days after the compliance date for an existing or modified source; or

(B) If visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under section 63.7, or within the time period specified in paragraph (h)(5)(i)(A) of this section, the source's owner or operator shall reschedule the opacity or visible emission observations as soon after the initial performance test, or time period, as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. The rescheduled opacity or visible emission observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under section 63.7. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity or visible emission observations from being made concurrently with the initial performance test in accordance with procedures contained in Test Method 9 or Test Method 22 in Appendix A of part 60 of this chapter.

(ii) For the purpose of demonstrating initial compliance, the minimum total time of opacity observations shall be 3 hours (30 6-minute averages) for the performance test

or other required set of observations (e.g., for fugitive-type emission sources subject only to an opacity emission standard).

(iii) The owner or operator of an affected source to which an opacity or visible emission standard in this part applies shall conduct opacity or visible emission observations in accordance with the provisions of this section, record the results of the evaluation of emissions, and report to the Administrator the opacity or visible emission results in accordance with the provisions of section 63.10(d).

(iv) [Reserved]

(v) Opacity readings of portions of plumes that contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity emission standards.

(6) *Availability of records.* The owner or operator of an affected source shall make available, upon request by the Administrator, such records that the Administrator deems necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.

(7) *Use of a continuous opacity monitoring system.*

(i) The owner or operator of an affected source required to use a continuous opacity monitoring system (COMS) shall record the monitoring data produced during a performance test required under section 63.7 and shall furnish the Administrator a written report of the monitoring results in accordance with the provisions of section 63.10(e)(4).

(ii) Whenever an opacity emission test method has not been specified in an applicable subpart, or an owner or operator of an affected source is required to conduct Test Method 9 observations (see Appendix A of part 60 of this chapter), the owner or operator may submit, for compliance purposes, COMS data results produced during any performance test required under section 63.7 in lieu of Method 9 data. If the owner or operator elects to submit COMS data for compliance with the opacity emission standard, he or she shall notify the Administrator of that decision, in writing, simultaneously with the notification under section 63.7(b) of the date the performance test is scheduled to begin. Once the owner or operator of an affected source has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent performance tests required under section 63.7, unless the owner or operator notifies the Administrator in writing to the contrary not later than with the notification under section 63.7(b) of the date the subsequent performance test is scheduled to begin.

(iii) For the purposes of determining compliance with the opacity emission standard during a performance test required under section 63.7 using COMS data, the COMS data shall be reduced to 6-minute averages over the duration of the mass emission performance test.

(iv) The owner or operator of an affected source using a COMS for compliance purposes is responsible for demonstrating that he/she has complied with the performance evaluation requirements of section 63.8(e), that the COMS has been properly maintained, operated, and data quality-assured, as specified in section 63.8(c) and section 63.8(d), and that the resulting data have not been altered in any way.

(v) Except as provided in paragraph (h)(7)(ii) of this section, the results of continuous monitoring by a COMS that indicate that the opacity at the time visual observations were made was not in excess of the emission standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the affected source proves that, at the time of the alleged violation, the instrument used was properly maintained, as specified in section 63.8(c), and met Performance Specification 1 in Appendix B of part 60 of this chapter, and that the resulting data have not been altered in any way.

(8) *Finding of compliance.* The Administrator will make a finding concerning an affected source's compliance with an opacity or visible emission standard upon obtaining all the compliance information required by the relevant standard (including the written reports of the results of the performance tests required by section 63.7, the results of Test Method 9 or another required opacity or visible emission test method, the observer certification required by paragraph (h)(6) of this section, and the continuous opacity monitoring system results, whichever is/are applicable) and any information available to the Administrator needed to determine whether proper operation and maintenance practices are being used.

(9) *Adjustment to an opacity emission standard.*

(i) If the Administrator finds under paragraph (h)(8) of this section that an affected source is in compliance with all relevant standards for which initial performance tests were conducted under section 63.7, but during the time such performance tests were conducted fails to meet any relevant opacity emission standard, the owner or operator of such source may petition the Administrator to make appropriate adjustment to the opacity emission standard for the affected source. Until the Administrator notifies the owner or operator of the appropriate adjustment, the relevant opacity emission standard remains applicable.

(ii) The Administrator may grant such a petition upon a demonstration by the owner or operator that:

(A) The affected source and its associated air pollution control equipment were operated and maintained in a manner to minimize the opacity of emissions during the performance tests;

(B) The performance tests were performed under the conditions established by the Administrator; and

(C) The affected source and its associated air pollution control equipment were incapable of being adjusted or operated to meet the relevant opacity emission standard.

(iii) The Administrator will establish an adjusted opacity emission standard for the affected source meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity emission standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity emission standard in the FEDERAL REGISTER.

(iv) After the Administrator promulgates an adjusted opacity emission standard for an affected source, the owner or operator of such source shall be subject to the new opacity emission standard, and the new opacity emission standard shall apply to such source during any subsequent performance tests.

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(i) *Extension of compliance with emission standards.*

(1) Until an extension of compliance has been granted by the Administrator (or a State with an approved permit program) under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with all applicable requirements of this part.

(2) *Extension of compliance for early reductions and other reductions:*

(i) *Early reductions.* Pursuant to section 112(i)(5) of the Act, if the owner or operator of an existing source demonstrates that the source has achieved a reduction in emissions of hazardous air pollutants in accordance with the provisions of subpart D of this part, the Administrator (or the State with an approved permit program) will grant the owner or operator an extension of compliance with specific requirements of this part, as specified in subpart D.

(ii) *Other reductions.* Pursuant to section 112(i)(6) of the Act, if the owner or operator of an existing source has installed best available control technology (BACT) [as defined in section 169(3) of the Act] or technology required to meet a lowest achievable emission rate (LAER) (as defined in section 171 of the Act) prior to the promulgation of an emission standard in this part applicable to such source and the same pollutant (or stream of pollutants) controlled pursuant to the BACT or LAER installation, the Administrator will grant the owner or operator an extension of compliance with such emission standard that will apply until the date 5 years after the date on which such installation was achieved, as determined by the Administrator.

(3) *Request for extension of compliance.* Paragraphs (i)(4) through (i)(7) of this section concern requests for an extension of compliance with a relevant standard under this part [except requests for an extension of compliance under paragraph (i)(2)(i) of this section will be handled through procedures specified in subpart D of this part].

(4) (i) (A) The owner or operator of an existing source who is unable to comply with a relevant standard established under this part pursuant to section 112(d) of the Act may request that the Administrator (or a State, when the State has an approved part 70 permit program and the source is required to obtain a part 70 permit under that program, or a State, when the State has been delegated the authority to implement and enforce the emission standard for that source) grant an extension allowing the source up to 1 additional year to comply with the standard, if such additional period is necessary for the installation of controls. An additional extension of up to 3 years may be added for mining waste operations, if the 1-year extension of compliance is insufficient to dry and cover mining waste in order to reduce emissions of any hazardous air pollutant. The owner or operator of an affected source who has requested an extension of compliance under this paragraph and who is otherwise required to obtain a title V permit shall apply for such permit or apply to have the source's title V permit revised to incorporate the conditions of the extension of compliance. The conditions of an extension of compliance granted under this

paragraph will be incorporated into the affected source's title V permit according to the provisions of part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever are applicable.

(B) Any request under this paragraph for an extension of compliance with a relevant standard must be submitted in writing to the appropriate authority no later than 120 days prior to the affected source's compliance date (as specified in paragraphs (b) and (c) of this section), except as provided for in paragraph (i)(4)(i)(C) of this section. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the date of denial. Emission standards established under this part may specify alternative dates for the submittal of requests for an extension of compliance if alternatives are appropriate for the source categories affected by those standards.

(C) An owner or operator may submit a compliance extension request after the date specified in paragraph (i)(4)(i)(B) of this section provided the need for the compliance extension arose after that date, and before the otherwise applicable compliance date and the need arose due to circumstances beyond reasonable control of the owner or operator. This request must include, in addition to the information required in paragraph (i)(6)(i) of this section, a statement of the reasons additional time is needed and the date when the owner or operator first learned of the problems. Nonfrivolous requests submitted under this paragraph will stay the applicability of the rule as to the emission points in question until such time as the request is granted or denied. A denial will be effective as of the original compliance date.

(ii) The owner or operator of an existing source unable to comply with a relevant standard established under this part pursuant to section 112(f) of the Act may request that the Administrator grant an extension allowing the source up to 2 years after the standard's effective date to comply with the standard. The Administrator may grant such an extension if he/she finds that such additional period is necessary for the installation of controls and that steps will be taken during the period of the extension to assure that the health of persons will be protected from imminent endangerment. Any request for an extension of compliance with a relevant standard under this paragraph must be submitted in writing to the Administrator not later than 90 calendar days after the effective date of the relevant standard.

(5) The owner or operator of an existing source that has installed BACT or technology required to meet LAER [as specified in paragraph (i)(2)(ii) of this section] prior to the promulgation of a relevant emission standard in this part may request that the Administrator grant an extension allowing the source 5 years from the date on which such installation was achieved, as determined by the Administrator, to comply with the standard. Any request for an extension of compliance with a relevant standard under this paragraph shall be submitted in writing to the Administrator not later than 120 days after the promulgation date of the standard. The Administrator may grant such an extension if he or she finds that the installation of BACT or technology to meet LAER

controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(6) (i) The request for a compliance extension under paragraph (i)(4) of this section shall include the following information:

(A) A description of the controls to be installed to comply with the standard;

(B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:

(1) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated; and

(2) The date by which final compliance is to be achieved.

(3) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and

(4) The date by which final compliance is to be achieved;

(C) [Reserved]

(D) [Reserved]

(ii) The request for a compliance extension under paragraph (i)(5) of this section shall include all information needed to demonstrate to the Administrator's satisfaction that the installation of BACT or technology to meet LAER controls the same pollutant (or stream of pollutants) that would be controlled at that source by the relevant emission standard.

(7) Advice on requesting an extension of compliance may be obtained from the Administrator (or the State with an approved permit program).

(8) *Approval of request for extension of compliance.* Paragraphs (i)(9) through (i)(14) of this section concern approval of an extension of compliance requested under paragraphs (i)(4) through (i)(6) of this section.

(9) Based on the information provided in any request made under paragraphs (i)(4) through (i)(6) of this section, or other information, the Administrator (or the State with an approved permit program) may grant an extension of compliance with an emission standard, as specified in paragraphs (i)(4) and (i)(5) of this section.

(10) The extension will be in writing and will:

(i) Identify each affected source covered by the extension;

(ii) Specify the termination date of the extension;

(iii) Specify the dates by which steps toward compliance are to be taken, if appropriate;

(iv) Specify other applicable requirements to which the compliance extension applies (e.g., performance tests); and

(v) (A) Under paragraph (i)(4), specify any additional conditions that the Administrator (or the State) deems necessary to assure installation of the necessary controls and protection of the health of persons during the extension period; or

(B) Under paragraph (i)(5), specify any additional conditions that the Administrator deems necessary to assure the proper operation and maintenance of the installed controls during the extension period.

(11) The owner or operator of an existing source that has been granted an extension of

compliance under paragraph (i)(10) of this section may be required to submit to the Administrator (or the State with an approved permit program) progress reports indicating whether the steps toward compliance outlined in the compliance schedule have been reached. The contents of the progress reports and the dates by which they shall be submitted will be specified in the written extension of compliance granted under paragraph (i)(10) of this section.

(12) (i) The Administrator (or the State with an approved permit program) will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(i) or (i)(5) of this section. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete.

(ii) When notifying the owner or operator that his/her application is not complete, the Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator (or the State with an approved permit program) will notify the owner or operator in writing of the Administrator's (or the State's) intention to issue the denial, together with:

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator (or the State) before further action on the request.

(iv) The Administrator's final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(13) (i) The Administrator will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 30 calendar days after receipt of sufficient information to evaluate a request submitted under paragraph (i)(4)(ii) of this section. The 30-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The Administrator (or the State) will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 15 calendar days after receipt of the original application and within 15 calendar days after receipt of any supplementary information that is submitted.

(ii) When notifying the owner or operator that his/her application is not complete, the

Administrator will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 15 calendar days after he/she is notified of the incomplete application, additional information or arguments to the Administrator to enable further action on the application.

(iii) Before denying any request for an extension of compliance, the Administrator will notify the owner or operator in writing of the Administrator's intention to issue the denial, together with:

(A) Notice of the information and findings on which the intended denial is based; and

(B) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the intended denial, additional information or arguments to the Administrator before further action on the request.

(iv) A final determination to deny any request for an extension will be in writing and will set forth the specific grounds on which the denial is based. The final determination will be made within 30 calendar days after presentation of additional information or argument (if the application is complete), or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(14) The Administrator (or the State with an approved permit program) may terminate an extension of compliance at an earlier date than specified if any specification under paragraph (i)(10)(iii) or (iv) of this section is not met. Upon a determination to terminate, the Administrator will notify, in writing, the owner or operator of the Administrator's determination to terminate, together with:

(i) Notice of the reason for termination; and

(ii) Notice of opportunity for the owner or operator to present in writing, within 15 calendar days after he/she is notified of the determination to terminate, additional information or arguments to the Administrator before further action on the termination.

(iii) A final determination to terminate an extension of compliance will be in writing and will set forth the specific grounds on which the termination is based. The final determination will be made within 30 calendar days after presentation of additional information or arguments, or within 30 calendar days after the final date specified for the presentation if no presentation is made.

(15) [Reserved]

(16) The granting of an extension under this section shall not abrogate the Administrator's authority under section 114 of the Act.

(j) *Exemption from compliance with emission standards.* The President may exempt any stationary source from compliance with any relevant standard established pursuant to section 112 of the Act for a period of not more than 2 years if the President determines that the technology to implement such standard is not available and that it is in the national security interests of the United States to do so. An exemption under this paragraph may be extended for 1 or more additional periods, each period not to exceed 2 years.

40 CFR 63.7 Performance testing requirements.

(a) *Applicability and performance test dates.*

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(1) The applicability of this section is set out in section 63.1(a)(4).

(2) If required to do performance testing by a relevant standard, and unless a waiver of performance testing is obtained under this section or the conditions of paragraph (c)(3)(ii)(B) of this section apply, the owner or operator of the affected source must perform such tests within 180 days of the compliance date for such source.

(i)-(viii) [Reserved]

(ix) When an emission standard promulgated under this part is more stringent than the standard proposed [see section 63.6(b)(3)], the owner or operator of a new or reconstructed source subject to that standard for which construction or reconstruction is commenced between the proposal and promulgation dates of the standard shall comply with performance testing requirements within 180 days after the standard's effective date, or within 180 days after startup of the source, whichever is later. If the promulgated standard is more stringent than the proposed standard, the owner or operator may choose to demonstrate compliance with either the proposed or the promulgated standard. If the owner or operator chooses to comply with the proposed standard initially, the owner or operator shall conduct a second performance test within 3 years and 180 days after the effective date of the standard, or after startup of the source, whichever is later, to demonstrate compliance with the promulgated standard.

(3) The Administrator may require an owner or operator to conduct performance tests at the affected source at any other time when the action is authorized by section 114 of the Act.

(b) Notification of performance test.

(1) The owner or operator of an affected source must notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is initially scheduled to begin to allow the Administrator, upon request, to review and approve the site-specific test plan required under paragraph (c) of this section and to have an observer present during the test.

(2) In the event the owner or operator is unable to conduct the performance test on the date specified in the notification requirement specified in paragraph (b)(1) of this section due to unforeseeable circumstances beyond his or her control, the owner or operator must notify the Administrator as soon as practicable and without delay prior to the scheduled performance test date and specify the date when the performance test is rescheduled. This notification of delay in conducting the performance test shall not relieve the owner or operator of legal responsibility for compliance with any other applicable provisions of this part or with any other applicable Federal, State, or local requirement, nor will it prevent the Administrator from implementing or enforcing this

part or taking any other action under the Act.

(c) *Quality assurance program.*

(1) The results of the quality assurance program required in this paragraph will be considered by the Administrator when he/she determines the validity of a performance test.

(2) (i) *Submission of site-specific test plan.* Before conducting a required performance test, the owner or operator of an affected source shall develop and, if requested by the Administrator, shall submit a site-specific test plan to the Administrator for approval. The test plan shall include a test program summary, the test schedule, data quality objectives, and both an internal and external quality assurance (QA) program. Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of test data precision; an example of internal QA is the sampling and analysis of replicate samples.

(iii) The external QA program shall include, at a minimum, application of plans for a test method performance audit (PA) during the performance test. The PA's consist of blind audit samples provided by the Administrator and analyzed during the performance test in order to provide a measure of test data bias. The external QA program may also include systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iv) The owner or operator of an affected source shall submit the site-specific test plan to the Administrator upon the Administrator's request at least 60 calendar days before the performance test is scheduled to take place, that is, simultaneously with the notification of intention to conduct a performance test required under paragraph (b) of this section, or on a mutually agreed upon date.

(v) The Administrator may request additional relevant information after the submittal of a site-specific test plan.

(3) *Approval of site-specific test plan.*

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the site-specific test plan (if review of the site-specific test plan is requested) within 30 calendar days after receipt of the original plan and within 30 calendar days after receipt of any supplementary information that is submitted under paragraph (c)(3)(i)(B) of this section. Before disapproving any site-specific test plan, the Administrator will notify the applicant of the Administrator's intention to disapprove the plan together with:

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present, within 30 calendar days after he/she is notified of the intended disapproval, additional information to the Administrator before final action on the plan.

(ii) In the event that the Administrator fails to approve or disapprove the site-specific test plan within the time period specified in paragraph (c)(3)(i) of this section, the

following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the test method(s) specified in the relevant standard or with only minor changes to those tests methods (see paragraph (e)(2)(i) of this section), the owner or operator must conduct the performance test within the time specified in this section using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test method after the Administrator approves the use of the alternative method when the Administrator approves the site-specific test plan (if review of the site-specific test plan is requested) or after the alternative method is approved (see paragraph (f) of this section). However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval 45 days after submission of the site-specific test plan or request to use an alternative method. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

(iii) Neither the submission of a site-specific test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall:

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) (i) *Performance test method audit program.* The owner or operator must analyze performance audit (PA) samples during each performance test. The owner or operator must request performance audit materials 30 days prior to the test date. Audit materials including cylinder audit gases may be obtained by contacting the appropriate EPA Regional Office or the responsible enforcement authority.

(ii) The Administrator will have sole discretion to require any subsequent remedial actions of the owner or operator based on the PA results.

(iii) If the Administrator fails to provide required PA materials to an owner or operator of an affected source in time to analyze the PA samples during a performance test, the requirement to conduct a PA under this paragraph shall be waived for such source for that performance test. Waiver under this paragraph of the requirement to conduct a PA for a particular performance test does not constitute a waiver of the requirement to conduct a PA for future required performance tests.

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(d) *Performance testing facilities.* If required to do performance testing, the owner or operator of each new source and, at the request of the Administrator, the owner or operator of each existing source, shall provide performance testing facilities as follows:

- (1) Sampling ports adequate for test methods applicable to such source. This includes:
- (i) Constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures; and
 - (ii) Providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures;
- (2) Safe sampling platform(s);
- (3) Safe access to sampling platform(s);
- (4) Utilities for sampling and testing equipment; and
- (5) Any other facilities that the Administrator deems necessary for safe and adequate testing of a source.

(e) *Conduct of performance tests.*

(1) Performance tests shall be conducted under such conditions as the Administrator specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under section 63.6(e). Upon request, the owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of performance tests.

(2) Performance tests shall be conducted and data shall be reduced in accordance with the test methods and procedures set forth in this section, in each relevant standard, and, if required, in applicable appendices of parts 51, 60, 61 and 63 of this chapter unless the Administrator:

(i) Specifies or approves, in specific cases, the use of a test method with minor changes in methodology (see definition in section 63.90(a)). Such changes may be approved in conjunction with approval of the site-specific test plan (see paragraph (c) of this section); or

(ii) Approves the use of an intermediate or major change or alternative to a test method (see definitions in section 63.90(a)), the results of which the Administrator has determined to be adequate for indicating whether a specific affected source is in compliance; or

(iii) Approves shorter sampling times or smaller sample volumes when necessitated by

process variables or other factors; or

(iv) Waives the requirement for performance tests because the owner or operator of an affected source has demonstrated by other means to the Administrator's satisfaction that the affected source is in compliance with the relevant standard.

(3) Unless otherwise specified in a relevant standard or test method, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the relevant standard. For the purpose of determining compliance with a relevant standard, the arithmetic mean of the results of the three runs shall apply. Upon receiving approval from the Administrator, results of a test run may be replaced with results of an additional test run in the event that:

(i) A sample is accidentally lost after the testing team leaves the site; or

(ii) Conditions occur in which one of the three runs must be discontinued because of forced shutdown; or

(iii) Extreme meteorological conditions occur; or

(iv) Other circumstances occur that are beyond the owner or operator's control.

(4) Nothing in paragraphs (e)(1) through (e)(3) of this section shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(f) *Use of an alternative test method:*

(1) *General.* Until authorized to use an intermediate or major change or alternative to a test method, the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) The owner or operator of an affected source required to do performance testing by a relevant standard may use an alternative test method from that specified in the standard provided that the owner or operator:

(i) Notifies the Administrator of his or her intention to use an alternative test method at least 60 days before the performance test is scheduled to begin;

(ii) Uses Method 301 in appendix A of this part to validate the alternative test method. This may include the use of specific procedures of Method 301 if use of such procedures are sufficient to validate the alternative test method; and

(iii) Submits the results of the Method 301 validation process along with the notification of intention and the justification for not using the specified test method. The owner or operator may submit the information required in this paragraph well in advance of the deadline specified in paragraph (f)(2)(i) of this section to ensure a timely review by the Administrator in order to meet the performance test date specified in this section or the relevant standard.

(3) The Administrator will determine whether the owner or operator's validation of the proposed alternative test method is adequate and issue an approval or disapproval of the alternative test method. If the owner or operator intends to demonstrate compliance by using an alternative to any test method specified in the relevant standard, the owner or operator is authorized to conduct the performance test using an alternative test

method after the Administrator approves the use of the alternative method. However, the owner or operator is authorized to conduct the performance test using an alternative method in the absence of notification of approval/disapproval 45 days after submission of the request to use an alternative method and the request satisfies the requirements in paragraph (f)(2) of this section. The owner or operator is authorized to conduct the performance test within 60 calendar days after he/she is authorized to demonstrate compliance using an alternative test method. Notwithstanding the requirements in the preceding three sentences, the owner or operator may proceed to conduct the performance test as required in this section (without the Administrator's prior approval of the site-specific test plan) if he/she subsequently chooses to use the specified testing and monitoring methods instead of an alternative.

(4) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative test method for the purposes of demonstrating compliance with a relevant standard, the Administrator may require the use of a test method specified in a relevant standard.

(5) If the owner or operator uses an alternative test method for an affected source during a required performance test, the owner or operator of such source shall continue to use the alternative test method for subsequent performance tests at that affected source until he or she receives approval from the Administrator to use another test method as allowed under section 63.7(f).

(6) Neither the validation and approval process nor the failure to validate an alternative test method shall abrogate the owner or operator's responsibility to comply with the requirements of this part.

(g) *Data analysis, recordkeeping, and reporting.*

(1) Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, results of a performance test shall include the analysis of samples, determination of emissions, and raw data. A performance test is "completed" when field sample collection is terminated. The owner or operator of an affected source shall report the results of the performance test to the Administrator before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as approved otherwise in writing by the Administrator [see section 63.9(i)]. The results of the performance test shall be submitted as part of the notification of compliance status required under section 63.9(h). Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall send the results of the performance test to the appropriate permitting authority.

(2) [Reserved]

(3) For a minimum of 5 years after a performance test is conducted, the owner or operator shall retain and make available, upon request, for inspection by the Administrator the records or results of such performance test and other data needed to determine emissions from an affected source.

(h) *Waiver of performance tests.*

(1) Until a waiver of a performance testing requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source remains subject to the requirements of this section.

(2) Individual performance tests may be waived upon written application to the Administrator if, in the Administrator's judgment, the source is meeting the relevant standard(s) on a continuous basis, or the source is being operated under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) *Request to waive a performance test.*

(i) If a request is made for an extension of compliance under section 63.6(i), the application for a waiver of an initial performance test shall accompany the information required for the request for an extension of compliance. If no extension of compliance is requested or if the owner or operator has requested an extension of compliance and the Administrator is still considering that request, the application for a waiver of an initial performance test shall be submitted at least 60 days before the performance test if the site-specific test plan under paragraph (c) of this section is not submitted.

(ii) If an application for a waiver of a subsequent performance test is made, the application may accompany any required compliance progress report, compliance status report, or excess emissions and continuous monitoring system performance report [such as those required under section 63.6(i), section 63.9(h), and section 63.10(e) or specified in a relevant standard or in the source's title V permit], but it shall be submitted at least 60 days before the performance test if the site-specific test plan required under paragraph (c) of this section is not submitted.

(iii) Any application for a waiver of a performance test shall include information justifying the owner or operator's request for a waiver, such as the technical or economic infeasibility, or the impracticality, of the affected source performing the required test.

(4) *Approval of request to waive performance test.* The Administrator will approve or deny a request for a waiver of a performance test made under paragraph (h)(3) of this section when he/she:

(i) Approves or denies an extension of compliance under section 63.6(i)(8); or

(ii) Approves or disapproves a site-specific test plan under section 63.7(c)(3); or

(iii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iv) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

40 CFR 63.8 Monitoring requirements.

(a) *Applicability.*

(1) The applicability of this section is set out in section 63.1(a)(4).

(2) For the purposes of this part, all CMS required under relevant standards shall be subject to the provisions of this section upon promulgation of performance specifications for CMS as specified in the relevant standard or otherwise by the Administrator.

(3) [Reserved]

(4) Additional monitoring requirements for control devices used to comply with provisions in relevant standards of this part are specified in section 63.11.

(b) *Conduct of monitoring.*

(1) Monitoring shall be conducted as set forth in this section and the relevant standard(s) unless the Administrator:

(i) Specifies or approves the use of minor changes in methodology for the specified monitoring requirements and procedures (see section 63.90(a) for definition); or

(ii) Approves the use of an intermediate or major change or alternative to any monitoring requirements or procedures (see section 63.90(a) for definition).

(iii) Owners or operators with flares subject to section 63.11(b) are not subject to the requirements of this section unless otherwise specified in the relevant standard.

(2) (i) When the emissions from two or more affected sources are combined before being released to the atmosphere, the owner or operator may install an applicable CMS for each emission stream or for the combined emissions streams, provided the monitoring is sufficient to demonstrate compliance with the relevant standard.

(ii) If the relevant standard is a mass emission standard and the emissions from one affected source are released to the atmosphere through more than one point, the owner or operator must install an applicable CMS at each emission point unless the installation of fewer systems is:

(A) Approved by the Administrator; or

(B) Provided for in a relevant standard (e.g., instead of requiring that a CMS be installed at each emission point before the effluents from those points are channeled to a common control device, the standard specifies that only one CMS is required to be installed at the vent of the control device).

(3) When more than one CMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CMS. However, when one CMS is used as a backup to another CMS, the owner or operator shall report the results from the CMS used to meet the monitoring requirements of this part. If both such CMS are used during a particular reporting period to meet the monitoring requirements of this part, then the owner or operator shall report the results from each CMS for the relevant compliance period.

(c) Operation and maintenance of continuous monitoring systems.

(1) The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.

(i) The owner or operator of an affected source must maintain and operate each CMS as specified in section 63.6(e)(1).

(ii) The owner or operator must keep the necessary parts for routine repairs of the affected CMS equipment readily available.

(iii) The owner or operator of an affected source must develop and implement a written startup, shutdown, and malfunction plan for CMS as specified in section 63.6(e)(3).

(2) (i) All CMS must be installed such that representative measures of emissions or process parameters from the affected source are obtained. In addition, CEMS must be located according to procedures contained in the applicable performance specification(s).

(ii) Unless the individual subpart states otherwise, the owner or operator must ensure the read out (that portion of the CMS that provides a visual display or record), or other indication of operation, from any CMS required for compliance with the emission standard is readily accessible on site for operational control or inspection by the operator of the equipment.

(3) All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under section 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

(4) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(5) Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.

(6) The owner or operator of a CMS that is not a CPMS, which is installed in accordance with the provisions of this part and the applicable CMS performance specification(s), must check the zero (low-level) and high-level calibration drifts at least

once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (ii) of this section. The zero (low-level) and high-level calibration drifts must be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance specification(s) specified in the relevant standard. The system shall allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases must be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces must be cleaned when the cumulative automatic zero compensation, if applicable, exceeds 4 percent opacity. The CPMS must be calibrated prior to use for the purposes of complying with this section. The CPMS must be checked daily for indication that the system is responding. If the CPMS system includes an internal system check, results must be recorded and checked daily for proper operation.

(7) (i) A CMS is out of control if:

(A) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or

(B) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit; or

(C) The COMS CD exceeds two times the limit in the applicable performance specification in the relevant standard.

(ii) When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

(8) The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in section 63.10(e)(3).

(d) *Quality control program.*

(1) The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.

(2) The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall

develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

- (i) Initial and any subsequent calibration of the CMS;
- (ii) Determination and adjustment of the calibration drift of the CMS;
- (iii) Preventive maintenance of the CMS, including spare parts inventory;
- (iv) Data recording, calculations, and reporting;
- (v) Accuracy audit procedures, including sampling and analysis methods; and
- (vi) Program of corrective action for a malfunctioning CMS.

(3) The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of 5 years after each revision to the plan. Where relevant, e.g., program of corrective action for a malfunctioning CMS, these written procedures may be incorporated as part of the affected source's startup, shutdown, and malfunction plan to avoid duplication of planning and recordkeeping efforts.

(e) *Performance evaluation of continuous monitoring systems:*

(1) *General.* When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.

(2) *Notification of performance evaluation.* The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under section 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.

(3) (i) *Submission of site-specific performance evaluation test plan.* Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.

(ii) The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the

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opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

(iii) The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).

(iv) The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.

(v) In the event that the Administrator fails to approve or disapprove the site-specific performance evaluation test plan within the time period specified in section 63.7(c)(3), the following conditions shall apply:

(A) If the owner or operator intends to demonstrate compliance using the monitoring method(s) specified in the relevant standard, the owner or operator shall conduct the performance evaluation within the time specified in this subpart, using the specified method(s);

(B) If the owner or operator intends to demonstrate compliance by using an alternative to a monitoring method specified in the relevant standard, the owner or operator shall refrain from conducting the performance evaluation until the Administrator approves the use of the alternative method. If the Administrator does not approve the use of the alternative method within 30 days before the performance evaluation is scheduled to begin, the performance evaluation deadlines specified in paragraph (e)(4) of this section may be extended such that the owner or operator shall conduct the performance evaluation within 60 calendar days after the Administrator approves the use of the alternative method. Notwithstanding the requirements in the preceding two sentences, the owner or operator may proceed to conduct the performance evaluation as required in this section (without the Administrator's prior approval of the site-specific performance evaluation test plan) if he/she subsequently chooses to use the specified monitoring method(s) instead of an alternative.

(vi) Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall:

(A) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or

(B) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

(4) *Conduct of performance evaluation and performance evaluation dates.* The owner

or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under section 63.7 in accordance with the applicable performance specification as specified in the relevant standard. Notwithstanding the requirement in the previous sentence, if the owner or operator of an affected source elects to submit COMS data for compliance with a relevant opacity emission standard as provided under section 63.6(h)(7), he/she shall conduct a performance evaluation of the COMS as specified in the relevant standard, before the performance test required under section 63.7 is conducted in time to submit the results of the performance evaluation as specified in paragraph (e)(5)(ii) of this section. If a performance test is not required, or the requirement for a performance test has been waived under section 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than 180 days after the appropriate compliance date for the affected source, as specified in section 63.7(a), or as otherwise specified in the relevant standard.

(5) Reporting performance evaluation results.

(i) The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation simultaneously with the results of the performance test required under section 63.7 or within 60 days of completion of the performance evaluation if no test is required, unless otherwise specified in a relevant standard. The Administrator may request that the owner or operator submit the raw data from a performance evaluation in the report of the performance evaluation results.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under section 63.7 and described in section 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 15 calendar days before the performance test required under section 63.7 is conducted.

(f) Use of an alternative monitoring method:

(1) *General.* Until permission to use an alternative monitoring procedure (minor, intermediate, or major changes; see definition in section 63.90(a)) has been granted by the Administrator under this paragraph (f)(1), the owner or operator of an affected source remains subject to the requirements of this section and the relevant standard.

(2) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring methods or procedures of this part including, but not limited to, the following:

(i) Alternative monitoring requirements when installation of a CMS specified by a relevant standard would not provide accurate measurements due to liquid water or other interferences caused by substances within the effluent gases;

(ii) Alternative monitoring requirements when the affected source is infrequently operated;

(iii) Alternative monitoring requirements to accommodate CEMS that require additional measurements to correct for stack moisture conditions;

(iv) Alternative locations for installing CMS when the owner or operator can demonstrate that installation at alternate locations will enable accurate and

representative measurements;

(v) Alternate methods for converting pollutant concentration measurements to units of the relevant standard;

(vi) Alternate procedures for performing daily checks of zero (low-level) and high-level drift that do not involve use of high-level gases or test cells;

(vii) Alternatives to the American Society for Testing and Materials (ASTM) test methods or sampling procedures specified by any relevant standard;

(viii) Alternative CMS that do not meet the design or performance requirements in this part, but adequately demonstrate a definite and consistent relationship between their measurements and the measurements of opacity by a system complying with the requirements as specified in the relevant standard. The Administrator may require that such demonstration be performed for each affected source; or

(ix) Alternative monitoring requirements when the effluent from a single affected source or the combined effluent from two or more affected sources is released to the atmosphere through more than one point.

(3) If the Administrator finds reasonable grounds to dispute the results obtained by an alternative monitoring method, requirement, or procedure, the Administrator may require the use of a method, requirement, or procedure specified in this section or in the relevant standard. If the results of the specified and alternative method, requirement, or procedure do not agree, the results obtained by the specified method, requirement, or procedure shall prevail.

(4) (i) *Request to use alternative monitoring procedure.* An owner or operator who wishes to use an alternative monitoring procedure must submit an application to the Administrator as described in paragraph (f)(4)(ii) of this section. The application may be submitted at any time provided that the monitoring procedure is not the performance test method used to demonstrate compliance with a relevant standard or other requirement. If the alternative monitoring procedure will serve as the performance test method that is to be used to demonstrate compliance with a relevant standard, the application must be submitted at least 60 days before the performance evaluation is scheduled to begin and must meet the requirements for an alternative test method under section 63.7(f).

(ii) The application must contain a description of the proposed alternative monitoring system which addresses the four elements contained in the definition of monitoring in section 63.2 and a performance evaluation test plan, if required, as specified in paragraph (e)(3) of this section. In addition, the application must include information justifying the owner or operator's request for an alternative monitoring method, such as the technical or economic infeasibility, or the impracticality, of the affected source using the required method.

(iii) The owner or operator may submit the information required in this paragraph well in advance of the submittal dates specified in paragraph (f)(4)(i) above to ensure a timely review by the Administrator in order to meet the compliance demonstration date specified in this section or the relevant standard.

(iv) Application for minor changes to monitoring procedures, as specified in paragraph (b)(1) of this section, may be made in the site-specific performance evaluation plan.

(5) *Approval of request to use alternative monitoring procedure.*

(i) The Administrator will notify the owner or operator of approval or intention to deny approval of the request to use an alternative monitoring method within 30 calendar days after receipt of the original request and within 30 calendar days after receipt of any supplementary information that is submitted. If a request for a minor change is made in conjunction with site-specific performance evaluation plan, then approval of the plan will constitute approval of the minor change. Before disapproving any request to use an alternative monitoring method, the Administrator will notify the applicant of the Administrator's intention to disapprove the request together with:

(A) Notice of the information and findings on which the intended disapproval is based; and

(B) Notice of opportunity for the owner or operator to present additional information to the Administrator before final action on the request. At the time the Administrator notifies the applicant of his or her intention to disapprove the request, the Administrator will specify how much time the owner or operator will have after being notified of the intended disapproval to submit the additional information.

(ii) The Administrator may establish general procedures and criteria in a relevant standard to accomplish the requirements of paragraph (f)(5)(i) of this section.

(iii) If the Administrator approves the use of an alternative monitoring method for an affected source under paragraph (f)(5)(i) of this section, the owner or operator of such source shall continue to use the alternative monitoring method until he or she receives approval from the Administrator to use another monitoring method as allowed by section 63.8(f).

(6) *Alternative to the relative accuracy test.* An alternative to the relative accuracy test for CEMS specified in a relevant standard may be requested as follows:

(i) *Criteria for approval of alternative procedures.* An alternative to the test method for determining relative accuracy is available for affected sources with emission rates demonstrated to be less than 50 percent of the relevant standard. The owner or operator of an affected source may petition the Administrator under paragraph (f)(6)(ii) of this section to substitute the relative accuracy test in section 7 of Performance Specification 2 with the procedures in section 10 if the results of a performance test conducted according to the requirements in section 63.7, or other tests performed following the criteria in section 63.7, demonstrate that the emission rate of the pollutant of interest in the units of the relevant standard is less than 50 percent of the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the owner or operator may petition the Administrator to substitute the relative accuracy test with the procedures in section 10 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the CEMS is used continuously to determine compliance with the relevant standard.

(ii) *Petition to use alternative to relative accuracy test.* The petition to use an alternative to the relative accuracy test shall include a detailed description of the procedures to be applied, the location and the procedure for conducting the alternative, the concentration or response levels of the alternative relative accuracy materials, and the

other equipment checks included in the alternative procedure(s). The Administrator will review the petition for completeness and applicability. The Administrator's determination to approve an alternative will depend on the intended use of the CEMS data and may require specifications more stringent than in Performance Specification 2.

(iii) *Rescission of approval to use alternative to relative accuracy test.* The Administrator will review the permission to use an alternative to the CEMS relative accuracy test and may rescind such permission if the CEMS data from a successful completion of the alternative relative accuracy procedure indicate that the affected source's emissions are approaching the level of the relevant standard. The criterion for reviewing the permission is that the collection of CEMS data shows that emissions have exceeded 70 percent of the relevant standard for any averaging period, as specified in the relevant standard. For affected sources subject to emission limitations expressed as control efficiency levels, the criterion for reviewing the permission is that the collection of CEMS data shows that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for any averaging period, as specified in the relevant standard. The owner or operator of the affected source shall maintain records and determine the level of emissions relative to the criterion for permission to use an alternative for relative accuracy testing. If this criterion is exceeded, the owner or operator shall notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increased emissions. The Administrator will review the notification and may rescind permission to use an alternative and require the owner or operator to conduct a relative accuracy test of the CEMS as specified in section 7 of Performance Specification 2.

(g) *Reduction of monitoring data.*

(1) The owner or operator of each CMS must reduce the monitoring data as specified in paragraphs (g)(1) through (5) of this section.

(2) The owner or operator of each COMS shall reduce all data to 6-minute averages calculated from 36 or more data points equally spaced over each 6-minute period. Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to 1-hour averages computed from four or more data points equally spaced over each 1-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated 1-hour average of CEMS data may be used. Time periods for averaging are defined in section 63.2.

(3) The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).

(4) All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest 1 percent opacity).

(5) Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments must not be included in any data average computed under this part. For the owner or operator complying with the requirements of section 63.10(b)(2)(vii)(A) or (B), data averages must include any data recorded during periods of monitor breakdown or malfunction.

40 CFR 63.9 Notification requirements.

(a) Applicability and general information.

(1) The applicability of this section is set out in section 63.1(a)(4).

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a notice that contains all the information required in a notification listed in this section, the owner or operator may send the Administrator a copy of the notice sent to the State to satisfy the requirements of this section for that notification.

(4) (i) Before a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in section 63.13).

(ii) After a State has been delegated the authority to implement and enforce notification requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit notifications to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each notification submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any notifications at its discretion.

(b) Initial notifications.

(1) (i) The requirements of this paragraph apply to the owner or operator of an affected source when such source becomes subject to a relevant standard.

(ii) If an area source that otherwise would be subject to an emission standard or other requirement established under this part if it were a major source subsequently increases its emissions of hazardous air pollutants (or its potential to emit hazardous

air pollutants) such that the source is a major source that is subject to the emission standard or other requirement, such source shall be subject to the notification requirements of this section.

(iii) Affected sources that are required under this paragraph to submit an initial notification may use the application for approval of construction or reconstruction under section 63.5(d) of this subpart, if relevant, to fulfill the initial notification requirements of this paragraph.

(2) The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

- (i) The name and address of the owner or operator;
- (ii) The address (i.e., physical location) of the affected source;
- (iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;
- (iv) A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and
- (v) A statement of whether the affected source is a major source or an area source.

(3) [Reserved]

(4) The owner or operator of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under section 63.5(d) must provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in section 63.5(d)(1)(i); and

(ii) [Reserved]

(iii) [Reserved]

(iv) [Reserved]

(v) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(5) The owner or operator of a new or reconstructed affected source for which an application for approval of construction or reconstruction is not required under section 63.5(d) must provide the following information in writing to the Administrator:

(i) A notification of intention to construct a new affected source, reconstruct an affected source, or reconstruct a source such that the source becomes an affected source, and

(ii) A notification of the actual date of startup of the source, delivered or postmarked within 15 calendar days after that date.

(iii) Unless the owner or operator has requested and received prior permission from the Administrator to submit less than the information in section 63.5(d), the notification must include the information required on the application for approval of construction or reconstruction as specified in section 63.5(d)(1)(i).

(c) *Request for extension of compliance.* If the owner or operator of an affected source cannot comply with a relevant standard by the applicable compliance date for that source, or if the owner or operator has installed BACT or technology to meet LAER consistent with section 63.6(i)(5) of this subpart, he/she may submit to the Administrator (or the State with an approved permit program) a request for an extension of compliance as specified in section 63.6(i)(4) through section 63.6(i)(6).

(d) *Notification that source is subject to special compliance requirements.* An owner or operator of a new source that is subject to special compliance requirements as specified in section 63.6(b)(3) and section 63.6(b)(4) shall notify the Administrator of his/her compliance obligations not later than the notification dates established in paragraph (b) of this section for new sources that are not subject to the special provisions.

(e) *Notification of performance test.* The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under section 63.7(c), if requested by the Administrator, and to have an observer present during the test.

(f) *Notification of opacity and visible emission observations.* The owner or operator of an affected source shall notify the Administrator in writing of the anticipated date for conducting the opacity or visible emission observations specified in section 63.6(h)(5), if such observations are required for the source by a relevant standard. The notification shall be submitted with the notification of the performance test date, as specified in paragraph (e) of this section, or if no performance test is required or visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the initial performance test required under section 63.7, the owner or operator shall deliver or postmark the notification not less than 30 days before the opacity or visible emission observations are scheduled to take place.

(g) *Additional notification requirements for sources with continuous monitoring systems.* The owner or operator of an affected source required to use a CMS by a relevant standard shall furnish the Administrator written notification as follows:

(1) A notification of the date the CMS performance evaluation under section 63.8(e) is scheduled to begin, submitted simultaneously with the notification of the performance test date required under section 63.7(b). If no performance test is required, or if the requirement to conduct a performance test has been waived for an affected source under section 63.7(h), the owner or operator shall notify the Administrator in writing of the date of the performance evaluation at least 60 calendar days before the evaluation is scheduled to begin;

(2) A notification that COMS data results will be used to determine compliance with the applicable opacity emission standard during a performance test required by section 63.7 in lieu of Method 9 or other opacity emissions test method data, as allowed by section 63.6(h)(7)(ii), if compliance with an opacity emission standard is required for the source by a relevant standard. The notification shall be submitted at least 60 calendar days before the performance test is scheduled to begin; and

(3) A notification that the criterion necessary to continue use of an alternative to relative accuracy testing, as provided by section 63.8(f)(6), has been exceeded. The notification shall be delivered or postmarked not later than 10 days after the occurrence of such exceedance, and it shall include a description of the nature and cause of the increased emissions.

(h) *Notification of compliance status.*

(1) The requirements of paragraphs (h)(2) through (h)(4) of this section apply when an affected source becomes subject to a relevant standard.

(2) (i) Before a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard. The notification shall list:

(A) The methods that were used to determine compliance;

(B) The results of any performance tests, opacity or visible emission observations, continuous monitoring system (CMS) performance evaluations, and/or other monitoring procedures or methods that were conducted;

(C) The methods that will be used for determining continuing compliance, including a description of monitoring and reporting requirements and test methods;

(D) The type and quantity of hazardous air pollutants emitted by the source (or surrogate pollutants if specified in the relevant standard), reported in units and averaging times and in accordance with the test methods specified in the relevant standard;

(E) If the relevant standard applies to both major and area sources, an analysis demonstrating whether the affected source is a major source (using the emissions data generated for this notification);

(F) A description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method); and

(G) A statement by the owner or operator of the affected existing, new, or reconstructed source as to whether the source has complied with the relevant standard or other requirements.

(ii) The notification must be sent before the close of business on the 60th day following the completion of the relevant compliance demonstration activity specified in the relevant standard (unless a different reporting period is specified in the standard, in which case the letter must be sent before the close of business on the day the report of the relevant testing or monitoring results is required to be delivered or postmarked). For example, the notification shall be sent before close of business on the 60th (or other required) day following completion of the initial performance test and again before the close of business on the 60th (or other required) day following the completion of any subsequent required performance test. If no performance test is required but opacity or visible emission observations are required to demonstrate compliance with an opacity or visible emission standard under this part, the notification of compliance status shall be sent before close of business on the 30th day following the completion of opacity or

visible emission observations. Notifications may be combined as long as the due date requirement for each notification is met.

(3) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this part. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

(4) [Reserved]

(5) If an owner or operator of an affected source submits estimates or preliminary information in the application for approval of construction or reconstruction required in section 63.5(d) in place of the actual emissions data or control efficiencies required in paragraphs (d)(1)(ii)(H) and (d)(2) of section 63.5, the owner or operator shall submit the actual emissions data and other correct information as soon as available but no later than with the initial notification of compliance status required in this section.

(6) Advice on a notification of compliance status may be obtained from the Administrator.

(i) *Adjustment to time periods or postmark deadlines for submittal and review of required communications.*

(1) (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (i)(2) and (i)(3) of this section, the owner or operator of an affected source remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (i)(2) and (i)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

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(j) *Change in information already provided.* Any change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

40 CFR 63.10 Recordkeeping and reporting requirements.

(a) Applicability and general information.

(1) The applicability of this section is set out in section 63.1(a)(4).

(2) For affected sources that have been granted an extension of compliance under subpart D of this part, the requirements of this section do not apply to those sources while they are operating under such compliance extensions.

(3) If any State requires a report that contains all the information required in a report listed in this section, an owner or operator may send the Administrator a copy of the report sent to the State to satisfy the requirements of this section for that report.

(4) (i) Before a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the appropriate Regional Office of the EPA (to the attention of the Director of the Division indicated in the list of the EPA Regional Offices in section 63.13).

(ii) After a State has been delegated the authority to implement and enforce recordkeeping and reporting requirements established under this part, the owner or operator of an affected source in such State subject to such requirements shall submit reports to the delegated State authority (which may be the same as the permitting authority). In addition, if the delegated (permitting) authority is the State, the owner or operator shall send a copy of each report submitted to the State to the appropriate Regional Office of the EPA, as specified in paragraph (a)(4)(i) of this section. The Regional Office may waive this requirement for any reports at its discretion.

(5) If an owner or operator of an affected source in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such source under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. For each relevant standard established pursuant to section 112 of the Act, the allowance in the previous sentence applies in each State beginning 1 year after the affected source's compliance date for that standard. Procedures governing the implementation of this provision are specified in section 63.9(i).

(6) If an owner or operator supervises one or more stationary sources affected by more than one standard established pursuant to section 112 of the Act, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required for

each source shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the latest compliance date for any relevant standard established pursuant to section 112 of the Act for any such affected source(s). Procedures governing the implementation of this provision are specified in section 63.9(i).

(7) If an owner or operator supervises one or more stationary sources affected by standards established pursuant to section 112 of the Act (as amended November 15, 1990) and standards set under part 60 or part 61 or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State permitting authority) a common schedule on which periodic reports required by each relevant (i.e., applicable) standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the relevant section 112 standard, or 1 year after the stationary source is required to be in compliance with the applicable part 60 or part 61 standard, whichever is latest. Procedures governing the implementation of this provision are specified in section 63.9(i).

(b) General recordkeeping requirements.

(1) The owner or operator of an affected source subject to the provisions of this part shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent 2 years of data shall be retained on site. The remaining 3 years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

(2) The owner or operator of an affected source subject to the provisions of this part shall maintain relevant records for such source of:

(i) The occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment);

(ii) The occurrence and duration of each malfunction of the required air pollution control and monitoring equipment;

(iii) All required maintenance performed on the air pollution control and monitoring equipment;

(iv) Actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown, and malfunction plan (see section 63.6(e)(3));

(v) All information necessary to demonstrate conformance with the affected source's

startup, shutdown, and malfunction plan (see section 63.6(e)(3)) when all actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in such plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events);

(vi) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);

(vii) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);

(A) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(B) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(C) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(viii) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;

(ix) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;

(x) All CMS calibration checks;

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- (xi) All adjustments and maintenance performed on CMS;
- (xii) Any information demonstrating whether a source is meeting the requirements for a waiver of recordkeeping or reporting requirements under this part, if the source has been granted a waiver under paragraph (f) of this section;
- (xiii) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under section 63.8(f)(6); and
- (xiv) All documentation supporting initial notifications and notifications of compliance status under section 63.9.

(3) *Recordkeeping requirement for applicability determinations.* If an owner or operator determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants regulated by any standard established pursuant to section 112(d) or (f), and that stationary source is in the source category regulated by the relevant standard, but that source is not subject to the relevant standard (or other requirement established under this part) because of limitations on the source's potential to emit or an exclusion, the owner or operator must keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination must be signed by the person making the determination and include an analysis (or other information) that demonstrates why the owner or operator believes the source is unaffected (e.g., because the source is an area source). The analysis (or other information) must be sufficiently detailed to allow the Administrator to make a finding about the source's applicability status with regard to the relevant standard or other requirement. If relevant, the analysis must be performed in accordance with requirements established in relevant subparts of this part for this purpose for particular categories of stationary sources. If relevant, the analysis should be performed in accordance with EPA guidance materials published to assist sources in making applicability determinations under section 112, if any. The requirements to determine applicability of a standard under section 63.1(b)(3) and to record the results of that determination under paragraph (b)(3) of this section shall not by themselves create an obligation for the owner or operator to obtain a title V permit.

(c) *Additional recordkeeping requirements for sources with continuous monitoring systems.* In addition to complying with the requirements specified in paragraphs (b)(1) and (b)(2) of this section, the owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records for such source of:

- (1) All required CMS measurements (including monitoring data recorded during unavoidable CMS breakdowns and out-of-control periods);
- (2) [Reserved]

- (3) [Reserved]
- (4) [Reserved]
- (5) The date and time identifying each period during which the CMS was inoperative except for zero (low-level) and high-level checks;
- (6) The date and time identifying each period during which the CMS was out of control, as defined in section 63.8(c)(7);
- (7) The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during startups, shutdowns, and malfunctions of the affected source;
- (8) The specific identification (i.e., the date and time of commencement and completion) of each time period of excess emissions and parameter monitoring exceedances, as defined in the relevant standard(s), that occurs during periods other than startups, shutdowns, and malfunctions of the affected source;
- (9) [Reserved]
- (10) The nature and cause of any malfunction (if known);
- (11) The corrective action taken or preventive measures adopted;
- (12) The nature of the repairs or adjustments to the CMS that was inoperative or out of control;
- (13) The total process operating time during the reporting period; and
- (14) All procedures that are part of a quality control program developed and implemented for CMS under section 63.8(d).
- (15) In order to satisfy the requirements of paragraphs (c)(10) through (c)(12) of this section and to avoid duplicative recordkeeping efforts, the owner or operator may use the affected source's startup, shutdown, and malfunction plan or records kept to satisfy the recordkeeping requirements of the startup, shutdown, and malfunction plan specified in section 63.6(e), provided that such plan and records adequately address the requirements of paragraphs (c)(10) through (c)(12).

(d) *General reporting requirements.*

(1) Notwithstanding the requirements in this paragraph or paragraph (e) of this section, and except as provided in section 63.16, the owner or operator of an affected source subject to reporting requirements under this part shall submit reports to the Administrator in accordance with the reporting requirements in the relevant standard(s).

(2) *Reporting results of performance tests.* Before a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of any performance test under section 63.7 to the Administrator. After a title V permit has been issued to the owner or operator of an affected source, the owner or operator shall report the results of a required performance test to the appropriate permitting authority. The owner or operator of an affected source shall report the results of the performance test to the Administrator (or the State with an approved permit program) before the close of business on the 60th day following the completion of the performance test, unless specified otherwise in a relevant standard or as

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approved otherwise in writing by the Administrator. The results of the performance test shall be submitted as part of the notification of compliance status required under section 63.9(h).

(3) *Reporting results of opacity or visible emission observations.* The owner or operator of an affected source required to conduct opacity or visible emission observations by a relevant standard shall report the opacity or visible emission results (produced using Test Method 9 or Test Method 22, or an alternative to these test methods) along with the results of the performance test required under section 63.7. If no performance test is required, or if visibility or other conditions prevent the opacity or visible emission observations from being conducted concurrently with the performance test required under section 63.7, the owner or operator shall report the opacity or visible emission results before the close of business on the 30th day following the completion of the opacity or visible emission observations.

(4) *Progress reports.* The owner or operator of an affected source who is required to submit progress reports as a condition of receiving an extension of compliance under section 63.6(i) shall submit such reports to the Administrator (or the State with an approved permit program) by the dates specified in the written extension of compliance.

(5) (i) *Periodic startup, shutdown, and malfunction reports.* If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan (see section 63.6(e)(3)), the owner or operator shall state such information in a startup, shutdown, and malfunction report. Such a report shall identify any instance where any action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the affected source's startup, shutdown, and malfunction plan, but the source does not exceed any applicable emission limitation in the relevant emission standard. Such a report shall also include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. Reports shall only be required if a startup, shutdown, or malfunction occurred during the reporting period. The startup, shutdown, and malfunction report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the Administrator semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's title V permit). The startup, shutdown, and malfunction report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports

required under this paragraph may be submitted simultaneously with the excess emissions and continuous monitoring system performance (or other) reports. If startup, shutdown, and malfunction reports are submitted with excess emissions and continuous monitoring system performance (or other periodic) reports, and the owner or operator receives approval to reduce the frequency of reporting for the latter under paragraph (e) of this section, the frequency of reporting for the startup, shutdown, and malfunction reports also may be reduced if the Administrator does not object to the intended change. The procedures to implement the allowance in the preceding sentence shall be the same as the procedures specified in paragraph (e)(3) of this section.

(ii) *Immediate startup, shutdown, and malfunction reports.* Notwithstanding the allowance to reduce the frequency of reporting for periodic startup, shutdown, and malfunction reports under paragraph (d)(5)(i) of this section, any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph (d)(5)(ii) shall consist of a telephone call (or facsimile (FAX) transmission) to the Administrator within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the startup, shutdown, and malfunction plan, and describing all excess emissions and/or parameter monitoring exceedances which are believed to have occurred. Notwithstanding the requirements of the previous sentence, after the effective date of an approved permit program in the State in which an affected source is located, the owner or operator may make alternative reporting arrangements, in advance, with the permitting authority in that State. Procedures governing the arrangement of alternative reporting requirements under this paragraph (d)(5)(ii) are specified in section 63.9(i).

(e) *Additional reporting requirements for sources with continuous monitoring systems:*

(1) *General.* When more than one CEMS is used to measure the emissions from one affected source (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required for each CEMS.

(2) *Reporting results of continuous monitoring system performance evaluations.*

(i) The owner or operator of an affected source required to install a CMS by a relevant standard shall furnish the Administrator a copy of a written report of the results of the CMS performance evaluation, as required under section 63.8(e), simultaneously with the results of the performance test required under section 63.7, unless otherwise specified in the relevant standard.

(ii) The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under section 63.7 and described in section 63.6(d)(6) shall furnish the Administrator two or, upon request, three copies of a written report of the results of the COMS performance evaluation conducted under section 63.8(e). The copies shall be furnished at least 15 calendar days before the performance test required under section 63.7 is conducted.

(3) *Excess emissions and continuous monitoring system performance report and summary report.*

(i) Excess emissions and parameter monitoring exceedances are defined in relevant standards. The owner or operator of an affected source required to install a CMS by a relevant standard shall submit an excess emissions and continuous monitoring system performance report and/or a summary report to the Administrator semiannually, except when:

(A) More frequent reporting is specifically required by a relevant standard;

(B) The Administrator determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source; or

(C) [Reserved]

(D) The affected source is complying with the Performance Track Provisions of section 63.16, which allows less frequent reporting.

(ii) *Request to reduce frequency of excess emissions and continuous monitoring system performance reports.* Notwithstanding the frequency of reporting requirements specified in paragraph (e)(3)(i) of this section, an owner or operator who is required by a relevant standard to submit excess emissions and continuous monitoring system performance (and summary) reports on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(A) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected source's excess emissions and continuous monitoring system performance reports continually demonstrate that the source is in compliance with the relevant standard;

(B) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the relevant standard; and

(C) The Administrator does not object to a reduced frequency of reporting for the affected source, as provided in paragraph (e)(3)(iii) of this section.

(iii) The frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the 5-year recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's

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potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(iv) As soon as CMS data indicate that the source is not in compliance with any emission limitation or operating parameter specified in the relevant standard, the frequency of reporting shall revert to the frequency specified in the relevant standard, and the owner or operator shall submit an excess emissions and continuous monitoring system performance (and summary) report for the noncomplying emission points at the next appropriate reporting period following the noncomplying event. After demonstrating ongoing compliance with the relevant standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard, as provided for in paragraphs (e)(3)(ii) and (e)(3)(iii) of this section.

(v) *Content and submittal dates for excess emissions and monitoring system performance reports.* All excess emissions and monitoring system performance reports and all summary reports, if required, shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. Written reports of excess emissions or exceedances of process or control system parameters shall include all the information required in paragraphs (c)(5) through (c)(13) of this section, in section 63.8(c)(7) and section 63.8(c)(8), and in the relevant standard, and they shall contain the name, title, and signature of the responsible official who is certifying the accuracy of the report. When no excess emissions or exceedances of a parameter have occurred, or a CMS has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

(vi) *Summary report.* As required under paragraphs (e)(3)(vii) and (e)(3)(viii) of this section, one summary report shall be submitted for the hazardous air pollutants monitored at each affected source (unless the relevant standard specifies that more than one summary report is required, e.g., one summary report for each hazardous air pollutant monitored). The summary report shall be entitled "Summary Report: Gaseous and Opacity Excess Emission and Continuous Monitoring System Performance" and shall contain the following information:

- (A) The company name and address of the affected source;
- (B) An identification of each hazardous air pollutant monitored at the affected source;
- (C) The beginning and ending dates of the reporting period;
- (D) A brief description of the process units;
- (E) The emission and operating parameter limitations specified in the relevant standard(s);

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- (F) The monitoring equipment manufacturer(s) and model number(s);
 - (G) The date of the latest CMS certification or audit;
 - (H) The total operating time of the affected source during the reporting period;
 - (I) An emission data summary (or similar summary if the owner or operator monitors control system parameters), including the total duration of excess emissions during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to startup/shutdown, control equipment problems, process problems, other known causes, and other unknown causes;
 - (J) A CMS performance summary (or similar summary if the owner or operator monitors control system parameters), including the total CMS downtime during the reporting period (recorded in minutes for opacity and hours for gases), the total duration of CMS downtime expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total CMS downtime during the reporting period into periods that are due to monitoring equipment malfunctions, nonmonitoring equipment malfunctions, quality assurance/quality control calibrations, other known causes, and other unknown causes;
 - (K) A description of any changes in CMS, processes, or controls since the last reporting period;
 - (L) The name, title, and signature of the responsible official who is certifying the accuracy of the report; and
 - (M) The date of the report.
- (vii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is less than 1 percent of the total operating time for the reporting period, and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report shall be submitted, and the full excess emissions and continuous monitoring system performance report need not be submitted unless required by the Administrator.
- (viii) If the total duration of excess emissions or process or control system parameter exceedances for the reporting period is 1 percent or greater of the total operating time for the reporting period, or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, both the summary report and the excess emissions and continuous monitoring system performance report shall be submitted.
- (4) *Reporting continuous opacity monitoring system data produced during a performance test.* The owner or operator of an affected source required to use a COMS shall record the monitoring data produced during a performance test required under section 63.7 and shall furnish the Administrator a written report of the monitoring results. The report of COMS data shall be submitted simultaneously with the report of the performance test results required in paragraph (d)(2) of this section.
- (f) *Waiver of recordkeeping or reporting requirements.*
- (1) Until a waiver of a recordkeeping or reporting requirement has been granted by the Administrator under this paragraph, the owner or operator of an affected source

remains subject to the requirements of this section.

(2) Recordkeeping or reporting requirements may be waived upon written application to the Administrator if, in the Administrator's judgment, the affected source is achieving the relevant standard(s), or the source is operating under an extension of compliance, or the owner or operator has requested an extension of compliance and the Administrator is still considering that request.

(3) If an application for a waiver of recordkeeping or reporting is made, the application shall accompany the request for an extension of compliance under section 63.6(i), any required compliance progress report or compliance status report required under this part [such as under section 63.6(i) and section 63.9(h)] or in the source's title V permit, or an excess emissions and continuous monitoring system performance report required under paragraph (e) of this section, whichever is applicable. The application shall include whatever information the owner or operator considers useful to convince the Administrator that a waiver of recordkeeping or reporting is warranted.

(4) The Administrator will approve or deny a request for a waiver of recordkeeping or reporting requirements under this paragraph when he/she:

(i) Approves or denies an extension of compliance; or

(ii) Makes a determination of compliance following the submission of a required compliance status report or excess emissions and continuous monitoring systems performance report; or

(iii) Makes a determination of suitable progress towards compliance following the submission of a compliance progress report, whichever is applicable.

(5) A waiver of any recordkeeping or reporting requirement granted under this paragraph may be conditioned on other recordkeeping or reporting requirements deemed necessary by the Administrator.

(6) Approval of any waiver granted under this section shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver. The cancellation will be made only after notice is given to the owner or operator of the affected source.

40 CFR 63.11 Control device requirements.

(a) *Applicability.* The applicability of this section is set out in section 63.1(a)(4).

(b) *Flares.*

(1) Owners or operators using flares to comply with the provisions of this part shall monitor these control devices to assure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators using flares shall monitor these control devices.

(2) Flares shall be steam-assisted, air-assisted, or non-assisted.

(3) Flares shall be operated at all times when emissions may be vented to them.

(4) Flares shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. Test Method 22 in Appendix A of part 60 of this chapter shall be used to determine the compliance of flares with the visible emission provisions of this part. The observation period is 2

hours and shall be used according to Method 22.

(5) Flares shall be operated with a flame present at all times. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(6) An owner/operator has the choice of adhering to the heat content specifications in paragraph (b)(6)(ii) of this section, and the maximum tip velocity specifications in paragraph (b)(7) or (b)(8) of this section, or adhering to the requirements in paragraph (b)(6)(i) of this section.

(i) (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume) or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity V_{max} , as determined by the following equation:

$$V_{max} = (X_{H2} - K_1) * K_2$$

Where:

V_{max} = Maximum permitted velocity, m/sec.

K_1 = Constant, 6.0 volume-percent hydrogen.

K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.

X_{H2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in section 63.14).

(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (b)(7)(i) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted at 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted at 7.45 MJ/scm (200 Btu/scf) or greater if the flares is non-assisted. The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25EC and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20EC.

K = Constant = $1.740 \times 10^{-7} [1/\text{ppmv}][\text{g-mole/scm}][\text{MJ/kcal}]$

where the standard temperature for (g-mole/scm) is 20EC.

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C_i = Concentration of sample component i in ppmv on a wet basis, as measured for organics by Test Method 18 and measured for hydrogen and carbon monoxide by American Society for Testing and Materials (ASTM) D1946-77 or 90 (Reapproved 1994) (incorporated by reference as specified in section 63.14).

H_i = Net heat of combustion of sample component i , kcal/g-mole at 25EC and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in section 63.14) if published values are not available or cannot be calculated.

n = Number of sample components.

(7) (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (b)(7)(ii) and (b)(7)(iii) of this section. The actual exit velocity of a flare shall be determined by dividing by the volumetric flow rate of gas being combusted (in units of emission standard temperature and pressure), as determined by Test Methods 2, 2A, 2C, or 2D in Appendix A to 40 CFR part 60, of this chapter, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec), are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the method specified in paragraph (b)(7)(i) of this section, less than the velocity V_{max} , as determined by the method specified in this paragraph, but less than 122 m/sec (400 ft/sec) are allowed. The maximum permitted velocity, V_{max} , for flares complying with this paragraph shall be determined by the following equation:

$$\text{Log}_{10}(V_{max}) = (H_T + 28.8) / 31.7$$

Where:

V_{max} = Maximum permitted velocity, m/sec.

28.8 = Constant.

31.7 = Constant.

H_T = The net heating value as determined in paragraph (b)(6) of this section.

(8) Air-assisted flares shall be designed and operated with an exit velocity less than the

velocity V_{max} . The maximum permitted velocity, V_{max} , for air-assisted flares shall be determined by the following equation:

$$V_{max}=8.71 + 0.708(H_T)$$

Where:

V_{max} =Maximum permitted velocity, m/sec.

8.71=Constant.

0.708=Constant.

H_T =The net heating value as determined in paragraph (b)(6)(ii) of this section.

40 CFR 63.12 State authority and delegations.

(a) The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from:

(1) Adopting and enforcing any standard, limitation, prohibition, or other regulation applicable to an affected source subject to the requirements of this part, provided that such standard, limitation, prohibition, or regulation is not less stringent than any requirement applicable to such source established under this part;

(2) Requiring the owner or operator of an affected source to obtain permits, licenses, or approvals prior to initiating construction, reconstruction, modification, or operation of such source; or

(3) Requiring emission reductions in excess of those specified in subpart D of this part as a condition for granting the extension of compliance authorized by section 112(i)(5) of the Act.

(b) (1) section 112(l) of the Act directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards and other requirements pursuant to section 112 for stationary sources located in that State. Because of the unique nature of radioactive material, delegation of authority to implement and enforce standards that control radionuclides may require separate approval.

(2) Subpart E of this part establishes procedures consistent with section 112(l) for the approval of State rules or programs to implement and enforce applicable Federal rules promulgated under the authority of section 112. Subpart E also establishes procedures for the review and withdrawal of section 112 implementation and enforcement authorities granted through a section 112(l) approval.

(c) All information required to be submitted to the EPA under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain Federal or State reporting requirement. The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to the EPA and the State agency.

40 CFR 63.13 Addresses of State air pollution control agencies and EPA Regional Offices.

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(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted to the appropriate Regional Office of the U.S. Environmental Protection Agency indicated in the following list of EPA Regional Offices.

EPA Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), Director, Air, Pesticides and Toxics Division, J.F.K. Federal Building, Boston, MA 02203-2211.

EPA Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, 26 Federal Plaza, New York, NY 10278.

EPA Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air Protection Division, 1650 Arch Street, Philadelphia, PA 19103.

EPA Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee). Director, Air, Pesticides and Toxics Management Division, Atlanta Federal Center, 61 Forsyth Street, Atlanta, GA 30303-3104.

EPA Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, 77 West Jackson Blvd., Chicago, IL 60604-3507.

EPA Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), Director, Air, Pesticides and Toxics, 1445 Ross Avenue, Dallas, TX 75202-2733.

EPA Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air, RCRA, and Toxics Division, U.S. Environmental Protection Agency, 901 N. 5th Street, Kansas City, KS 66101.

EPA Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming), Director, Air and Toxics Division, 999 18th Street, 1 Denver Place, Suite 500, Denver, CO 80202-2405.

EPA Region IX (Arizona, California, Hawaii, Nevada, American Samoa, Guam), Director, Air and Toxics Division, 75 Hawthorne Street, San Francisco, CA 94105.

EPA Region X (Alaska, Idaho, Oregon, Washington), Director, Office of Air Quality, 1200 Sixth Avenue (OAQ-107), Seattle, WA 98101.

(b) All information required to be submitted to the Administrator under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act. The owner or operator of an affected source may contact the appropriate EPA Regional Office for the mailing addresses for those States whose delegation requests have been approved.

(c) If any State requires a submittal that contains all the information required in an application, notification, request, report, statement, or other communication required in this part, an owner or operator may send the appropriate Regional Office of the EPA a copy of that submittal to satisfy the requirements of this part for that communication.

40 CFR 63.14 Incorporations by reference.

(a) The materials listed in this section are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. These materials are incorporated as they exist on the date of the approval, and notice of any change in these materials will be published in the FEDERAL REGISTER. The materials are available for purchase at the corresponding addresses noted below, and all are available for inspection at the Office of the Federal Register, 800 North Capital Street, NW, suite 700, Washington, DC, at the Air and Radiation Docket and Information Center, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC, and at the EPA Library (MD-35), U.S. EPA, Research Triangle Park, North Carolina.

(b) The following materials are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, PA 19428-2959; or ProQuest, 300 North Zeeb Road, Ann Arbor, MI 48106.

- (1) ASTM D523-89, Standard Test Method for Specular Gloss, IBR approved for section 63.782.
- (2) ASTM D1193-77, 91, Standard Specification for Reagent Water, IBR approved for Appendix A: Method 306, Sections 7.1.1 and 7.4.2.
- (3) ASTM D1331-89, Standard Test Methods for Surface and Interfacial Tension of Solutions of Surface Active Agents, IBR approved for Appendix A: Method 306B, Sections 6.2, 11.1, and 12.2.2.
- (4) ASTM D1475-90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for section 63.788, Appendix A.
- (5) ASTM D1946-77, 90, 94, Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for section 63.11(b)(6).
- (6) ASTM D2369-93, 95, Standard Test Method for Volatile Content of Coatings, IBR approved for section 63.788, Appendix A.
- (7) ASTM D2382-76, 88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for section 63.11(b)(6).
- (8) ASTM D2879-83, 96, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for section 63.111 and section 63.2406.
- (9) ASTM D3257-93, Standard Test Methods for Aromatics in Mineral Spirits by Gas Chromatography, IBR approved for section 63.786(b).
- (10) ASTM 3695-88, Standard Test Method for Volatile Alcohols in Water by Direct Aqueous-Injection Gas Chromatography, IBR approved for section 63.365(e)(1) of Subpart O.
- (11) ASTM D3792-91, Standard Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for section 63.788, Appendix A.
- (12) ASTM D3912-80, Standard Test Method for Chemical Resistance of Coatings

Used in Light-Water Nuclear Power Plants, IBR approved for section 63.782.

(13) ASTM D4017-90, 96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for section 63.788, Appendix A.

(14) ASTM D4082-89, Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants, IBR approved for section 63.782.

(15) ASTM D4256-89, 94, Standard Test Method for Determination of the Decontaminability of Coatings Used in Light-Water Nuclear Power Plants, IBR approved for section 63.782.

(16) ASTM D4809-95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for section 63.11(b)(6).

(17) ASTM E180-93, Standard Practice for Determining the Precision of ASTM Methods for Analysis and Testing of Industrial Chemicals, IBR approved for section 63.786(b).

(18) ASTM E260-91, 96, General Practice for Packed Column Gas Chromatography, IBR approved for sections 63.750(b)(2) and 63.786(b)(5).

(19) [Reserved]

(20) [Reserved]

(21) ASTM D2099-00, Standard Test Method for Dynamic Water Resistance of Shoe Upper Leather by the Maeser Water Penetration Tester, IBR approved for section 63.5350.

(22) [Reserved]

(23) [Reserved]

(24) ASTM D2697-86 (Reapproved 1998), "Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings," IBR approved for sections 63.3161(f)(1), 63.3521(b)(1), 63.3941(b)(1), 63.4141(b)(1), 63.4741(b)(1), 63.4941(b)(1), and 63.5160(c).

(25) ASTM D6093-97 (Reapproved 2003), "Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer," IBR approved for sections 63.3161(f)(1), 63.3521(b)(1), 63.3941(b)(1), 63.4141(b)(1), 63.4741(b)(1), 63.4941(b)(1), and 63.5160(c).

[section 63.14(b)(25) added at 67 FR 39812, June 10, 2002; amended at 67 FR 48262, July 23, 2002; 68 FR 28619, May 23, 2003; 68 FR 31760, May 28, 2003; 68 FR 64446, Nov. 13, 2003; 69 FR 157, Jan. 2, 2004; 69 FR 22623, April 26, 2004]

(26) ASTM D1475-98 (Reapproved 2003), "Standard Test Method for Density of Liquid Coatings, Inks, and Related Products," IBR approved for sections 63.3151(b), 63.3941(b)(4), 63.3941(c), 63.3951(c), 63.4141(b)(3), 63.4141(c), and 63.4551(c).

(27) ASTM D 6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for section 63.9307(c)(2).

(28) [Reserved]

(29) ASTM D6420-99, Standard Test Method for Determination of Gaseous Organic

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Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, IBR approved for sections 63.5799 and 63.5850.

(30) ASTM E 515-95 (Reapproved 2000), Standard Test Method for Leaks Using Bubble Emission Techniques, IBR approved for section 63.425(i)(2).

(31) ASTM D5291-02, Standard Test Methods for Instrumental Determination of Carbon, Hydrogen, and Nitrogen in Petroleum Products and Lubricants, IBR approved for section 63.3981, appendix A.

(32) ASTM D5965-02, "Standard Test Methods for Specific Gravity of Coating Powders," IBR approved for sections 63.3151(b) and 63.3951(c).

(33) ASTM D6053-00, Standard Test Method for Determination of Volatile Organic Compound (VOC) Content of Electrical Insulating Varnishes, IBR approved for section 63.3981, appendix A.

(34) E145-94 (Reapproved 2001), Standard Specification for Gravity-Convection and Forced-Ventilation Ovens, IBR approved for section 63.4581, Appendix A.

(35) [Reserved]

(36) ASTM D5066-91 (Reapproved 2001), "Standard Test Method for Determination of the Transfer Efficiency Under Production Conditions for Spray Application of Automotive Paints-Weight Basis," IBR approved for section 63.3161(g).

(37) ASTM D5087-02, "Standard Test Method for Determining Amount of Volatile Organic Compound (VOC) Released from Solventborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement)," IBR approved for sections 63.3165(e) and 63.3176, appendix A.

(38) ASTM D6266-00a, "Test Method for Determining the Amount of Volatile Organic Compound (VOC) Released from Waterborne Automotive Coatings and Available for Removal in a VOC Control Device (Abatement)," IBR approved for section 63.3165(e).

(c) The materials listed below are available for purchase from the American Petroleum Institute (API), 1220 L Street, NW., Washington, DC 20005.

(1) API Publication 2517, Evaporative Loss from External Floating-Roof Tanks, Third Edition, February 1989, IBR approved for section 63.111 and section 63.2406.

(2) API Publication 2518, Evaporative Loss from Fixed-roof Tanks, Second Edition, October 1991, IBR approved for section 63.150(g)(3)(i)(C) of subpart G of this part.

(d) *State and Local Requirements*. The materials listed below are available at the Air and Radiation Docket and Information Center, U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC.

(1) *California Regulatory Requirements Applicable to the Air Toxics Program*, January 5, 1999, IBR approved for section 63.99(a)(5)(ii) of subpart E of this part.

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(2) New Jersey's *Toxic Catastrophe Prevention Act Program*, (July 20, 1998), Incorporation By Reference approved for section 63.99(a)(30)(i) of subpart E of this part.

(3) (i) Letter of June 7, 1999 to the U.S. Environmental Protection Agency Region 3 from the Delaware Department of Natural Resources and Environmental Control requesting formal full delegation to take over primary responsibility for implementation and enforcement of the Chemical Accident Prevention Program under Section 112(r) of the Clean Air Act Amendments of 1990.

(ii) Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, Accidental Release Prevention Regulation, sections 1 through 5 and sections 7 through 14, effective January 11, 1999, IBR approved for section 63.99(a)(8)(i) of subpart E of this part.

(iii) State of Delaware Regulations Governing the Control of Air Pollution (October 2000), IBR approved for section 63.99(a)(8)(ii)-(v) of subpart E of this part.

(4) Massachusetts Regulations Applicable to Hazardous Air Pollutants (July 2002). Incorporation By Reference approved for section 63.99(a)(21)(ii) of subpart E of this part.

(5) New Hampshire Regulations Applicable to Hazardous Air Pollutants, March, 2003. Incorporation by Reference approved for section 63.99(a)(29)(iii) of subpart E of this part.

(e) The materials listed below are available for purchase from the National Institute of Standards and Technology, Springfield, VA 22161, (800) 553-6847.

(1) Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices 1998, IBR approved for section 63.1303(e)(3).

(2) [Reserved]

(f) The following material is available from the National Council of the Paper Industry for Air and Stream Improvement, Inc. (NCASI), P. O. Box 133318, Research Triangle Park, NC 27709-3318 or at <http://www.ncasi.org>: NCASI Method DI/MEOH-94.02, Methanol in Process Liquids GC/FID (Gas Chromatography/Flame Ionization Detection), August 1998, Methods Manual, NCASI, Research Triangle Park, NC, IBR approved for section 63.457(c)(3)(ii) of subpart S of this part.

(g) The materials listed below are available for purchase from AOAC International, Customer Services, Suite 400, 2200 Wilson Boulevard, Arlington, Virginia, 22201-3301, Telephone (703) 522-3032, Fax (703) 522-5468.

(1) AOAC Official Method 978.01 Phosphorus (Total) in Fertilizers, Automated Method, Sixteenth edition, 1995, IBR approved for section 63.626(d)(3)(vi).

(2) AOAC Official Method 969.02 Phosphorus (Total) in Fertilizers, Alkalimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for section 63.626(d)(3)(vi).

(3) AOAC Official Method 962.02 Phosphorus (Total) in Fertilizers, Gravimetric Quinolinium Molybdophosphate Method, Sixteenth edition, 1995, IBR approved for section 63.626(d)(3)(vi).

(4) AOAC Official Method 957.02 Phosphorus (Total) in Fertilizers, Preparation of Sample Solution, Sixteenth edition, 1995, IBR approved for section 63.626(d)(3)(vi).

(5) AOAC Official Method 929.01 Sampling of Solid Fertilizers, Sixteenth edition, 1995,

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IBR approved for section 63.626(d)(3)(vi).

(6) AOAC Official Method 929.02 Preparation of Fertilizer Sample, Sixteenth edition, 1995, IBR approved for section 63.626(d)(3)(vi).

(7) AOAC Official Method 958.01 Phosphorus (Total) in Fertilizers, Spectrophotometric Molybdovanadophosphate Method, Sixteenth edition, 1995, IBR approved for section 63.626(d)(3)(vi).

(h) The materials listed below are available for purchase from The Association of Florida Phosphate Chemists, P.O. Box 1645, Bartow, Florida, 33830, Book of Methods Used and Adopted By The Association of Florida Phosphate Chemists, Seventh Edition 1991, IBR.

(1) Section IX, Methods of Analysis for Phosphate Rock, No. 1 Preparation of Sample, IBR approved for section 63.606(c)(3)(ii) and section 63.626(c)(3)(ii).

(2) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus section P_2O_5 or $Ca_3(PO_4)_2$, Method A-Volumetric Method, IBR approved for section 63.606(c)(3)(ii) and section 63.626(c)(3)(ii).

(3) Section IX, Methods of Analysis for Phosphate Rock, No. 3 Phosphorus- P_2O_5 or $Ca_3(PO_4)_2$, Method B: Gravimetric Quimociac Method, IBR approved for section 63.606(c)(3)(ii) and section 63.626(c)(3)(ii).

(4) Section IX, Methods of Analysis For Phosphate Rock, No. 3 Phosphorus- P_2O_5 or $Ca_3(PO_4)_2$, Method C: Spectrophotometric Method, IBR approved for section 63.606(c)(3)(ii) and section 63.626(c)(3)(ii).

(5) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- P_2O_5 , Method A: Volumetric Method, IBR approved for section 63.606(c)(3)(ii), section 63.626(c)(3)(ii), and section 63.626(d)(3)(v).

(6) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- P_2O_5 , Method B: Gravimetric Quimociac Method, IBR approved for section 63.606(c)(3)(ii), section 63.626(c)(3)(ii), and section 63.626(d)(3)(v).

(7) Section XI, Methods of Analysis for Phosphoric Acid, Superphosphate, Triple Superphosphate, and Ammonium Phosphates, No. 3 Total Phosphorus- P_2O_5 , Method C: Spectrophotometric Method, IBR approved for section 63.606(c)(3)(ii), section 63.626(c)(3)(ii), and section 63.626(d)(3)(v).

(i) The following materials are available for purchase from at least one of the following addresses: ASME International, Orders/Inquiries, P.O. Box 2900, Fairfield, NJ 07007-2900; or Global Engineering Documents, Sales Department, 15 Inverness Way East, Englewood, CO 80112.

(1) ASME standard number QHO-1-1994, "Standard for the Qualification and Certification of Hazardous Waste Incinerator Operators," IBR approved for section 63.1206(c)(6)(iii).

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(2) ASME standard number QHO-1a-1996 Addenda to QHO-1-1994, "Standard for the Qualification and Certification of Hazardous Waste Incinerator Operators," IBR approved for section 63.1206(c)(6)(iii).

(3) ANSI/ASME PTC 19.10-1981, "Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus]," IBR approved for sections 63.865(b), 63.3166(a)(3), 63.3360(e)(1)(iii), 63.3545(a)(3), 63.3555(a)(3), 63.4166(a)(3), 63.4362(a)(3), 63.4766(a)(3), 63.4965(a)(3), 63.5160(d)(1)(iii), 63.9307(c)(2), and 63.9323(a)(3).

(j) The following material is available for purchase from: British Standards Institute, 389 Chiswick High Road, London W4 4AL, United Kingdom.

(1) BS EN 1593:1999, Non-destructive Testing: Leak Testing: Bubble Emission Techniques, IBR approved for section 63.425(i)(2).

(2) [Reserved]

(k) The following material may be obtained from U.S. EPA, Office of Solid Waste (5305W), 1200 Pennsylvania Avenue, NW., Washington, DC 20460:

(1) Method 9071B, "n-Hexane Extractable Material (HEM) for Sludge, Sediment, and Solid Samples," (Revision 2, April 1998) as published in EPA Publication SW-846: "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods." The incorporation by reference of Method 9071B is approved for Section 63.7824(e) of Subpart FFFFF of this part.

40 CFR 63.15 Availability of information and confidentiality.

(a) Availability of information.

(1) With the exception of information protected through part 2 of this chapter, all reports, records, and other information collected by the Administrator under this part are available to the public. In addition, a copy of each permit application, compliance plan (including the schedule of compliance), notification of compliance status, excess emissions and continuous monitoring systems performance report, and title V permit is available to the public, consistent with protections recognized in section 503(e) of the Act.

(2) The availability to the public of information provided to or otherwise obtained by the Administrator under this part shall be governed by part 2 of this chapter.

(b) Confidentiality.

(1) If an owner or operator is required to submit information entitled to protection from disclosure under section 114(c) of the Act, the owner or operator may submit such information separately. The requirements of section 114(c) shall apply to such information.

(2) The contents of a title V permit shall not be entitled to protection under section 114(c) of the Act; however, information submitted as part of an application for a title V permit may be entitled to protection from disclosure.

40 CFR 63.16 Performance Track Provisions.

(a) Notwithstanding any other requirements in this part, an affected source at any major source or any area source at a Performance Track member facility, which is subject to regular periodic reporting under any subpart of this part, may submit such periodic reports at an interval that is twice the length of the regular period specified in the applicable subparts; provided, that for sources subject to permits under 40 CFR part 70 or 71 no interval so calculated for any report of the results of any required monitoring may be less frequent than once in every six months.

(b) Notwithstanding any other requirements in this part, the modifications of reporting requirements in paragraph (c) of this section apply to any major source at a Performance Track member facility which is subject to requirements under any of the subparts of this part and which has:

- (1) Reduced its total HAP emissions to less than 25 tons per year;
- (2) Reduced its emissions of each individual HAP to less than 10 tons per year; and
- (3) Reduced emissions of all HAPs covered by each MACT standard to at least the level required for full compliance with the applicable emission standard.

(c) For affected sources at any area source at a Performance Track member facility and which meet the requirements of paragraph (b)(3) of this section, or for affected sources at any major source that meet the requirements of paragraph (b) of this section:

- (1) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using add-on control technology, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is meeting the emission standard by continuing to use that control technology. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
- (2) If the emission standard to which the affected source is subject is based on add-on control technology, and the affected source complies by using pollution prevention, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions to levels at or below those required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).
- (3) If the emission standard to which the affected source is subject is based on

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pollution prevention, and the affected source complies by using pollution prevention and reduces emissions by an additional 50 percent or greater than required by the applicable emission standard, then all required reporting elements in the periodic report may be met through an annual certification that the affected source is continuing to use pollution prevention to reduce HAP emissions by an additional 50 percent or greater than required by the applicable emission standard. The affected source must maintain records of all calculations that demonstrate the level of HAP emissions required by the emission standard as well as the level of HAP emissions achieved by the affected source. The affected source must continue to meet all relevant monitoring and recordkeeping requirements. The compliance certification must meet the requirements delineated in Clean Air Act section 114(a)(3).

(4) Notwithstanding the provisions of paragraphs (c)(1) through (3), of this section, for sources subject to permits under 40 CFR part 70 or 71, the results of any required monitoring and recordkeeping must be reported not less frequently than once in every six months.

B. State Only Enforceable Permit To Install Facility Specific Terms and Conditions

Ambient Air Monitoring for Particulate Matter 10 Microns and Smaller in Diameter (PM₁₀), Sulfur Dioxide (SO₂) and Periodic Sampling for Hazardous Air Pollutants (HAPS)

The permittee shall establish and operate ambient PM₁₀, SO₂, and HAP monitoring sites for this facility. The number and location of monitoring sites shall be based on accepted modeling practice and shall adequately monitor areas of maximum impact of the facility emissions and the background concentrations. Determination of the sampling locations shall be coordinated with, and subject to the prior approval of, the Ohio EPA. Within 45 days after the effective date of this permit, the permittee shall submit a plan describing the proposed network. This plan shall include, but not limited to, one (1) HAP monitoring site to be located near the housing subdivision which is adjacent to the proposed facility location, one (1) HAP monitoring site each to be located upwind and downwind of the proposed facility location, and one (1) meteorological site to be located close to the proposed facility location.

Following approval of the PM₁₀, SO₂ and Periodic HAP sampling network plan, 90 days will be allowed to locate the samplers in accordance with the plan. All samplers shall be sited and located in accordance with the requirements of the 40 CFR Part 58 and any subsequent amendments.

The sites shall be equipped with PM₁₀ or SO₂ samplers meeting the reference methods specified in 40 CFR Parts 50 and 53 with the additional requirement that each particulate (PM₁₀) instrument shall be equipped with a continuous flow meter (recording transducer), unless the instrument uses volumetric flow control.

PM₁₀ Operation

The permittee shall operate one of the PM₁₀ monitoring sites, specified by Ohio EPA, on an

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every other day schedule. The other sites will run on the same schedule as the Ohio air sampling network [one day in six] and in accordance with the following requirements:

1. The operating procedures identified in 40 CFR Parts 50 and 58 and the "Quality Assurance Handbook for Air Pollution Measurement Systems" Volume I - Principles (EPA-600/9-76-005) and Volume II - Ambient Air Specific Methods (EPA-600/4-77-027a) and the manufacturer's operating manual shall be followed.
2. The flow rate of each PM₁₀ sampler shall be calibrated after every 500 hours of operation and after any instance of major repair or maintenance.
3. An operator's log book shall be maintained for each site location with a format and content as specified in guidance provided by the Ohio EPA.

The PM₁₀ monitoring network shall be in operation at least six months prior to plant start up.

Sulfur Dioxide Instrument Operation

The SO₂ ambient monitors will run continuously 24 hours per day, 365 days per year to measure ambient air except during maintenance, repair, calibration or periodic checks.

The SO₂ monitoring network shall be in operation at least six months prior to plant start up.

Hazardous Air Pollutant Operation

Hazardous Air Pollutant sampling will follow US EPA Compendium of Methods for the Determination of Toxic Organic Compounds in Ambient Air Method TO-15 for sampling Volatile Organic Compounds and Method TO-13 (The Determination of Benzo(a)pyrene [B(a)P] and other Polynuclear Aromatic Hydrocarbons (PAHs) in Ambient Air Using Gas Chromatographic (GC) and High Performance Liquid Chromatographic (HPLC) Analysis). The samples will be collected for a minimum of 24 hours. The collection frequency will be no less than once every 12 days in accordance with the USEPA Urban Air Toxics Monitoring Program.

The compounds sampled for will include at least the following 44 compounds as provided for by Method TO-15. Those compounds include:

METHOD TO-15 (VOCS)*

No.	Hazardous Air Pollutants	No.	Hazardous Air Pollutants
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1	1,2- Dibromoethane	27	Cumene
2	1,2- Dichloroethane (EDC)		
3	1,3-Butadiene	29	Ethylbenzene
4	1,1-Dichloroethane		
5	1,1,2,2-Tetrachloroethane		
6	1,2,4-Trichlorobenzene	32	Hexachlorobutadiene
7	1,1,2-Trichloroethane		
8	1,2-Dichloropropane (propylene		
9	1,3-Dichloropropene	35	m-Xylene
10	1,1,1-Trichloroethane	36	Methyl ethyl ketone
11	1,1-Dichloroethylene	37	Methyl isobutyl ketone
12	1,4-Dichlorobenzene	38	Methyl tert-butyl ether (MTBE)
13	2,2,4-Trimethylpentane		
14	2-Chloro-1,3-butadiene (chloroprene)	40	Methylene Chloride
15	Acetonitrile	41	n-Hexane
16	Acrylonitrile	42	o-Xylene
		43	p-Xylene
18	Benzene	44	Styrene
19	Benzyl chloride+	45	Tetrachloroethylene (PCE)
20	Bromoform (tribromomethane)	46	Toluene
21	Bromomethane (methyl bromide)	47	Trichloroethylene (TCE)
22	Carbon Tetrachloride	48	Vinyl chloride
23	Chlorobenzene	49	Vinyl acetate
24	Chloroethane (ethyl chloride)	50	Vinyl bromide
25	Chloroform	51	Xylene (mixed)
26	Chloromethane (methyl chloride)		

Method TO-13 sampling will include the follow PAHs and any other coke oven emission HAP detectable by TO-13:

Acenaphthen
 Acenaphthylene
 Anthracene

Benzo(e)pyrene
 Benzo(g,h,i)perylene
 Benzo(k)fluoranthene

Fluorene
 Indeno(1,2,3-cd)pyrene
 Naphthalene

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Benzo(a)anthracene
Benzo(a)pyrene
Benzo(b)fluoranthene

Dibenzo(a,h)anthracene
Fluoranthene
Chrysene

Phenanthrene
Pyrene

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The HAP monitoring network shall be in operation at least six months prior to plant start up.

Quality Assurance

The permittee shall meet the quality assurance activities specified in 40 CFR Part 58, Appendix B except that at least 25% of the total number of PM₁₀ sites shall be collocated with a duplicate sampler. One of the collocated sites shall be at the site with the highest expected 24-hour pollutant concentration. The collocated monitor(s) shall run on a one day in six schedule. Equipment siting and performance specifications must be in accordance with "Ambient Monitoring Guidelines for Prevention of Significant Deterioration (PSD)," (EPA-450/4-80-012).

Other quality assurance activities that are specified in 40 CFR Part 58, Appendix B include quarterly instruments accuracy audits of all of the PM₁₀ and SO₂ monitors and precision checks performed at least bi-weekly on the SO₂ monitors. Additional information and guidance about these activities is available from the Ohio EPA Air Monitoring Section.

The Air Monitoring Section and Ohio EPA District Office and local air agency personnel shall be provided with access to each site location. The site operator and/or supervisor shall accompany the Air Monitoring Section, Ohio EPA District Office and/or local air agency personnel on any site inspection or audit, and respond to inquiries regarding instrument operations and maintenance.

Appropriate corrective actions must be taken by the permittee following the identification of any problem by the independent auditor, or Air Monitoring Section, Ohio EPA District Office and/or local air agency personnel.

Data Capture

Data capture shall be no less than 75% of the total possible samples to be collected on a quarterly basis. The following table summarizes the sample numbers by pollutant:

Pollutant	Total Samples/Quarter/Site	Required Minimum Samples
SO ₂	2160 - 2208* / 1 hr samples	1620 - 1656
PM ₁₀	45 / 24 hr. samples Every-other-day sampler	34

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PM ₁₀	15 / 24 hr. samples 1-in- 6 day sampler	12
PM ₁₀ Collocated	15 / 24 hr. sampler 1-in-6 day sampler	12
HAP	10 / 24 hr. samples	5

* depending on the number of hours per quarter

Reporting Requirements for the PM₁₀, SO₂ and HAPs Ambient Air Monitoring Network Audit and Quality Assurance Results

All air quality measurement data shall be reported to the Air Monitoring Section of the Ohio EPA, Division of Air Pollution Control in Columbus, within 18 days after the end of each calendar quarter, beginning with the first quarter after commencement of monitor operation. For HAPs measurements the data shall be reported within 45 days of the end of the calendar quarter. All ambient data shall be submitted on magnetic media (diskettes) or via e-mail in Aerometric Information Retrieval System (AIRS) format for direct entry into the US EPA's AIRS database system.

Independent audit (accuracy) results and precision results must be submitted quarterly to the Air Monitoring Section of the Ohio EPA, Division of Air Pollution Control in Columbus, and the appropriate Ohio EPA District Office or local air agency, within 45 days after the end of each calendar quarter, beginning with the first quarter after commencement of monitor operation.

The permittee shall notify the Portsmouth Local Air Agency as soon as they are aware of any exceedance of the 24-hour PM₁₀, 3-hour and/or 24-hour SO₂ short-term NAAQS standards. Continued Operation

The permittee shall continue to operate the PM₁₀ and SO₂ ambient monitoring network as described in the permit condition for at least five years after commence of operation. The HAPs monitoring network shall continue operation at least two years after commencement of operation at the facility. The permittee can then request the Director to examine the ambient air quality data collected by the permittee's HAPs and criteria pollutant ambient monitoring network to determine if further ambient monitoring is necessary. The Director shall have at least one year to make a decision on the need for continued operation of the monitoring network. In determining the further need for the continued operation of the monitoring network, the Director shall consider the concentrations measured by the monitors, the trends in air quality concentrations, and the value of the air quality data in fulfilling the goals and requirements of the federal Clean Air Act and Chapter 3704 of the Ohio Revised Code.
Ohio EPA Air Toxics Policy

The following emissions units are subject to the OEPA air toxics policy: P901, P902, P001 and

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P002. To ensure compliance with OAC rule 3745-15-07 (Air Pollution Nuisances Prohibited), the emission limitation(s) specified in this permit was (were) established using the Ohio EPA's "Air Toxics Policy" and is (are) based on both the materials used and the design parameters of the emissions unit's exhaust system, as specified in the application. The Ohio EPA's "Air Toxics Policy" was applied for each pollutant using the SCREEN 3.0 model and comparing the predicted 1-hour maximum ground-level concentration to the Maximum Acceptable Ground-Level Concentration (MAGLC). The following summarizes the results of the modeling for each pollutant:

Pollutant	TLV ($\mu\text{g}/\text{m}^3$)	Maximum Hourly Emission Rate (lb/hr)	Predicted 1-Hour Maximum Ground-Level Concentration ($\mu\text{g}/\text{m}^3$)	MAGLC ($\mu\text{g}/\text{m}^3$)
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Pollutant: arsenic
 TLV (Ug/m3): 10
 Maximum Hourly Emission Rate (lbs/hr):
 Predicted 1-Hour Maximum Ground-Level Concentration (Ug/m3):
 MAGLC (Ug/m3): 0.238

Pollutant: benzene
 TLV (Ug/m3): 32,000
 Maximum Hourly Emission Rate (lbs/hr):
 Predicted 1-Hour Maximum Ground-Level Concentration (Ug/m3):
 MAGLC (Ug/m3): 762

Pollutant: mercury
 TLV (Ug/m3): 10
 Maximum Hourly Emission Rate (lbs/hr):
 Predicted 1-Hour Maximum Ground-Level Concentration (Ug/m3):
 MAGLC (Ug/m3): 0.238

Pollutant: naphthalene
 TLV (Ug/m3): 52,000
 Maximum Hourly Emission Rate (lbs/hr):
 Predicted 1-Hour Maximum Ground-Level Concentration (Ug/m3):

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MAGLC (Ug/m3): 1,240

Pollutant: phosphorus

TLV (Ug/m3): 100

Maximum Hourly Emission Rate (lbs/hr):

Predicted 1-Hour Maximum Ground-Level Concentration (Ug/m3):

MAGLC (Ug/m3): 2.38

Pollutant: toluene

TLV (Ug/m3): 188,000

Maximum Hourly Emission Rate (lbs/hr):

Predicted 1-Hour Maximum Ground-Level Concentration (Ug/m3):

MAGLC (Ug/m3): 4,480

OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by the OAC rule 3745-31-01. The permittee is hereby advised that the following changes to the process may be determined to be a "modification":

- a. changes in the composition of the materials used (typically for coatings or cleanup materials), or the use of new materials, that would result in the emission of a compound with a lower Threshold Limit Value (TLV), as indicated in the most recent version of the handbook entitled "American Conference of Governmental Industrial Hygienists (ACGIH)" than the lowest TLV value specified in the above table;
- b. changes to the emissions unit or its exhaust parameters (e.g., increased emission rate {not including an increase in an "allowable" emission limitation specified in the terms and conditions of this permit}, reduced exhaust gas flow rate, and decreased stack height);
- c. changes in the composition of the materials used, or use of new materials, that would result in the emission of an air contaminant not previously permitted; and,
- d. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any pollutant that has a listed TLV.

The Ohio EPA will not consider any of the above-mentioned as a "modification" requiring a permit to install, if the following conditions are met:

- a. the change is not otherwise considered a "modification" under OAC Chapter 3745-31;
- b. the permittee can continue to comply with the allowable emission limitations specified in its permit to install; and,
- c. prior to the change, the applicant conducts an evaluation pursuant to the Air Toxic

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Policy, determined that the changed emissions unit still satisfies the Air Toxics Policy, and the permittee maintains documentation that identifies the change and the results of the application of the Air Toxic Policy for the change.

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For any change to the emissions unit or its method of operation that either would require an increase in the emission limitation(s) established by this permit or would otherwise be considered a "modification" as defined in OAC rule 3745-31-01, the permittee shall obtain a final permit to install prior to the change.

The permittee shall collect and record the following information for each change where the air toxic modeling was required pursuant to the Air Toxic Policy:

- a. background data that describes the parameters changed (composition of materials, new pollutants emitted, change in stack/exhaust parameters, etc.); and ,
- b. a copy of the resulting computer model runs that show the results of the application of the Air Toxic Policy for the change.

- 2.c** The permittee shall employ best available control measures on the unpaved shoulders of all paved roadways for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the unpaved shoulders of all paved roadways with water at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.d** The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for a paved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- 2.e** The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- 2.f** Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
- 2.g** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform inspections of the paved roadways and parking areas in accordance with the following frequencies:
- | | |
|------------------------|------------------------------|
| - paved roadways | minimum inspection frequency |
| Batteries AB and CD | Daily |
| Coal and Coke Handling | Daily |
| - paved parking areas | minimum inspection frequency |

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Main Gate Parking

Daily

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2. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
3. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
4. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and,
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in 4.d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

IV. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and,

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- b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

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V. Testing Requirements

1. Compliance with the emission limitation(s) in Section B.I. of these terms and conditions shall be determined in accordance with the following method(s):

- a. Emission Limitation:

4.13 TPY fugitive PM

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the vehicle miles traveled (VMT) per year for the average vehicle fleet weight times the 0.33 pounds/VMT emission factor times 0.25, assuming a 75% control efficiency for sweeping the roads, and divide by 2,000 pounds/ton.

The particulate emission factors were calculated AP-42 Section 13.2.1, Equation (1), dated 12/03. The control efficiency was obtained from RACM, Table 2.1.1-3, dated 10/80.

- b. Emission Limitation:

There shall be no visible particulate emissions except for 3 minute during any 60-minute period.

Applicable Compliance Method:

Compliance with the emission limitation for the paved roadways and parking areas identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources," as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

- c. Emission Limitation:

0.75 TPY fugitive PM₁₀

Applicable Compliance Method:

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Compliance shall be demonstrated multiplying the vehicle miles traveled (VMT) per year for the average vehicle fleet weight times the 0.06 pounds/VMT emission factor times 0.25, assuming a 75% control efficiency for sweeping the roads, and divide by 2,000 pounds/ton.

The particulate emission factors were calculated AP-42 Section 13.2.1, Equation (1), dated 12/03. The control efficiency was obtained from RACM, Table 2.1.1-3, dated 10/80.

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(F001) - Paved Roadways and Parking Areas

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
None	None

2. **Additional Terms and Conditions**

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(F002) - Coal and coke storage piles including load-in, load out and wind erosion.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	2.5 TPY fugitive PM Batteries A and B storage piles There shall be no visible emissions except for 3 minute in any hour. Batteries C and D storage piles There shall be no visible emissions except for one minute in any hour. See section A.I.2.g below. best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust The requirements of this rule also include compliance with OAC rules 3745-31-10 through 20.
40 CFR Part 52.21 and OAC rule 3745-31-10 through 20	1.2 TPY fugitive PM ₁₀

2. Additional Terms and Conditions

2. a The storage piles that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 and 3745-31-10 through 20 are listed below:
 - coal storage pile(s)
 - coke storage pile(s)
2. b The permittee shall employ best available control measures on all load-in and

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load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to the following control measures to ensure compliance:

	<u>Load-In</u>	<u>Load-Out</u>
open coal pile	stacking conveyor and water sprays	under pile gravity feed to conveyor
enclosed coal pile	dome enclosure conveyor	under pile gravity feed to conveyor
open coke pile		front end loader

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.c** The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- 2.d** The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the open coal storage pile with water at sufficient treatment frequencies to ensure compliance and dome enclosure of enclosed coal storage pile. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.e** The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be

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IV Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and,
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

V. Testing Requirements

1. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):

- a. Emission Limitation:

2.5 TPY fugitive PM

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

- i. coal pile load-in

Open:

Multiply the maximum tons of coal handled per year times the 0.001 pound/ton particulate emission factor times 0.30 assuming a 70% control efficiency for the stacking conveyor and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

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Multiply the maximum tons of coal handled per year times the 0.001 pound/ton particulate emission factor times 2 enclosed transfer points times 0.05 assuming a 95% control efficiency for the enclosure and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

Domed:

Multiply the maximum tons of coal handled per year times the 0.001 pound/ton particulate emission factor times 0.05 assuming a 95% control efficiency and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

ii. coal pile wind erosion

Open:

Multiply the maximum area of the coal storage pile, in acres, times the 366, the maximum number of days per year, times the 7.99 pound/day/acre emission factor times the 0.50 assuming a 50% control efficiency for the water sprays and divide by 2,000 pounds per ton. The particulate emission factor was calculated in accordance with AP-40, Section 4, Equation 5. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 1/80.

Domed:

Multiply the maximum area of the coal storage pile, in acres, times the 366, the maximum number of days per year, times the 7.99 pound/day/acre emission factor times the 0.05 assuming a 95% control efficiency for the water sprays and divide by 2,000 pounds per ton. The particulate emission factor was calculated in accordance with AP-40, Section 4, Equation 5. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 1/80.

iii. coal pile load-out

Multiply the maximum tons of coal handled per year times the 0.0010 pound/ton emission factor times 0.30 assuming a 70% control efficiency for watering the pile before and/or during load-out, and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

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Open:

Multiply the maximum tons of coal handled per year times the 0.0010 pound/ton emission factor times 0.05 assuming a 95% control efficiency for watering the pile before and/or during load-out, and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

Domed:

Multiply the maximum tons of coal handled per year times the 0.0010 pound/ton emission factor times 0.05 assuming a 95% control efficiency for watering the pile before and/or during load-out, and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

iv. coke pile load-in

Open:

Multiply the maximum tons of coal handled per year times the 0.00129 pound/ton particulate emission factor times 0.30 assuming a 70% control efficiency for partial enclosure and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

v. coke pile wind erosion

Open:

Multiply the maximum area of the coal storage pile, in acres, times the 366, the maximum number of days per year, times the 1.74 pound/day/acre emission factor and divide by 2,000 pounds per ton. The particulate emission factor was calculated in accordance with AP-40, Section 4, Equation 5.

vi. coke pile load-out

Open:

Multiply the maximum tons of coal handled per year times the 0.00129 pound/ton emission factor times 0.30 assuming a 70% control efficiency for partial enclosure during

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load-out, and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

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b. Emission Limitation:

There shall be no visible emissions except for 3 minutes in any hour for Batteries A & B and one minute in any hour for Batteries C & D.

Applicable Compliance Method:

Compliance with the visible emission limitations for the storage piles identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

c. Emission Limitation:

1.2 TPY fugitive PM₁₀

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

i. coal pile load-in

Open:

Multiply the maximum tons of coal handled per year times the 0.0005 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the stacking conveyor, and divide by 2,000 pounds per ton. The PM₁₀ emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

Multiply the maximum tons of coal handled per year times the 0.0005 pound/ton particulate emission factor time 2 enclosed transfer points times 0.05 assuming a 95% control efficiency for the enclosure and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

Domed

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Multiply the maximum tons of coal handled per year times the 0.0005 pound/ton emission factor times 0.05, assuming a 95% control efficiency for the stacking tube, and divide by 2,000 pounds per ton. The PM₁₀ emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

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ii. coal pile wind erosion

Open:

Multiply the maximum area of the coal storage pile, in acres, times 366, the maximum number of days per year, times the 3.99 pound/day/acre emission factor times the 0.50 assuming a 50% control efficiency for the water sprays and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated in accordance with AP-40, Section 4, Equation 5. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 1/80.

Domed:

Multiply the maximum area of the coal storage pile, in acres, times the 366, the maximum number of days per year, times the 3.99 pound/day/acre emission factor times the 0.05 assuming a 95% control efficiency for the water sprays and divide by 2,000 pounds per ton. The particulate emission factor was calculated in accordance with AP-40, Section 4, Equation 5. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 1/80.

iii. coal pile load-out

Open:

Multiply the maximum tons of coal handled per year times the 0.0005 pound/ton emission factor times 0.30 assuming a 70% control efficiency for watering the pile before and/or during load-out, and divide by 2,000 pounds per ton. The PM₁₀ emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

Domed:

Multiply the maximum tons of coal handled per year times the 0.0005 pound/ton emission factor times 0.05 assuming a 95% control efficiency for watering the pile before and/or during load-out, and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

iv. coke pile load-in

Open:

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Multiply the maximum tons of coal handled per year times the 0.00061 pound/ton particulate emission factor times 0.30 assuming a 70% control efficiency for partial enclosure and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

- v. coke pile wind erosion

Open:

Multiply the maximum area of the coal storage pile, in acres, times the 366, the maximum number of days per year, times the 0.87 pound/day/acre emission factor and divide by 2,000 pounds per ton. The particulate emission factor was calculated in accordance with AP-40, Section 4, Equation 5.

- vi. coke pile load-out

Open:

Multiply the maximum tons of coal handled per year times the 0.00061 pound/ton emission factor times 0.30 assuming a 70% control efficiency for partial enclosure , and divide by 2,000 pounds per ton. The particulate emission factor calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) and Table 13.2.4-1, dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment - (F002) - Coal and coke storage piles

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
None	None

2. **Additional Terms and Conditions**

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

Vi. Miscellaneous Requirements

None

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Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(F003) - Coal Handling Processing and Transfer

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	5.3 TPY fugitive PM Visible particulate emissions shall not exceed 20% opacity, as a 3-minute average. best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (See sections A.I.2.c through A.I.2.e) The requirements of this rule also include compliance with 40 CFR Part 52.21, 40 CFR Part 60, Subpart Y and OAC rule 3745-31-10 through 20.
40 CFR Part 52.21 and OAC rule 3745-31-10 through 20	2.56 TPY fugitive PM ₁₀ as a rolling, 12-month summation
40 CFR Part 60, Subpart Y	There shall be no visible particulate emissions of fugitive dust of 20%

2. Additional Terms and Conditions

- 2.a The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

coal unloading via rail car bottom dumping
 coal conveying via belt conveyor
 coal transfer points via belt conveyor to belt conveyor
 coal transfer points associated with new coal bin (4)

2.b The permittee shall employ best available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee’s permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

material handling operation(s)	control measure(s)
rail car bottom dumping	enclosure and wet suppression
belt conveyors and transfer points (21 belt conveyor to belt conveyor) and coal crushing	enclosure and wet suppression (15) none (6)

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.c For each material handling operation that is not adequately enclosed, the above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that the use of the control measure(s) is unnecessary.

2.d Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

II. Operational Restrictions

1. The maximum annual wet coal usage rate for this emissions unit shall not exceed 1,752,000 based upon a rolling, 12-month summation of the wet coal usage rates.

To ensure enforceability during the first 12 calendar months of operation, the permittee shall not exceed the wet coal usage levels specified in the following table:

Month	Maximum Allowable Cumulative Production
1	146,000
1-2	292,000
1-3	438,000
1-4	584,000
1-5	730,000
1-6	876,000

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1-7	1,022,000
1-8	1,168,000
1-9	1,314,000
1-10	1,460,000
1-11	1,606,000
1-12	1,752,000

After the first 12 calendar months of operation, compliance with the annual wet coal usage rate limitation shall be based upon a rolling, 12-month summation of the wet coal usage rates.

III. Monitoring and/or Record Keeping Requirements

1. The permittee shall maintain monthly records of the following information:
 - a. The wet coal usage rate for each month.
 - b. Beginning after the first 12 calendar months of operation, the rolling, 12-month summation of the wet coal usage rates.

Also, during the first 12 calendar months of operation, the permittee shall record the cumulative wet coal usage rate for each calendar month.

2. Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

material handling operation(s)	minimum inspection frequency
Battery #A oven coal conveyors	daily
Battery #B oven coal conveyors	daily
Battery #C oven coal conveyors	daily
Battery #D oven coal conveyors	daily

3. The above-mentioned inspections shall be performed during representative, normal operating conditions.
4. The permittee may, upon receipt of written approval from the Portsmouth Local Air Agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with

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the above-mentioned applicable requirements.

5. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
 - c. the dates the control measure(s) was (were) implemented; and,
 - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in 5.d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

IV. Reporting Requirements

1. Pursuant to the NSPS, the permittee is hereby advised of the requirement to report the following at the appropriate times:
 - a. Construction date (no later than 30 days after such date);
 - b. Anticipated start up date (not more than 60 days or less than 30 days prior to such date);
 - c. Actual start-up date (within 15 days of such date); and
 - d. Date of performance testing (if required, at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
Lazarus Government Center
P. O. Box 1049
Columbus, Ohio 43216-1049

Haverhill North Coke Company**DTL Application: 07 00511****Facility ID: 077300018**

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and

Portsmouth Local Air Agency
605 Washington Street, Third Floor
Portsmouth, Ohio 45662

2. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.
3. The deviation reports shall be submitted in accordance with the reporting requirements of Part 1 - General Terms and Conditions of this permit under section (A)(1).

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V. Testing Requirements

1. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

5.3 TPY fugitive PM

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

i. coal railcar unloading:

Multiply the maximum tons of coal unloaded per year, times the 0.001 pound/ton emission factor times 0.30, assuming a 70% control efficiency for wet suppression and enclosure, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

ii. coal transfer points with enclosure and wet suppression:

Multiply the maximum tons of coal handled per year, times 15, the number of transfer points, times the 0.001 pound/ton emission factor times 0.05, assuming a 95% control efficiency for enclosed transfer points and wet suppression, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

iii. uncontrolled coal transfer points:

Multiply the maximum tons of coal handled per year, times 6, the number of transfer points, times the 0.001 pound/ton emission factor and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95.

iv. coal screening/crushing with enclosure and wet suppression:

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Multiply the maximum tons of coal handled per year, times 1, the number of transfer points, times the 0.16 pound/ton emission factor times 0.01, assuming a 99% control efficiency for enclosed transfer points and wet suppression, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95. The control efficiency was obtained from AP-40 and Ohio RACM.

b. Emission Limitation:

20% opacity as a 3-minute average

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of OAC rule 3745-17-03(B)(3).

c. Emission Limitation:

2.56 TPY fugitive PM₁₀ as a rolling, 12-month summation

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by calculating the sum of the following:

i. coal railcar unloading

Multiply the maximum tons of coal unloaded per month, times the 0.00047 pound/ton emission factor times 0.30, assuming a 70% control efficiency for wet suppression and enclosure, and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

ii. coal transfer points with enclosure and wet suppression

Multiply the maximum tons of coal handled per month, times 15, the

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number of controlled transfer points, times the 0.00047 pound/ton emission factor times 0.05, assuming a 95% control efficiency for enclosed transfer points and wet suppression, and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

iii. uncontrolled coal transfer points

Multiply the maximum tons of coal handled per month, times 6, the number of uncontrolled transfer points, times the 0.00047 pound/ton emission factor and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95.

iv. coal sizing with enclosure and wet suppression:

Multiply the maximum tons of coal handled per year, times 1, the number of transfer points, times the 0.08 pound/ton emission factor times 0.01, assuming a 99% control efficiency for enclosed transfer points and wet suppression, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1) dated 1/95. The control efficiency was obtained from AP-40 and Ohio RACM.

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(F003) - Coal Handling Processing and Transfer

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
None	None

2. **Additional Terms and Conditions**

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

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Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(F004) - Coke and breeze handling and processing

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>Emissions of PM/PM₁₀ from the crushing/screening baghouse shall not exceed 3.09 pounds per hour.</p> <p>4.24 TPY fugitive PM</p> <p>Visible particulate emissions of fugitive dust from this emissions unit shall not exceed 20% opacity as a 3-minute average.</p> <p>The requirements of this rule also include compliance with the requirements of 40 CFR Part 52.21, OAC rule 3745-17-07 and 3745-31-10 through 20.</p>
OAC rule 3745-17-07(A)(1)	Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average, except as provided by rule.
OAC rule 3745-17-11	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

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<p>40 CFR Part 52.21 and OAC rule 3745-31-10 through 20</p>	<p>Particulate emissions from the crushing/screening baghouse shall not exceed 0.008 grains per dry standard cubic foot of exhaust gases.</p> <p>Particulate emissions from the crushing/screening baghouse shall not exceed 13.53 TPY PM/PM₁₀ as a rolling, 12-month summation.</p> <p>2.0 TPY fugitive PM₁₀ as a rolling, 12-month summation</p>
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2. Additional Terms and Conditions

2.a The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

- coke loading of railcars and barges
- coke conveying via belt conveyor
- coke transfer points (belt conveyor to belt conveyor and crusher to belt conveyor)

2.b The permittee shall employ best available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

material handling operation(s)	control measure(s)
coke loading of railcars and barges (belts below grade uncovered)	partial enclosure
coke conveying via belt conveyors (belts below grade uncovered)	partial enclosure
coke transfer points (belt conveyor to belt conveyor and crusher to belt conveyor)	partial enclosure

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.c For each material handling operation that is not adequately enclosed, the above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that the use

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of the control measure(s) is unnecessary.

- 2.d** Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements OAC rule 3745-31-05.

II. Operational Restrictions

- 1. The pressure drop across the coke crushing/screening baghouse shall be maintained within the range of 3 to 12 inches of water, while the emissions unit is in operation.

III. Monitoring and/or Record Keeping Requirements

- 1. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the coke crushing/screening baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the coke crushing/screening baghouse on a once per shift basis.

- 2. Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

material handling operation(s)	minimum inspection frequency
coke loading of railcars and barges	daily
coke conveying via belt conveyors	daily
coke transfer points (belt conveyor to belt conveyor and crusher to belt conveyor)	daily

- 3. The above-mentioned inspections shall be performed during representative, normal operating conditions.
- 4. The permittee may, upon receipt of written approval from the Portsmouth Local Air Agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
- 5. The permittee shall maintain records of the following information:

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- a. the date and reason any required inspection was not performed;
- b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
- c. the dates the control measure(s) was (were) implemented; and,
- d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in 5.d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

IV. Reporting Requirements

1. The permittee shall submit pressure drop deviation (excursion) reports that identify that all periods of time during which the pressure drop across the crushing/screening baghouse did not comply with the allowable range specified above.
2. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency; and,
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.
3. These deviation (excursion) reports are due by the dates described in Part 1 - General Terms and Conditions of this permit under section (A)(1).

V. Testing Requirements

1. Emission testing requirements

The permittee shall conduct, or have conducted, emission testing for the crushing/screening baghouse in accordance with the following requirements:

- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate but no later than 180 days after initial startup of the emissions unit.
- b. The emission testing shall be conducted to demonstrate compliance with the PM emissions limits.

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- c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s): for particulates, Methods 1 through 5 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.
- d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).

Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

2. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):
 - a. Emission Limitation:

Emissions of PM/PM₁₀ from the crushing/screening baghouse shall not exceed 3.09 pounds per hour.

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Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 5 and the procedures and methods required in OAC rule 3745-17-03(B)(10).

b. Emission Limitation:

4.24 TPY fugitive PM

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

- i. enclosed coke transfer points
 - (1) Multiply the maximum tons of coke handled per year times 3, the number of enclosed transfer points that handle 100% of the total throughput, times the 0.00129 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the enclosures, and divide by 2,000 pounds per ton.
 - (2) Multiply the maximum tons of coke handled per year times 0.5, for transfer points that handle 50% of the total throughput, times 5, the number of enclosed transfer points, times the 0.00129 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the enclosures, and divide by 2,000 pounds per ton.

The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

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ii. uncontrolled coke transfer points

Multiply the maximum tons of coke handled per year times 6, the number of uncontrolled transfer points that handle 100% of the total throughput, times the 0.00129 pound/ton emission factor, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95.

iii. coke load-out

Multiply the maximum tons of coke handled per year times the 0.00129 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the partial enclosure, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

iv. coke breeze silo / partially enclosed bunker

Multiply the maximum tons of coke breeze handled per year times 2, the number of transfer points (load-out and load-in), times the 0.00129 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the enclosure, and divide by 2,000 pounds per ton. The particulate emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

c. Emission limitation:

Visible particulate emissions of fugitive dust from this emissions unit shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(3).

d. Emission Limitation:

Visible particulate emissions from the crushing/screening baghouse shall not exceed 20% opacity as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements

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specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

e. Emission Limitation:

0.008 gr/dscf of exhaust gases from the coke crushing/screening baghouse

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 5 and the procedures and methods required in OAC rule 3745-17-03(B)(10).

f. Emission Limitation:

Particulate emissions from the crushing/screening baghouse shall not exceed 13.53 TPY PM/PM₁₀ as a rolling, 12-month summation.

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be calculated by multiplying the PM/PM₁₀ emission factor, in pounds/ton, times the maximum throughput rate of coke, in tons/hour, times the hours of operation, in hours/month, divided by 2,000 pounds/ton. The PM/PM₁₀ emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

g. Emission Limitation:

2.0 TPY fugitive PM₁₀ as a rolling, 12-month summation

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by calculating the sum of the following:

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i. enclosed coke transfer points

- (1) Multiply the maximum tons of coke handled per month times 3, the number of enclosed transfer points that handle 100% of the total throughput, times the 0.00061 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the enclosures, and divide by 2,000 pounds per ton.
- (2) Multiply the maximum tons of coke handled per month times 0.5, for transfer points that handle 50% of the total throughput, times 5, the number of enclosed transfer points, times the 0.00061 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the enclosures, and divide by 2,000 pounds per ton.

The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

ii. uncontrolled coke transfer points

Multiply the maximum tons of coke handled per month times 6, the number of uncontrolled transfer points that handle 100% of the total throughput, times the 0.00061 pound/ton emission factor, and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95.

iii. coke load-out

Multiply the maximum tons of coke handled per month times the 0.00061 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the partial enclosure, and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

iv. coke breeze silo/partially enclosed bunker

Multiply the maximum tons of coke breeze handled per month times 2, the number of transfer points (load-out and load-in), times the 0.00061 pound/ton emission factor times 0.30, assuming a 70% control efficiency for the enclosure, and divide by 2,000 pounds per ton. The PM₁₀ emission factor was calculated from AP-42 5th Edition, Section 13.2.4, Equation (1), dated 1/95. The control efficiency was obtained from RACM, Table 2.2.1-2, dated 10/80.

VI. Miscellaneous Requirements

Modification Issued: 1/15/2008

Emissions Unit ID: F004

None

Modification Issued: 1/15/2008

B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(F004) - Coke and breeze handling and processing

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
None	None

2. **Additional Terms and Conditions**

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

Modification Issued: 1/15/2008

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(P001) - Quench Tower for A and B Batteries and C and D Batteries in interim until quench tower P002 commences operation

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>6.43 tpy HAPs (excluding HCl) for emission units P001 , P002, P901 and P902, combined</p> <p>The requirements of this rule also include compliance with the requirements of 40 CFR Part 52.21 and OAC rule 3745-31-10 through 20.</p>

Emissions Unit ID: P001

40 CFR Part 52.21 and OAC rule 3745-31-10 through 20	<p>216.00 lbs/hr PM</p> <p>197.10 tpy PM as a rolling, 12-month summation when quenching only A and B batteries.</p> <p>394.20 tpy PM as a rolling, 12-month summation when quenching A, B, C, and D batteries for the interim until quench tower P002 commences operation.</p> <p>24.00 lbs/hr PM₁₀</p> <p>21.90 tpy PM₁₀ as a rolling, 12-month summation when quenching only A and B batteries.</p> <p>43.80 tpy PM₁₀ as a rolling, 12-month summation when quenching A, B, C, and D batteries for the interim until quench tower P002 commences operation.</p> <p>0.05 lb PM₁₀ / ton coal</p> <p>See sections A.I.2.b and A.I.2.c below.</p>
OAC rule 3745-17-07(A)	Visible particulate emissions from the quench tower shall not exceed 20% opacity as a 6-minute average, except as provided by rule.
OAC rule 3745-31-05(C)	See section A.I.2.c below.
40 CFR Part 63, Subpart CCCCC	See section A.I.2.d below.

2. Additional Terms and Conditions

- 2.a** The concentration of the total dissolved solids (TDS) of the water employed to quench coke at each quench tower shall not exceed 1100 milligrams per liter (mg/L).
- 2.b** Compliance with OAC rules 3745-31-05 , 3745-31-15 and 40 CFR Part 52.21 shall be demonstrated by a TDS concentration limit of 1100 mg/L and the operation and maintenance of an interior baffle system with coverage of not less than ninety-five per cent of the cross-sectional area of the tower.
- 2.c** Lead emissions shall not exceed 0.41 tons per year as a rolling, 12-month summation for emissions units P901, P902, P001, and P002 combined.
- 2.d** [40 CFR 63.7295 (a)(1)(i) or (ii)]
The concentration of total dissolved solids (TDS) in the water used for quenching must not exceed 1,100 milligrams per liter (mg/L).

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II. Operational Restrictions

1. The permittee shall operate and maintain an interior baffle system for the quench tower. The interior baffle system shall be designed and maintained in accordance with good engineering practice and provide coverage of not less than 95% of the cross-sectional area of the tower.
2. The permittee shall employ clean quench water with a TDS concentration of equal to or less than 1100 mg/l of water during the coke quenching operation.
3. [40 CFR 63.7295 (a)(2)]
The permittee shall use acceptable makeup water for quenching.

[40 CFR 63.7352]
Acceptable makeup water means surface water from a river, lake, or stream; water meeting drinking water standards; storm water runoff and production area clean up water ; process wastewater treated to meet effluent limitations guidelines in 40 CFR part 420; water from any of these sources that has been used only for non-contact cooling or in water seals.
4. [40 CFR 63.7295 (b)(1)]
The permittee shall equip each quench tower with baffles such that no more than 5 percent of the cross sectional area of the tower may be uncovered or open to the sky.
5. [40 CFR 63.7295 (b)(2)]
The permittee shall wash the baffles in each quench tower once each day that the tower is used to quench coke, except as provided in A.II.3.a & b.
 - a. the permittee is not required to wash the baffles in a quench tower if the highest measured ambient temperature remains less than 30 degrees Fahrenheit throughout that day (24-hour period). If the measured ambient temperature rises to 30 degrees Fahrenheit or more during the day, you must resume daily washing according to the schedule in your operation and maintenance plan.
 - b. the permittee shall continuously record the ambient temperature on days that the baffles were not washed.
6. [40 CFR 63.7295 (b)(3)]
The permittee shall inspect each quench tower monthly for damaged or missing baffles

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and blockage.

7. [40 CFR 63.7295 (b)(4)]
The permittee shall initiate repair or replacement of damaged or missing baffles within 30 days and complete as soon as practicable.

III. Monitoring and/or Record Keeping Requirements

1. The permittee shall wash the baffle system on a daily basis. The permittee shall inspect the baffle system on a monthly basis for damaged or missing baffles and blockage. The permittee shall repair or replace all damaged or missing baffles before the next scheduled inspection.
2. The permittee shall collect a weekly sample of the water employed in each quench tower which shall be analyzed for concentration of total dissolved solids.

OAC rule 3745-17-03(10)(c) says use section 209(C) "Standard Methods for the Examination of Water and Wastewater," fifteenth edition using a drying temperature between 103 and 105 degrees Celsius. five samples / week / tower either composite or test each and average

IV. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports that identify (1) each day when the baffles were not washed as required and (2) each repair to the baffle system that was not completed by the next scheduled monthly inspection.
2. The permittee shall submit deviation (excursion) reports that identify all periods of time during which the concentration of TDS of the quench water did not comply with the TDS requirements specified above.
3. The permittee shall submit deviation (excursion) reports which identify all exceedances of the 0.41 tons per year as a rolling 12-month summation Lead emissions limitation.
4. The deviation (excursion) reports shall be submitted in accordance with Part 1 - General Terms and Conditions of this permit under section (A)(1).

V. Testing Requirements

1. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions

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shall be determined in accordance with the following method(s):

a. Emission Limitation:

6.43 tpy HAPs (excluding HCl) for emission units P001 , P002, P901 and P902, combined

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of i through iv below:

i. Waste Gas Stack:

Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the maximum annual coal charge rate divided by 2000 lbs/ton..

ii. Pushing Stack: Compliance shall be determined by multiplying the emission factor of 0.00024 lb total combined HAPs/wet ton coal charged , multiplying the emission factor of each of the following : 0.00021 lb Benzene Soluble Compounds (BSO)/wet ton coal charged, 0.000012 lb Arsenic/wet ton coal charged, 0.000015 lb lead/wet ton coal charged, and 0.0000021 lb manganese/wet ton coal charged, (emission factors from October 1989 Jewell stack test) by the wet tons of coal charged per year divided by 2000 lbs per ton.

iii. Charging Baghouse D: Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton, times the maximum tons of coal charged per year, divided by 2,000 pounds/ton. The HAPs emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

iv. Quench Towers: Compliance shall be determined by multiplying the summation of the HAP emission factor, in pounds/ton, times the wet tons of coal charged per year, and divide by 2000 pounds/ton. The HAPs emission factor shall be calculated from the results of the most recent quench water analysis which demonstrated compliance.

v. By-Pass Vent Stacks: Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton.

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b. Emission Limitation:

0.05 lb PM₁₀ / ton coal

Applicable Compliance Method:

Compliance shall be demonstrated by compliance with the TDS concentration limit of 1100 mg/L and baffles which provide coverage of not less than 95% of the cross sectional area of the tower. The PM₁₀ emission limitation was calculated from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

c. Emission Limitation:

216.00 lbs/hr PM

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.450 pounds per ton times the maximum wet tons of coal charged per hour. The particulate emission factor was determined based on the following equation from Ed Wojciechowski, U. S. EPA, Region 5:

$$y = 0.000115x + 0.323$$

where:

y = lbs PM/wet ton coal, and

x = total dissolved solids (TDS) concentration of quench water (mg/L)

d. Emission Limitation:

24.00 lbs/hr PM₁₀

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.05 lb PM₁₀/wet ton coal charged times the maximum wet tons of coal charged per hour. The PM₁₀ emission factor was obtained from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

e. Emission Limitation:

197.10 TPY PM as a rolling, 12-month summation when quenching A and B batteries

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.450 pounds per ton times the maximum wet tons of coal charged per month, and divide by 2,000 pounds/ton. The particulate emission factor was determined based on the following equation from Ed Wojociechowski, U. S. EPA, Region 5:

$$y = 0.000115x + 0.323$$

where:

y = lbs PM/wet ton coal, and

x = total dissolved solids concentration of quench water (mg/L)

f. Emission Limitation:

21.90 tpy PM₁₀ as a rolling, 12-month summation when quenching A and B batteries

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM₁₀ emission factor of 0.05 pounds/ton coal charged, times the tons of coal charged per month, divided by 2,000 pounds/ton. The PM₁₀ emission factor was obtained from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

g. Emission Limitation:

Visible particulate emissions from each quench tower shall not exceed 20 percent opacity as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the methods and procedures required in OAC rule 3745-17-03(B)(1).

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h. Emission Limitation:

TDS less than 1100 mg/L

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in OAC rule 3745-17-03(B)(10)(c).

i. Emission Limitation:

[40 CFR 63.7295 (a)(1)(i)]

The concentration of total dissolved solids (TDS) in the water used for quenching must not exceed 1,100 milligrams per liter (mg/L).

Applicable Compliance Method:

[40 CFR 63.7325(a)(1)]

Take the quench water sample from a location that provides a representative sample of the quench water as applied to the coke (e.g., from the header that feeds water to the quench tower reservoirs). Conduct sampling under normal and representative operating conditions.

[40 CFR 63.7325(a)(2)]

Determine the TDS concentration of the sample using Method 160.1 in 40 CFR part 136.3 (see 'residue - filterable'), except that you must dry the total filterable residue at 103 to 105 °C (degrees Centigrade) instead of 180 °C.

j. Emission Limitation:

Lead emissions shall not exceed 0.41 tons per year for emissions units P901, P902, P001, and P002 combined.

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

i. waste gas stack

Compliance shall be demonstrated by adding the current month's

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emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

ii. charging

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor of 0.0000001 pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

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iii. pushing

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

vi. quench towers

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent water analysis which demonstrated compliance

j. Emission Limitation:

394.20 tpy PM as a rolling, 12-month summation (quenching A, B, C and D batteries only in interim until P002 commences operation)

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.450 pounds per ton times the maximum wet tons of coal charged per month, and divide by 2,000 pounds/ton. The particulate emission factor was determined based on the following equation from Ed Wojociechowski, U. S. EPA, Region 5:

$$y = 0.000115x + 0.323$$

where:

y = lbs PM/wet ton coal, and

x = total dissolved solids concentration of quench water (mg/L)

k. Emission Limitation:

43.80 tpy PM₁₀ as a rolling, 12-month summation (quenching A, B, C and D batteries only in interim until P002 commences operation)

Applicable Compliance Method:

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Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM₁₀ emission factor of 0.05 pounds/ton coal charged, times the tons of coal charged per month, divided by 2,000 pounds/ton. The PM₁₀ emission factor was obtained from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment - (P001) - Quench Tower for A and B Batteries and C and D Batteries in interim until quench tower P002 commences operation

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	Compliance with OEPA Air Toxics Policy; see Part II, term B.

2. **Additional Terms and Conditions**

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

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Emissions Unit ID: P001

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Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment - (P002) - Quench Tower for C and D Batteries

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>6.43 tpy HAPs (excluding HCl) for emission units P001, P002, P901 and P902, combined</p> <p>The requirements of this rule also include compliance with the requirements of 40 CFR Part 52.21 and OAC rule 3745-31-10 through 20.</p>
40 CFR Part 52.21 and OAC rule 3745-31-10 through 20	<p>216.00 lbs/hr PM</p> <p>197.10 tpy PM as a rolling, 12-month summation</p> <p>24.00 lbs/hr PM₁₀</p> <p>21.90 tpy PM₁₀ as a rolling, 12-month summation</p> <p>0.05 lb PM₁₀ / ton coal</p> <p>See sections A.I.2.b and A.I.2.c below</p>
OAC rule 3745-17-07(A)	Visible particulate emissions from the quench tower shall not exceed 20% opacity as a 6-minute average, except as provided by rule.
OAC rule 3745-31-05 (C)	See sections A.I.2.c.
40 CFR Part 63, Subpart CCCCC	See section A.I.2.d below.

2. Additional Terms and Conditions

- 2.a The concentration of the total dissolved solids (TDS) of the water employed to

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quench coke at each quench tower shall not exceed 1100 milligrams per liter (mg/L).

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- 2.b** Compliance with OAC rules 3745-31-05 and 3745-31-15 and 40 CFR Part 52.21 shall be demonstrated by a TDS concentration limit of 1100 mg/L and the operation and maintenance of an interior baffle system with coverage of not less than ninety-five per cent of the cross-sectional area of the tower.
- 2.c** Lead emissions shall not exceed 0.41 ton per year as a rolling, 12-month summation for emissions units P901, P902, P001, and P002 combined.
- 2.d** [40 CFR 63.7295 (a)(1)(i) or (ii)]
The concentration of total dissolved solids (TDS) in the water used for quenching must not exceed 1,100 milligrams per liter (mg/L).

II. Operational Restrictions

1. The permittee shall operate and maintain an interior baffle system for the quench tower. The interior baffle system shall be designed and maintained in accordance with good engineering practice and provide coverage of not less than 95% of the cross-sectional area of the tower.
2. The permittee shall employ clean quench water with a TDS concentration of equal to or less than 1100 mg/l of water during the coke quenching operation.
3. [40 CFR 63.7295 (a)(2)]
The permittee shall use acceptable makeup water for quenching.

[40 CFR 63.7352]
Acceptable makeup water means surface water from a river, lake, or stream; water meeting drinking water standards; storm water runoff and production area clean up water ; process wastewater treated to meet effluent limitations guidelines in 40 CFR part 420; water from any of these sources that has been used only for non-contact cooling or in water seals.
4. [40 CFR 63.7295 (b)(1)]
The permittee shall equip each quench tower with baffles such that no more than 5 percent of the cross sectional area of the tower may be uncovered or open to the sky.
5. [40 CFR 63.7295 (b)(2)]
The permittee shall wash the baffles in each quench tower once each day that the tower is used to quench coke, except as provided in A.II.3.a & b.

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- a. the permittee is not required to wash the baffles in a quench tower if the highest measured ambient temperature remains less than 30 degrees Fahrenheit throughout that day (24-hour period). If the measured ambient temperature rises to 30 degrees Fahrenheit or more during the day, you must resume daily washing according to the schedule in your operation and maintenance plan.
 - b. the permittee shall continuously record the ambient temperature on days that the baffles were not washed.
6. [40 CFR 63.7295 (b)(3)]
The permittee shall inspect each quench tower monthly for damaged or missing baffles and blockage.
 7. [40 CFR 63.7295 (b)(4)]
The permittee shall initiate repair or replacement of damaged or missing baffles within 30 days and complete as soon as practicable.

III. Monitoring and/or Record Keeping Requirements

1. The permittee shall wash the baffle system on a daily basis. The permittee shall inspect the baffle system on a monthly basis for damaged or missing baffles and blockage. The permittee shall repair or replace all damaged or missing baffles before the next scheduled inspection.
2. The permittee shall collect a weekly sample of the water employed in each quench tower which shall be analyzed for concentration of total dissolved solids.

OAC rule 3745-17-03(10)(c) says use section 209(C) "Standard Methods for the Examination of Water and Wastewater," fifteenth edition using a drying temperature between 103 and 105 degrees Celsius. five samples / week / tower either composite or test each and average

IV. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports that identify (1) each day when the baffles were not washed and (2) each repair to the baffle system that was not completed by the next scheduled monthly inspection.
2. The permittee shall submit deviation (excursion) reports that identify all periods of time during which the concentration of TDS of the quench water did not comply with the TDS

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requirements specified above.

3. The permittee shall submit deviation (excursion) reports which identify all exceedances of the 0.41 ton per year as a rolling 12-month summation Lead emissions limitation.
4. The deviation (excursion) reports shall be submitted in accordance with Part 1 - General Terms and Conditions of this permit under section (A)(1).

V. Testing Requirements

1. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):

- a. Emission Limitation:

6.43 tpy HAPs (excluding HCl) for emission units P001, P002, P901 and P902,combined

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of i through iv below:

- i. Waste Gas Stack: Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the maximum annual coal charge rate divided by 2000 lbs/ton..
- ii. Pushing Stack: Compliance shall be determined by multiplying the emission factor of 0.00024 lb total combined HAPs/wet ton coal charged , multiplying the emission factor of each of the following : 0.00021 lb Benzene Soluble Compounds (BSO)/wet ton coal charged, 0.000012 lb Arsenic/wet ton coal charged, 0.000015 lb lead/wet toncoal charged, and 0.0000021 lb manganese/wet ton coal charged, (emission factors from October 1989 Jewell stack test) by the wet tons of coal charged per year divided by 2000 lbs per ton.
- iii. Charging Baghouse D: Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton, times the maximum tons of coal charged per year, divided by 2,000 pounds/ton. The HAPs emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

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iv. Quench Towers: Compliance shall be determined by multiplying the summation of the HAP emission factor, in pounds/ton, times the wet tons of coal charged per year, and divide by 2000 pounds/ton. The HAPs emission factor shall be calculated from the results of the most recent quench water analysis which demonstrated compliance.

v. By-Pass Vent Stacks: Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the times

the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton.

b. Emission Limitation:

0.05 lb PM₁₀ / ton coal

Applicable Compliance Method:

Compliance shall be demonstrated by compliance with the TDS concentration limit of 1100 mg/L and baffles which provide coverage of not less than 95% of the cross sectional area of the tower. The PM₁₀ emission limitation was calculated from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

c. Emission Limitation:

216.00 lbs/hr PM

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.450 pounds per ton times the maximum wet tons of coal charged per hour. The particulate emission factor was determined based on the following equation from Ed Wojociechowski, U. S. EPA, Region 5:

$$y = 0.000115x + 0.323$$

where:

y = lbs PM/wet ton coal, and

x = total dissolved solids (TDS) concentration of quench water (mg/L)

d. Emission Limitation:

24.00 lbs/hr PM₁₀

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.05 lb PM₁₀/wet ton coal charged times the maximum wet tons of coal charged per hour. The PM₁₀ emission factor was obtained from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

e. Emission Limitation:

197.10 TPY PM as a rolling, 12-month summation

Applicable Compliance Method:

Compliance shall be demonstrated by

adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.450 pounds per ton times the maximum wet tons of coal charged per month, and divide by 2,000 pounds/ton. The particulate emission factor was determined based on the following equation from Ed Wojocichowski, U. S. EPA, Region 5:

$$y = 0.000115x + 0.323$$

where:

y = lbs PM/wet ton coal, and

x = total dissolved solids concentration of quench water (mg/L)

f. Emission Limitation:

21.90 TPY PM₁₀ as a rolling, 12-month summation

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM₁₀ emission factor of 0.05 pounds/ton coal charged, times the tons of coal charged per month, divided by 2,000 pounds/ton.

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The PM₁₀ emission factor was obtained from AP-42 5th Edition, Section 12.2, Tables 12.2-2 and 12.2-4 (the PM emission factor for quenching with baffles and clean water is 0.54 lb PM/ton coal charged and 9.8% of PM is PM₁₀).

g. Emission Limitation:

Visible particulate emissions from each quench tower shall not exceed 20 percent opacity as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the methods and procedures required in OAC rule 3745-17-03(B)(1).

h. Emission Limitation:

TDS less than 1100 mg/L

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in OAC rule 3745-17-03(B)(10)(c).

i. Emission Limitation:

[40 CFR 63.7295 (a)(1)(i)]

The concentration of total dissolved solids (TDS) in the water used for quenching must not exceed 1,100 milligrams per liter (mg/L).

Applicable Compliance Method:

[40 CFR 63.7325(a)(1)]

Take the quench water sample from a location that provides a representative sample of the quench water as applied to the coke (e.g., from the header that feeds

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water to the quench tower reservoirs). Conduct sampling under normal and representative operating conditions.

[40 CFR 63.7325(a)(2)]

Determine the TDS concentration of the sample using Method 160.1 in 40 CFR part 136.3 (see 'residue - filterable'), except that you must dry the total filterable residue at 103 to 105 °C (degrees Centigrade) instead of 180 °C.

j. Emission Limitation:

Lead emissions shall not exceed 0.41 ton per year for emissions units P901, P902, P001, and P002 combined.

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

i. waste gas stack

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

ii. charging

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor of 0.0000001 pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

iii. pushing

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months.

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Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

vi. quench towers

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent water analysis which demonstrated compliance

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment - (P002) - Quench Tower for C and D Batteries

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	Compliance with OEPA Air Toxics Policy; see Part II, term B.

2. **Additional Terms and Conditions**

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

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Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(P901) - 60 oven nonrecovery coke battery (A battery) and 40 oven nonrecovery coke battery (B battery) with heat recovery steam generators and gas sparging

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	<i>waste gas from coking process with a lime spray dryer, baghouse, and staged combustion</i>

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OAC rule 3745-31-05(A)(3)	<p>0.060 lb/hr Lead from the waste gas stack</p> <p>0.0057 lb HAPs (excluding HCl) / ton coal from the waste gas stack</p> <p>0.30 lb/hr lead from the heat recovery steam generator (HRSG) by-pass vent stacks (VS1-VS5)</p> <p>0.031 lb HAPS / ton coal from the HRSG by-pass vent stacks (VS1-VS5)</p> <p>See section A.1.2.1 below.</p> <p>Visible particulate emissions from the waste gas exhaust stack(s) shall not exceed 10% opacity as a 6-minute average.</p> <p>Visible particulate emissions of fugitive dust from this emissions unit shall not exceed 20% opacity as a 3-minute average.</p> <p>No visible emissions shall be permitted from the common battery tunnel or its associated piping.</p> <p>The requirements of this rule also include compliance with the requirements of OAC rule 3745-31-10 through 20.</p>
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<p>40 CFR Part 52.21 and OAC rule 3745-31-10 through 20</p>	<p>17.14 lbs/hr PM/PM₁₀ from the waste gas stack 75.09 tpy PM/PM₁₀ as a rolling, 12-month summation from the waste gas stack</p> <p>192.0 lbs/hr SO₂ as a 3 hour block average from the waste gas stack 700.80 tpy SO₂ as a rolling, 12-month summation from the waste gas stack 120.0 lbs/hr NO_x from the waste gas stack 438.0 tpy NO_x as a rolling, 12-month summation from the waste gas stack 21.81 lbs/hr CO from the waste gas stack 95.54 tpy CO as a rolling, 12-month summation from the waste gas stack 4.67 lbs/hr VOC from the waste gas stack 20.47 tpy VOC as a rolling, 12-month summation from waste gas stack 21.0 lbs/hr PM/PM₁₀ from the HRSG by-pass vent stacks (VS1-VS5) 10.80 tpy PM/PM₁₀ from the HRSG by-pass vent stacks (VS1-VS5)</p> <p>480.0 lbs/hr SO₂ as a 3 hour block average from the HRSG by-pass vent stacks (VS1-VS5) 192.0 tpy SO₂ from the HRSG by-pass vent stacks (VS1-VS5) 24.0 lbs/hr NO_x from the HRSG by-pass vent stacks (VS1-VS5) 9.60 tpy NO_x from the HRSG by-pass vent stacks (VS1-VS5) 4.36 lbs/hr CO from the HRSG by-pass vent stacks (VS1-VS5) 2.09 tpy CO from the HRSG by-pass vent stacks (VS1-VS5) 0.93 lb/hr VOC from the HRSG by-pass vent stacks (VS1-VS5) 0.45 tpy VOC from the HRSG by-pass vent stacks (VS1-VS5)</p> <p>Particulate emissions from the lime spray dryer baghouse exhaust shall not exceed 0.008 gr/dscf of exhaust gases.</p> <p>1.6 lbs SO₂ / ton coal from the waste gas stack 1 lb NO_x / ton coal from the waste gas stack 20 ppm CO from the waste gas stack 10 ppm VOC from the waste gas stack See section A.I.2.a below.</p>
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OAC rule 3745-17-07(A)(1)	The emission limitation specified by this rules is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-11(B)	The emission limitation specified by this rules is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-18-06(E)(2)	The emission limitation specified by this rules is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-23-06(B)	See section A.I.2.c below.
OAC rule 3745-21-08(B)	See section A.I.2.d below.
OAC rule 3745-31-05(D)	See section A.I.2.e below.
40 CFR Part 63, Subpart L	See sections A.I.2.f, A.I.2.g and A.I.2.h below.
<i>charging operations with baghouse with traveling hood</i>	
OAC rule 3745-31-05(A)(3)	<p>Visible particulate emissions from the charging baghouse stack shall not exceed 10% opacity as a 6-minute average.</p> <p>The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(A)(1), 40 CFR Part 52.21 and 3745-31-10 through 20.</p> <p>Visible particulate emissions of fugitive dust from charging operations shall not exceed 20% opacity, as an average of five consecutive charges.</p>

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40 CFR Part 52.21 and OAC rule 3745-31-10 through 20	0.0081 lb PM/PM ₁₀ / ton dry coal from the charging baghouse 3.3 tpy PM/PM ₁₀ as a rolling, 12-month summation from the charging baghouse 3.89 lbs/hr fugitive PM from charging 3.55 tpy fugitive PM from charging 1.17 lbs/hr fugitive PM ₁₀ from charging 1.06 tpy fugitive PM ₁₀ as a rolling, 12-month summation from charging 0.14 lb/hr SO ₂ from the charging baghouse 0.13 tpy SO ₂ as a rolling, 12-month summation from the charging baghouse 1.34 lbs/hr CO from the charging baghouse 1.23 tpy CO as a rolling, 12-month summation from the charging baghouse 0.96 lb/hr VOC from the charging baghouse 0.88 tpy VOC as a rolling, 12-month summation from the charging baghouse See section A.I.2.a below. 0.0003 lb SO ₂ / ton coal from the charging baghouse 0.0028 lb CO / ton coal from the charging baghouse 0.002 lb VOC / ton coal from the charging baghouse
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OAC rule 3745-17-07(A)(1)	Visible particulate emissions from the charging baghouse stacks shall not exceed 20% opacity as a 6-minute average,
OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-21-08(B)	See section A.I.2.d below.
OAC rule 3745-31-05 (C)	See section A.I.2.e below.
40 CFR Part 63, Subpart L	See sections A.I.2.f, A.I.2.g and A.I.2.h below.
<i>pushing operations with flat push hot car (FPHC) vented to multiclone dust collector</i>	
OAC rule 3745-31-05(A)(3)	<p>Visible particulate emissions of fugitive dust from the pushing operations shall not exceed 20% opacity as a 3-minute average. See section A.I.2.b below.</p> <p>The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(A)(1) and 3745-31-10 through 20.</p>

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<p>OAC rule 3745-31-10 through 20</p>	<p>13.72 lbs/hr PM/PM₁₀ from the flat push hot car vented to multiclone dust collector</p> <p>12.53 tpy PM/PM₁₀ as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>24 lbs/hr SO₂ from the flat push hot car (FPHC) vented to multiclone dust collector</p> <p>21.9 tpy SO₂ as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>7.68 lbs/hr NO_x from the flat push hot car vented to multiclone dust collector</p> <p>7.01 tpy NO_x as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>36.96 lbs/hr CO from the flat push hot car vented to multiclone dust collector</p> <p>33.73 tpy CO as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>96.0 lbs/hr VOC from the flat push hot car vented to multiclone dust collector</p> <p>87.6 tpy VOC as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p>
	<p>Particulate emissions from the flat push hot car vented to multiclone dust collector exhaust shall not exceed 0.04 lb PM₁₀ / ton of coke.</p> <p>See section A.I.2.a below.</p> <p>0.05 lb SO₂ / ton coal from the flat push hot car vented to multiclone dust collector</p> <p>0.016 lb NO_x / ton coal from the flat push hot car vented to multiclone dust collector</p> <p>0.077 lb CO / ton coal from the flat push hot car vented to multiclone dust collector</p> <p>0.2 lb VOC / ton coal from the flat push hot car vented to multiclone dust collector</p>

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40 CFR Part 63, Subpart CCCCC	See section A.I.2.k below.
OAC rule 3745-17-07(A)(1)	Visible particulate emissions from the flat push hot car vented to multiclone dust collector stacks shall not exceed 20% opacity as a 6-minute average, except as provided by rule.
OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-23-06(B)	See section A.I.2.c below.
OAC rule 3745-21-08(B)	See section A.I.2.d below.
OAC rule 3745-31-05(C)	See section A.I.2.e below.

2. Additional Terms and Conditions

2.a OAC rule 3745-31-15 requires the following best available control technologies:

- i. The waste gas from coking shall be processed by the use of a lime spray dryer with a manufacturer's design control efficiency of 92% for SO₂ control, staged combustion for NO_x control, combustion optimization for CO and VOC control, and a baghouse for PM control.
- ii. The pushing operations shall employ a mobile hood with a multiclone dust collector for PM control and work practices for CO and VOC control.
- iii. The charging operations shall employ a baghouse with a traveling hood for PM control.

The emissions control system for the pushing operation(s) shall maintain a minimum capture efficiency of 98%.

2.b Except as provided by rule, all stationary nitrogen oxide emission sources shall minimize nitrogen oxide emissions by the use of the latest available control techniques and operating practices in accordance with best current technology. The permittee shall employ the best available control technologies described in term and condition A.I.2.b.i above to minimize nitrogen oxide emissions.

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- 2.c** Except as provided by rule, all new stationary carbon monoxide emission sources shall minimize carbon monoxide emissions by the use of the best available control techniques and operating practices in accordance with best current technology. The permittee shall employ the best available control technologies described in term and conditions A.1.2.b.i and A.1.2.b.ii above to minimize carbon monoxide emissions.
- 2.d** Lead emissions shall not exceed 0.41 ton per year as a rolling, 12-month summation for emissions units P901, P902, P001, and P002 combined.
- [40 CFR 63.300(e)]
- 2.e** The emission limitations set forth in 40 CFR Part 63, Subpart L shall apply at all times except during a period of startup, shutdown, or malfunction. The startup period shall be determined by the Administrator and shall not exceed 180 days.
- [40 CFR 63.303(b)(1)]
- 2.f** The coke oven emissions from the nonrecovery coke oven batteries shall not exceed 0.0 percent leaking coke oven doors, as determined by the procedures in 40 CFR Part 63, Section 63.309(d)(1); or
The permittee shall monitor and record, once per day of operation, the pressure in each oven or in a common battery tunnel to ensure that the ovens are operated under a negative pressure.
- [40 CFR 63.303(b)(2)]
- 2.g** For charging operations, the permittee shall install, operate and maintain an emission control system for the capture and collection of emissions in a manner consistent with good air pollution control practices for minimizing emissions from the charging operation.
- [40 CFR 63.7300(a)]
- 2.h** As required by §63.6(e)(1)(i), the permittee must always operate and maintain your affected source, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this subpart.
- [40 CFR 63.7300(b)(1) through (6)]
- 2.i** The permittee must prepare and operate at all times according to a written operation and maintenance plan for the general operation and maintenance of new coke oven batteries. Each plan must address, at a minimum, the elements

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listed in paragraphs (1) through (6) below.

- (1) Not applicable to nonrecovery coke oven battery technology.
- (2) Not applicable to nonrecovery coke oven battery technology.
- (3) Procedures to prevent pushing an oven before it is fully coked.
- (4) Not applicable to nonrecovery coke oven battery technology.
- (5) Not applicable to nonrecovery coke oven battery technology.
- (6) Schedule and procedures for the daily washing of baffles.

[40 CFR 63.7300(c)(1) through (3)]

2.j The permittee must prepare and operate at all times according to a written operation and maintenance plan for each capture system and control device applied

to pushing emissions from a new or existing coke oven battery. Each plan must address at a minimum the elements in paragraphs (1) through (3) below.

- (1) Monthly inspections of the equipment that are important to the performance of the total capture system (e.g., pressure sensors, dampers, and damper switches). This inspection must include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). The operation and maintenance plan must also include requirements to repair any defect or deficiency in the capture system before the next scheduled inspection.
- (2) Preventative maintenance for each control device, including a preventative maintenance schedule that is consistent with the manufacturer's instructions for routine and long-term maintenance.

2.k Hazardous Air Pollutant (HAPs) emissions shall not exceed 6.43 tons per year for emissions units P001, P002, P901 and P902, combined.

2.l When charging coal with a sulfur content greater than or equal to 1.3 weight percent sulfur, the permittee shall either:

- i. adjust operating parameters of the lime spray dryer as needed to increase the control efficiency for SO₂ emissions to comply with the pound per hour and rolling 12-month SO₂ emission limitations; or
- ii. reduce production as needed to comply with the pound per hour and rolling 12-month SO₂ emission limitations.

II. Operational Restrictions

1. The pressure drop across the waste gas exhaust baghouse shall be maintained within the range of 3 to 12 inches of water while the emissions unit is in operation.

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2. The pressure drop across each charging baghouse shall be maintained within the range of 3 to 12 inches of water while the emissions unit is in operation.
3. The permittee shall operate and maintain common duct temperatures at a minimum of 1400 °F as established in the Work Practice Plan to ensure emission limits for the waste gas exhaust are not exceeded.

Gas sparging is allowed for natural gas usage up to 100 MMBTU/hr to be introduced in the common tunnel.

4. The maximum hourly charging/pushing rate for this emissions unit shall not exceed 10 ovens per hour.
5. The maximum daily wet coal usage rate for this emissions unit shall not exceed 2,400 wet tons coal.
6. The maximum annual wet coal usage rate for shall not exceed 876,000 tons, based upon a rolling, 12-month summation of the wet coal usage rates.

To ensure enforceability during the first 12 calendar months of operation , the permittee shall not exceed the wet coal usage levels specified in the following table:

Month	Maximum Allowable Cumulative Wet Coal Usage
1	73,000
1-2	146,000
1-3	219,000
1-4	292,000
1-5	365,000
1-6	438,000
1-7	511,000
1-8	584,000
1-9	657,000
1-10	730,000
1-11	803,000
1-12	876,000

After the first 12 calendar months of operation , compliance with the annual wet coal usage rate limitation shall be based upon a rolling, 12-month summation of the wet coal

usage rates.

7. The lime spray dryer and baghouse associated with the battery waste gas exhaust shall begin operation within forty (40) days after start-up of the first coke battery.
8. [40 CFR 63.310]
At all times including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the coke oven battery and its pollution control equipment required under 40 CFR Part 63, Subpart L, in a manner consistent with good air pollution control practices for minimizing emissions to the levels required by any applicable performance standards under 40 CFR Part 63, Subpart L. Failure to adhere to the requirements of this paragraph shall not constitute a separate violation if a violation of an applicable performance or work practice standard has also occurred.
9. Waste gas emissions shall not be vented to the HRSG bypass vent stacks for more than 192 hours per rolling 12-month period per vent stack. There shall be no more than one HRSG bypass vent stack in use at any time.

To ensure enforceability during the first 12-calendar months of operation, the permittee shall not exceed the by-pass levels specified in the following table:

Month	Maximum cumulative hours of operation of each HRSG bypass vent stack
1	192
2	192
3	192
4	192
5	192
6	192
7	192
8	192
9	192
10	192
11	192
12	192

After the first 12 calendar months of operation, compliance with the annual HRSG bypass vent stack usage limitation shall be based upon a rolling, 12-month summation of the HRSG bypass vent stack usage rates.

10. [40 CFR 63.7290(b)(3)]
For each capture system applied to pushing emissions, the permittee shall:
 - (a) Maintain the daily average volumetric flow rate at the inlet of the control device at or above the minimum level established during the initial performance test.; or

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- (b) For each capture system that uses an electric motor to drive the fan, the permittee shall maintain the daily average fan motor amperes at or above the minimum level established during the initial performance test; and
- (c) For each capture system that does not use a fan driven by an electric motor, the permittee shall maintain the daily average static pressure at the inlet to the control device at on equal or greater vacuum than the level established during the initial performance test or maintain the daily average fan revolutions per minute (RPM) at or above the minimum level established during the initial performance test.

11. [40 CFR 63.7290(b)(4)]

For each multiclone, the permittee shall maintain the daily average pressure drop at or below the minimum level established during the initial or subsequent performance test.

12. [40 CFR 63.7293(a)(1)]

The permittee shall visually inspect each oven prior to pushing by opening the door damper and observing the bed of coke.

13. [40 CFR 63.7293(a)(2)]

The permittee shall not push the oven unless the visual inspection indicates that there is no smoke in the open space above the coke bed and that there is an unobstructed view of the door on the opposite side of the oven.

14. The permittee shall ensure that the common battery tunnel(s), oven exhaust ductwork, waste heat ductwork, heat recovery steam generators, ductwork from the heat recovery steam generators to the lime spray dryer, lime spray dryer, baghouse and fan capacity are designed and installed to handle peak gassing periods.

15. It is recognized that soot formation can occur on the heat transfer surfaces of the heat recovery steam generators and reduce the heat transfer efficiency. The permittee shall implement maintenance procedures that allow for removal of soot from the heat transfer surfaces of the heat recovery steam generators without shutdown of the heat recovery steam generator(s). These maintenance procedures can include, but are not limited to, installation of sootblowers on the heat recovery steam generators to allow for periodic cleaning of the heat transfer surfaces.

III. Monitoring and/or Record Keeping Requirements

1. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the waste gas baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual (s). The permittee shall record the pressure drop across the baghouse on a once per shift basis.
2. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across each charging baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across each baghouse on a once per shift basis.
3. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the pushing multiclone dust collector while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s).

The hood and duct work collecting pushing emissions shall be visually examined weekly for areas potentially needing repair. When an inspection identifies an area needing repair, the permittee shall maintain records of the date the inspection, the dates of each attempt to repair, the repair methods of each attempt to repair, and the date of successful repair.

4. The permittee shall maintain daily records of the coal usage rate, in wet tons, in this emissions unit.
5. The permittee shall maintain hourly records of the charging/pushing rate, in number of charges/pushes per hour, for this emissions unit.
6. The permittee shall maintain monthly records of the following information:
 - a. the wet coal usage rate for each month; and,
 - b. beginning after the first 12 calendar months of operation, the rolling, 12-month summation of the wet coal usage rates.

Also, during the first 12 calendar months of operation, the permittee shall record the cumulative wet coal usage rate for each calendar month.

7. The permittee shall operate and maintain equipment to continuously monitor and

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record SO₂ from the waste gas stack in units of the applicable standard(s). Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.13.

8. The permittee shall maintain records of all data obtained by the continuous SO₂ monitoring system including, but not limited to, parts per million SO₂ on a 1-hour basis, and in units of pounds per hour on a one hour and three hour average basis and results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.
9. Within 180 days of the effective date of this permit, the permittee shall develop a written quality assurance/quality control plan for the continuous SO₂ monitoring system designed to ensure continuous valid and representative readings of SO₂. The plan shall follow the requirements of 40 CFR Part 60, Appendix F. The quality assurance/quality control plan and a logbook dedicated to the continuous SO₂ monitoring system must be kept on site and available for inspection during regular office hours.
10. The permittee shall monitor and record the temperature of the common battery tunnel on a once per shift basis.
11. The permittee shall monitor and record, once per day for each day of operation, the pressure in the common battery tunnel to ensure that the ovens are operated under a negative pressure.
12. [40 CFR 63.306(a)]
The permittee shall prepare and submit to the Administrator a written emission control work practice plan for each coke oven battery, in accordance with 40 CFR Part 63, Subpart L, Section 63.306, within 45 days of startup of the first coke oven battery facility.

The plan shall be designed to achieve compliance with visible emission limitations for coke oven doors, and charging operations under this subpart or, for a coke oven battery not subject to visible emission limitations under this subpart, other federally enforceable visible emission limitations for these emission points.

- a. The work practice plan must address each of the topics specified in paragraph (b) of this section in sufficient detail and with sufficient specificity to allow the Administrator to evaluate the plan for completeness and enforceability.
- b. The Administrator may require revisions to the initial plan only where the

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Administrator finds either that the plan does not address each subject area listed in paragraph (b) of this section for each emission point subject to a visible emission standard under this subpart, or that the plan is unenforceable because it contains requirements that are unclear.

- c. During any period of time that an owner or operator is required to implement the provisions of a plan for a particular emission point, the failure to implement one or more obligations under the plan and/or any recordkeeping requirement(s) under §63.311(f)(4) for the emission point during a particular day is a single violation.

13. [40 CFR 63.306(b)]

Plan components. The permittee shall organize the work practice plan to indicate clearly which parts of the plan pertain to each emission point subject to visible emission standards under this subpart. Each of the following provisions, at a minimum, shall be addressed in the plan:

- a. An initial and refresher training program for all coke plant operating personnel with responsibilities that impact emissions, including contractors, in job requirements related to emission control and the requirements of this subpart, including work practice requirements. Contractors with responsibilities that impact emission control may be trained by the owner or operator or by qualified contractor personnel; however, the owner or operator shall ensure that the contractor training program complies with the requirements of this section. The training program in the plan must include:
 - (i) A list, by job title, of all personnel that are required to be trained and the emission point(s) associated with each job title;
 - (ii) An outline of the subjects to be covered in the initial and refresher training for each group of personnel;
 - (iii) A description of the training method(s) that will be used (e.g., lecture, video tape);
 - (iv) A statement of the duration of initial training and the duration and frequency of refresher training;
 - (v) A description of the methods to be used at the completion of initial or refresher training to demonstrate and document successful completion of the initial and refresher training; and
 - (vi) A description of the procedure to be used to document performance of plan requirements pertaining to daily operation of the coke oven battery and its emission control equipment, including a copy of the form to be used, if applicable, as required under the plan provisions implementing

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paragraph (b)(7) of this section.

- b. Procedures for controlling emissions from nonrecovery coke oven batteries including:
 - (i) Procedures for charging coal into the oven, including any special procedures for minimizing air infiltration during charging, maximizing the draft on the oven, and for replacing the door promptly after charging;
 - (ii) If applicable, procedures for the capture and control of charging emissions;
 - (iii) Procedures for cleaning coke from the door sill area for both sides of the battery after completing the pushing operation and before replacing the coke oven door;
 - (iv) Procedures for cleaning coal from the door sill area after charging and before replacing the push side door;
 - (v) Procedures for filling gaps around the door perimeter with sealant material, if applicable; and
 - (vi) Procedures for detecting and controlling emissions from smoldering coal.
 - c. Procedures for maintaining, for each emission point subject to visible emission limitations under this subpart, a daily record of the performance of plan requirements pertaining to the daily operation of the coke oven battery and its emission control equipment, including:
 - (i) Procedures for recording the performance of such plan requirements; and
 - (ii) Procedures for certifying the accuracy of such records by the owner or operator.
 - d. Any additional work practices or requirements specified by the Administrator according to paragraph (d) of this section.
14. [40 CFR 63.306(c)]
Implementation of work practice plans. On and after November 15, 1993, the owner or operator of a coke oven battery shall implement the provisions of the coke oven

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emission control work practice plan according to the following requirements:

- a. (1) The owner or operator of a coke oven battery subject to visible emission limitations under this subpart on and after November 15, 1993, shall:
 - (i) Implement the provisions of the work practice plan pertaining to a particular emission point following the second independent exceedance of the visible emission limitation for the emission point in any consecutive 6-month period, by no later than 3 days after receipt of written notification of the second such exceedance from the certified observer. For the purpose of this paragraph (c)(1)(i), the second exceedance is "independent" if either of the following criteria is met:
 - (A) The second exceedance occurs 30 days or more after the first exceedance;
 - (B) In the case of coke oven doors, topside port lids, and offtake systems, the 29-run average, calculated by excluding the highest value in the 30-day period, exceeds the value of the applicable emission limitation; or
 - (C) In the case of charging emissions, the 29-day logarithmic average, calculated in accordance with Method 303 in appendix A to this part by excluding the valid daily set of observations in the 30-day period that had the highest arithmetic average, exceeds the value of the applicable emission limitation.
 - (ii) Continue to implement such plan provisions until the visible emission limitation for the emission point is achieved for 90 consecutive days if work practice requirements are implemented pursuant to paragraph (c)(1)(i) of this section. After the visible emission limitation for a particular emission point is achieved for 90 consecutive days, any exceedances prior to the beginning of the 90 days are not included in making a determination under paragraph (c)(1)(i) of this section.
- b. (2) The owner or operator of a coke oven battery not subject to visible emission limitations under this subpart until December 31, 1995, shall:
 - (i) Implement the provisions of the work practice plan pertaining to a particular emission point following the second exceedance in any consecutive 6-month period of a federally enforceable emission limitation for that emission point for coke oven doors, or charging operations by no later than 3 days after receipt of written

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notification from the applicable enforcement agency; and

- (ii) Continue to implement such plan provisions for 90 consecutive days after the most recent written notification from the enforcement agency of an exceedance of the visible emission limitation.

15. [40 CFR 63.306(d)]

Revisions to plan. Revisions to the work practice emission control plan will be governed by the provisions in this paragraph (d) and in paragraph (a)(2) of this section.

- a. (1) The Administrator may request the owner or operator to review and revise as needed the work practice emission control plan for a particular emission point if there are 2 exceedances of the applicable visible emission limitation in the 6-month period that starts 30 days after the owner or operator is required to implement work practices under paragraph (c) of this section. In the case of a coke oven battery subject to visual emission limitations under this subpart, the second exceedance must be independent under the criteria in paragraph (c)(1)(i) of this section.
- b. (2) The Administrator may not request the owner or operator to review and revise the plan more than twice in any 12 consecutive month period for any particular emission point unless the Administrator disapproves the plan according to the provisions in paragraph (d)(6) of this section.
- c. (3) If the certified observer calculates that a second exceedance (or, if applicable, a second independent exceedance) has occurred, the certified observer shall notify the owner or operator. No later than 10 days after receipt of such a notification, the owner or operator shall notify the Administrator of any finding of whether work practices are related to the cause or the solution of the problem. This notification is subject to review by the Administrator according to the provisions in paragraph (d)(6) of this section.
- d. (4) The owner or operator shall submit a revised work practice plan within 60 days of notification from the Administrator under paragraph (d)(1) of this section, unless the Administrator grants an extension of time to submit the revised plan.
- e. (5) If the Administrator requires a plan revision, the Administrator may require

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the plan to address a subject area or areas in addition to those in paragraph (b) of this section, if the Administrator determines that without plan coverage of such an additional subject area, there is a reasonable probability of further exceedances of the visible emission limitation for the emission point for which a plan revision is required.

- f. (6) The Administrator may disapprove a plan revision required under paragraph (d) of this section if the Administrator determines that the revised plan is inadequate to prevent exceedances of the visible emission limitation under this subpart for the emission point for which a plan revision is required or, in the case of a battery not subject to visual emission limitations under this subpart, other federally enforceable emission limitations for such emission point. The Administrator may also disapprove the finding that may be submitted pursuant to paragraph (d)(3) of this section if the Administrator determines that a revised plan is needed to prevent exceedances of the applicable visible emission limitations.
16. [40 CFR 63.310(b)]
The permittee of a coke oven battery shall develop and implement a written startup, shutdown, and malfunction plan that describes procedures for operating the battery, including associated air pollution control equipment, during a period of a startup, shutdown, or malfunction in a manner consistent with good air pollution control practices for minimizing emissions, and procedures for correcting malfunctioning process and air pollution control equipment as quickly as practicable.
17. [40 CFR 63.310(g)]
To satisfy the requirements of 40 CFR Part 63, Section 63.310 to develop a startup, shutdown, and malfunction plan, the permittee may use the standard operating procedures manual for the battery, provided the manual meets all the requirements for 40 CFR Part 63, Section 63.310 and is made available for inspection at reasonable times when requested by the Administrator.
18. [40 CFR 63.310(h)]
The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:
- a. does not address a startup, shutdown, or malfunction event that has occurred
 - b. fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions; or
 - c. does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.

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19. [40 CFR 63.310(i)]

If the permittee demonstrates to the satisfaction of the Administrator that a startup, shutdown, or malfunction has occurred, then an observation occurring during such startup, shutdown, or malfunction shall not:

 - a. constitute a violation of relevant requirements of 40 CFR Part 63, Subpart L;
 - b. be used in any compliance determination under 40 CFR Part 63, Section 63.309; or
 - c. be considered for purposes of 40 CFR Part 63, Section 63.306, until the Administrator determines that a startup, shutdown, or malfunction has not occurred, such observations may be used for purposes of 40 CFR Part 63, Section 63.306, regardless of whether the permittee further contests such determination. The permittee's receipt of written notification from the Administrator that a startup, shutdown, or malfunction has not occurred will serve, where applicable under 40 CFR Part 63, Subpart 63.306, as written notification from the certified observer that an exceedance has occurred.

20. [40 CFR 63.311(f)]

The permittee shall maintain files of all required information in a permanent form suitable for inspection at an onsite location for at least 1 year and must thereafter be assessable within 3 working days to the Administrator for a period of at least five years from the date of the monitoring sample, measurement, report or application.

21. [40 CFR 63.311(f)]

Copies of the work practice plan developed under 40 CFR Part 63, Section 63.306 and the startup, shutdown, and malfunction plan developed under 40 CFR Part 63, Section 63.310 shall be kept onsite at all times. The permittee shall maintain the following information:

 - a. records of daily pressure monitoring, according to 40 CFR Part 63, Section 63.303(b)(1)(ii);
 - b. records demonstrating the performance of work practice requirements according to 40 CFR Part 63, Section 63.306(b)(7);
 - c. design characteristics of each emission control system for the capture and collection of charging emissions, as required by 40 CFR Part 63, Section 63.303(b)(2).

22. [40 CFR 63.311(f)(3)]
a copy of the work practice plan required by 40 CFR Part 63, Section 63.306 and any revision to the plan;
23. [40 CFR 63.311(g)(1)-(4)]
records required to be maintained and reports required to be filed with the Administrator, with a copy to the Portsmouth Local Air Agency, under 40 CFR Part 63, Subpart L shall be made available in accordance with the requirements of this section by the permittee to the authorized collective bargaining representative of the employees at a coke oven battery, for inspection and copying.
 - a. requests under this term and condition shall be submitted in writing, and shall identify the records or reports that are subject to the request with reasonable specificity;
 - b. the permittee shall produce the reports for inspection and copying within a reasonable period of time, not to exceed 30 days. A reasonable fee may be charged for copying (except for the first copy of any document), which shall not exceed the copying fee charged by the Administrator under part 2 of the CFR, chapter 40;
 - c. nothing in this term and condition shall require the production for inspection or copying of any portion of a document that contains trade secret or confidential business information that the Administrator would be prohibited from disclosing to the public under part 2 of the CFR, chapter 40; and;
 - d. the inspection or copying of document under this term and condition shall not in any way affect any property right of the permittee in such document under the laws for the protection of intellectual property, including the copyright laws.
24. [40 CFR 63.310(f)]
The permittee shall maintain a record of internal reports which form the basis of each malfunction notification in accordance with 40 CFR Part 63.310(d).
25. The permittee shall maintain records for each waste gas by-pass event of the date and time each event began, an identification of the stack venting, and the duration in hours.
26. [40 CFR 7330(d)]
For each capture system applied to pushing emissions, the permittee must at all times monitor the volumetric flow rate according to the requirements in §63.7331(g) or the fan motor amperes according to the requirements in §63.7331(h), or the static pressure or the fan RPM according to the requirements in §63.7331(i) .
27. [40 CFR 63.7330(f)]
For each multiclone applied to pushing emissions, the permittee must monitor at all

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times the pressure drop using a CPSM according to the requirements in §63.7331(k).

28. [40 CFR 63.7331 (g)]
If the permittee elects the operating limit in §63.7290(b)(3) for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure the total volumetric flow rate at the inlet to the control device .
29. [40 CFR 63.7331 (h)]
If the permittee elects the operating limit in §63.7290(b)(3) (i) for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure the fan motor amperes .
30. [40 CFR 63.7331 (i)]
If the permittee elects the operating limit in §63.7331(b)(3)(ii), for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure static pressure at the inlet of the control device or the fan RPM.
31. [40 CFR 63.7331 (k)]
For each multiclone applied to pushing emissions, you must install, operate, and maintain CPMS to measure and record the pressure drop across each multiclone during each push according to the requirements in paragraphs (b) through (d) of 40 CFR 63.7331 except as specified in paragraphs (e)(1) through (3) of 40 CFR 63.7331.
32. [40 CFR 63.7333(d)]
For each capture system applied to pushing emissions and subject to the operating limit in 40 CFR 63.7290(b)(3), you must demonstrate continuous compliance by meeting the requirements in paragraph (d)(1), (2), or (3) of 40 CFR 63.7333 as summarized in section A.III.32.(a) through (c) below:
 - a. If you elect the operating limit for volumetric flow rate in 40 CFR 63.7290(b)(3):
 - i. maintaining the daily average volumetric flow rate at the inlet of the control device at or above the minimum level established during the initial or subsequent performance test; and
 - ii. checking the volumetric flow rate at least every 8 hours to verify the daily average is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.
 - b. If you elect the operating limit for the fan motor amperes in 40 CFR

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63.7290(b)(3)(i):

- i. maintaining the daily average fan motor amperes at or above the minimum level established during the initial or subsequent performance test; and
 - ii. checking the fan motor average at least every 8 hours to verify the daily average is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.
- c. If you elect the operating limit for static pressure or fan RPM in 40 CFR 7290(b)(3)(ii):
- i. maintaining the daily average static pressure at the inlet to the control device at an equal or greater vacuum than established during the initial or subsequent performance test or the daily average fan RPM at or above the minimum level established during the initial or subsequent performance test; and
 - ii. checking the static pressure or fan RPM at least every 8 hours to verify the daily average static pressure at the inlet to the control device is at an equal or greater vacuum than established during the initial or subsequent performance test or the daily average fan RPM is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.

33. [40 CFR 7333(h)]

For each multiclone applied to pushing emissions and subject to the operating limit in 40 CFR 7290(b)(4), you must demonstrate compliance by meeting the requirements in paragraphs (h)(1) through (3) of 40 CFR 63.7333 as summarized in section A.III.33.(a) through (c) below:

- a. maintaining the daily average pressure drop at a level at or below the level established during the initial or subsequent performance test.
- b. operating and maintaining each CPMS according to 40 CFR 63.7331(k) and recording all information needed to document conformance with these requirements.
- c. collecting and reducing monitoring data for pressure drop according to 40 CFR 63.7331(e)(1) through (3).

34. [40 CFR 63.7342 (a)(1) through (3)]

The permittee must keep the records specified in paragraphs (a) through (c) below.

- a. A copy of each notification and report that you submitted to comply with this

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subpart, including all documentation supporting any initial notification or notification of compliance status that you submitted, according to the requirements in §63.10(b)(2)(xiv).

- b. The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.
 - c. Records of performance tests, performance evaluations, and opacity observations as required in §63.10(b)(2)(viii).
35. [40 CFR 63.7342 (d)]
The permittee must keep the records required in §§63.7333 through 63.7335 to show continuous compliance with each emission limitation, work practice standard, and operation and maintenance requirement that applies.
36. [40 CFR 63.7343 (a) through (c)]
- a. The permittee must keep your records in a form suitable and readily available for expeditious review, according to §63.10(b)(1).
 - b. As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
 - c. You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records offsite for the remaining 3 years.
37. The permittee shall collect monthly composite samples of the coal charged in this emissions unit. The Permittee shall also collect a composite sample of the coal charged in this emissions unit each time the coal blend is changed. The individual samples for each monthly composite shall be collected from primary conveyor belt that feeds batteries A and B or other location mutually agreeable by the permittee and Ohio EPA. A sufficient number of individual samples shall be collected so that each composite sample is representative of the average quality of coal charged in this emissions unit during each calendar month. The coal sampling shall be performed in accordance with ASTM method D2234, Collection of a Gross Sample of Coal.

Each monthly composite sample of coal shall be analyzed for sulfur content (percent),

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mercury content (percent) and chlorine content (percent). The analytical methods for sulfur content, mercury content and chlorine content shall be: ASTM method D3177, Total Sulfur in the Analysis Sample of Coal and Coke or ASTM method D4239, Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods; D6722-01 Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by Direct Combustion Analysis; D6721-01 Standard Test Method for Determination of Chlorine in Coal by Oxidation Hydrolysis Microcoulometry. Alternative, equivalent methods may be used upon written approval from the appropriate Ohio EPA District Office or local air agency.

38. The permittee shall maintain monthly records of the results of the analyses for sulfur content, mercury content, and chlorine content of the coal charged.
39. All bypass vent stacks shall be equipped with sensors that detect when the bypass stacks are open, or partially opened, either due to relieving system pressure or manual opening of the bypass vent stacks by the operator. These sensors shall be instrumented to the operator and an alarm sounded when there is stack gas flow to any of the by-pass vent stacks. The permittee shall record and maintain daily records for each bypass vent stack the time periods that there was flow through the bypass vent stack(s).
40. Ohio EPA reserves the right to require the permittee to install a continuous opacity monitoring system on the main stack if Method 9 readings indicate that visible emissions are at a level near the allowable visible emission limitation. If Ohio EPA determines that a continuous opacity monitoring system is needed to assure compliance with the visible emission limitation, the permittee shall install an opacity monitoring system on the main stack within 90 days of notification by Ohio EPA that an opacity monitoring system is required to be installed. Prior to installation of an opacity monitoring system, the permittee shall submit information detailing the proposed location of the sampling site in accordance with the siting requirements in 40 CFR Part 60, Appendix B, Performance Specification 1 for approval by the Ohio EPA, Central Office.
41. The permittee shall maintain monthly records of all the following information for all periods when waste gas emissions are vented to the HRSG bypass vent stacks:
 - a. the date, time, and duration of each bypass event;
 - b. the identification of each bypass vent stack in use;
 - c. the reason for the bypass event; and
 - d. beginning after the first 12 calendar months of operation, the rolling, 12-month summation of the HRSG bypass vent stack usage rates per stack.
42. The permittee shall observe each coke oven door after charging and record the oven

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number of any door from which visible emissions occur. Emissions from coal spilled during charging or from material trapped within the seal area of the door are not considered to be a door leak if the permittee demonstrates that the oven is under negative pressure, and that no emissions are visible from the top of the door or from the dampers on the door.

43. Except as provided in (a) below, if a coke oven door leak is observed at any time during the coking cycle, the permittee shall take corrective action and stop the leak within 15 minutes from the time the leak is first observed. No additional leaks are allowed from doors on that oven for the remainder of that oven's coking cycle.
 - a. For no more than two times per battery in any semiannual reporting period, the permittee may take corrective action and stop the leak within 45 minutes (instead of 15 minutes) from the time the leak is first observed.

IV Reporting Requirements

1. The permittee shall submit pressure drop deviation (excursion) reports that identify that all periods of time during which the pressure drop across the waste gas baghouse did not comply with the allowable range specified above.
2. The permittee shall submit pressure drop deviation (excursion) reports that identify all periods of time during which the pressure drop across either charging baghouse did not comply with the allowable range specified above.
3. The permittee shall submit pressure drop deviation (excursion) reports that identify all periods of time during which the pressure drop across the pushing multiclone dust collector did not comply with the allowable range specified above.

The permittee shall submit semi-annual written reports which (a) list all inspections which identified an area of the hood and duct work needing repair, and (b) a description of the repairs completed.

4. The permittee shall submit deviation (excursion) reports which identify all exceedances of the daily wet coal usage rate limitation.
5. The permittee shall submit deviation (excursion) reports which identify all exceedances of the hourly charging/pushing rate limitation.
6. The permittee shall submit deviation (excursion) reports that identify all exceedances of the rolling, 12-month wet coal usage rate limitation and, for the first 12 calendar months of operation, all exceedances of the maximum allowable cumulative wet coal usage levels.
7. Pursuant to OAC rules 3745-15-04, 3745-35-02, and ORC sections 3704.03(l) and 3704.031 and 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the Portsmouth Local Air

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Agency documenting the date, commencement and completion times, duration magnitude, reason (if known), and corrective actions taken (if any), of all instances of SO₂ values in excess of the applicable limit(s) specified OAC Chapter 3745-18, the daily SO₂ emission rates and/or the annual SO₂ emission rates. These reports shall also contain the total SO₂ emissions for the calendar quarter (in tons).

The permittee shall submit reports within 30 days following the end of each calendar quarter to the Portsmouth Local Air Agency documenting any continuous SO₂ monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report.

If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit, control equipment, and/or monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line also shall be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

8. The permittee shall submit common battery tunnel temperature deviation (excursion) reports that identify all periods of during which the temperature in the common battery tunnel did not comply with the allowable range specified above. These reports shall include the time of the temperature deviation, the duration of the exceedance and the corrective action taken.
9. The permittee shall submit deviation (excursion) reports which identify all exceedances of the 0.41 ton per year Lead emissions limitation.
10. [40 CFR 63.310(d)]
In order for the provisions of term and condition III.8. to apply with respect to the observation (or set of observations) for a particular day, notification of a startup, shutdown, or a malfunction shall be made by the permittee;

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- a. if practicable, to the certified observer if the observer is at the facility during the occurrence; or
 - b. to the enforcement agency, in writing, within 24 hours of the occurrence first being documented by a company employee, and if the notification was not made, an explanation of why no such notification was made.
11. [40 CFR 63.310(e)]
Within 14 days of the original notification made under term and condition IV.4 or after a startup or shutdown, the permittee shall submit a written report to the Administrator, with a copy to the Portsmouth Local Air Agency that:
 - a. describes the times and circumstances of the startup, shutdown, or malfunction;
 - b. describes actions taken that might be considered inconsistent with the startup, shutdown, or malfunction plan.
12. [40 CFR 63.311(b)]
The permittee shall provide a written statement(s) to certify compliance to the Administrator, with a copy to the Portsmouth Local Air Agency, within 45 days of the applicable compliance date for the emission limitations or requirements in 40 CFR Part 63, Subpart L. The permittee shall include the following information in the initial compliance certification:
 - a. statement, signed by the permittee, certifying that a written startup, shutdown, and malfunction plan has been prepared as required in 40 CFR Part 63, Section 63.310.
13. [40 CFR 63.311(c)]
The permittee shall provide written notification(s) to the Administrator of:
 - a. intention to construct a new coke oven battery (including reconstruction of an existing coke oven battery and construction of a greenfield coke oven battery), including the anticipated date of startup.
14. [40 CFR 63.311(d)]
The permittee shall include the following information in the semi-annual compliance certification:
 - a. certification, signed by the permittee, that a startup, shutdown, or malfunction event did not occur for the coke oven battery during the reporting period or that a startup, shutdown, event did occur and a report was submitted according to the requirements in 40 CFR Part 63, Section 63.310(e); and,
 - b. certification, signed by the permittee, that work practices were implemented if applicable under 40 CFR 63.306.

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15. The permittee shall submit semi-annual written reports which identify the date, time, and duration of each waste gas by-pass event.
16. The deviation (excursion) reports shall be submitted in accordance with Part 1 - General Terms and Conditions of this permit under section (A)(1).
17. The permittee shall submit to the Portsmouth Local Air Agency quarterly common battery tunnel negative pressure deviation (excursion) reports that identify all periods of time during which there was not a negative pressure across each common battery tunnel. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during the quarter. These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.
18. The permittee shall submit to the Portsmouth Local Air Agency quarterly deviation (excursion) reports that identify all periods during which visual inspections of the enclosed flat push hot car identified areas potentially needing repair to minimize visible emissions of fugitive dust. The report shall include the repair methods of each attempt to repair, and the date of successful repair. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during the quarter. These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.
19. The permittee shall submit to the Portsmouth Local Air Agency quarterly reports concerning the quality and quantity of the coal i coked in this emissions unit. These reports shall include the following information for the emissions unit for each day during the calendar quarter:
 - a. the total quantity of wet coal charged (tons);
 - b. the average mercury content (percent) of the coal charged;
 - c. the average chlorine content (percent) of the coal charged; and
 - d. the average sulfur content (weight percent) of the coal charged.

These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

20. The permittee shall submit to the Portsmouth Local Air Agency quarterly deviation (excursion) reports that identify all exceedances of the HRSG bypass vent stack usage limitations. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during the quarter. These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

V. Testing Requirements

1. Emission Testing Requirements

The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate but no later than 180 days after initial startup of the emissions unit for: the waste gas stack, charging baghouse stacks and the pushing multiclone stack. The emission testing for the HRSG bypass vent stacks shall be conducted during the first scheduled by-pass of a heat recovery steam generator for purposes of the annual heat recovery steam generator inspection and maintenance. The HRSG bypass vent stack initial testing is only required on one of the five bypass vent stacks.
- b. The emission testing shall be conducted to demonstrate compliance with the following allowable limitations.
 - i. Waste gas Stack: PE, SO₂, NO_x, CO, VOC*, Lead, and mercury.
 - ii. Charging baghouse stacks: PE.
 - iii. Pushing multiclone stacks: PE, SO₂, NO_x, CO, VOC*, Lead.
 - iv. *HRSG bypass vent stacks: PE, , SO₂, , lead and mercury.*
- c. The emission testing shall be conducted to determine the emissions of dioxins, furans, and acid gases from the main stack.
- d. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s):

Pollutant	Method of 40 CFR Part 60, Appendix A
particulates	Methods 1 through 4 and 5
SO ₂	Methods 1 through 4 and 6C
NO _x	Methods 1 through 4 and 7E
CO	Methods 1 through 4 and 10

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VOC	Methods 1 through 4 , 25 or 25A, and if necessary Method 18
Lead	Methods 1 through 4 and 12 or 29
Mercury	Method 101 A of 40 CFR Part 61, Appendix B or Method 29 of 40 CFR Part 60, Appendix A

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

*Test Methods shall be selected to consider all species of organics in the gas stream. The results shall be total VOC.

Pollutant	Method under 40 CFR
Dioxins and furans	Method 23 of 40 CFR Part 60, Appendix A
Acid gas emissions (include HCl, HF, Cl ₂ , etc.)	Method 26 of 40 CFR Part 60, Appendix A

- e. The following additional information shall be documented during all emission testing for PE, SO₂, NO_x, CO, VOC, Lead, mercury, dioxins and furans, acid gases, and flow rate
- i. Hourly wet coal charge rates, in tons/hr and the number of charges per hour to allow a determination of an emission factor in pounds of pollutant per ton of coal processed;
 - ii. Hourly coke push rates, in tons/hr and the number of pushes per hour to allow a determination of an emission factor in pounds of pollutant per ton of coke produced;
 - iii. Pressure drop readings approximately every 15 minutes during the test(s) for:
 - (a) each charging *baghouse* when charging emissions are being tested;
 - (b) the lime spray dryer baghouse when the main stack emissions are being tested;
 - (c) each pushing *multiclone* when pushing emissions are being tested;

- iv. lime spray dryer operating parameters *when the main stack emissions are being tested*;
 - v. main stack baghouse cleaning cycle; and
 - f. The permittee shall provide, or cause to be provided, performance testing facilities as follows for the outlet duct for charging baghouse, the outlet duct for the main stack, and the outlet duct for the pushing multiclone:
 - i. Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
 - ii. Safe sampling platform(s).
 - iii. Safe access to sampling platform(s).
 - iv. Utilities for sampling and testing equipment.
 - g. The outlet duct for the charging *baghouse*, the outlet duct for the main stack, and the outlet duct for the pushing multiclone shall be designed in a manner that allows for emissions sampling ports to be installed according to criteria specified in Method 1 of 40 CFR Part 60, Appendix A.
 - h. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Portsmouth Local Air Agency.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Portsmouth Local Air Agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Portsmouth Local Air Agency's refusal to accept the results of the emission test(s).

Personnel from the Portsmouth Local Air Agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

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A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Portsmouth Local Air Agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Portsmouth Local Air Agency.

2. Certification

Prior to the installation of the continuous SO₂ monitoring system, the permittee shall submit information detailing the proposed location of the sampling site(s) in accordance with the siting requirements in 40 CFR Part 60, Appendix B, Performance Specification 6 for approval by the Ohio EPA, Central Office.

Within 60 days after achieving the maximum production rate, the permittee shall conduct certification tests of the continuous SO₂ monitoring system pursuant to ORC section 3704.03(I) and 40 CFR Part 60, Appendix B, Performance Specification 6. Personnel from the Portsmouth Local Air Agency shall be notified 30 days prior to initiation of the applicable tests and shall be permitted to examine equipment and witness the certification tests. In accordance with OAC rule 3745-15-04, all copies of the test results shall be submitted to the Portsmouth Local Air Agency within 30 days after the test is completed. Copies of the test results shall be sent to the Portsmouth Local Air Agency and the Ohio EPA, Central Office. Certification of the continuous SO₂ monitoring system shall be granted upon determination by the Ohio EPA, Central Office that the system meets all requirements of ORC section 3704.03(I) and 40 CFR Part 60, Appendix B, Performance Specification 6.

3. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

0.060 lb/hr Lead from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 12 or 29.

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b. Emission Limitation:

0.0057 lb HAPs (excluding HCl) / ton coal from waste gas stack

Applicable Compliance Method:

The emission limitation was derived by the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] and HNCC test data.

If required, compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 18. Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

c. Emission Limitation:

0.30 lb/hr lead from the by-pass vent stacks (VS1-VS5)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the lead emission factor of 0.0031 pounds/ton times the tons of coal charged per hour. The lead emission factor was obtained the draft AP-42, Section 12.2, Table 12.2-20, dated July 2001.

d. Emission Limitation:

0.031 lb HAPS (excluding HCl) / ton coal from the by-pass vent stacks (VS1-VS5)

Applicable Compliance Method:

The emissions limit was derived from calculating the summation of the individual HAP pollutants lb/ton emission factors obtained from the draft AP-42, Section 12.2, Table 12.2-20, dated July 2001 and HNCC test data.

e. Emission Limitation:

6.43 tpy HAPs for emission units P001, P002, P901 and P902, combined

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of i through iv below:

i. Waste Gas Stack:

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Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the maximum annual coal charge rate divided by 2000 lbs/ton..

- ii. Pushing Stack: Compliance shall be determined by multiplying the emission factor of 0.00024 lb total combined HAPs/wet ton coal charged , multiplying the emission factor of each of the following : 0.00021 lb Benzene Soluble Compounds (BSO)/wet ton coal charged, 0.000012 lb Arsenic/wet ton coal charged, 0.000015 lb lead/wet ton coal charged, and 0.0000021 lb manganese/wet ton coal charged, (emission factors from October 1989 Jewell stack test) by the wet tons of coal charged per year divided by 2000 lbs per ton.
- iii. Charging Baghouse D: Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton, times the maximum tons of coal charged per year, divided by 2,000 pounds/ton. The HAPs emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.
- iv. Quench Towers: Compliance shall be determined by multiplying the summation of the HAP emission factor, in pounds/ton, times the wet tons of coal charged per year, and divide by 2000 pounds/ton. The HAPs emission factor shall be calculated from the results of the most recent quench water analysis which demonstrated compliance.
- v. By-Pass Vent Stacks: Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton.

f. Emission Limitation:

Visible particulate emissions from waste gas stack A/B shall not exceed 10% opacity as a 6-minute average.

Applicable Compliance Method:

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Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

g. Emission Limitation:

Visible particulate emissions of fugitive dust from this emissions unit shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(3).

h. Emission Limitation:

No visible emissions shall be permitted from the waste gas common duct or its associated piping.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 22 and the procedures and methods required in OAC rule 3745-17-03(B)(4).

i. Emission Limitation:

17.14 lbs/hr PM/PM₁₀ from waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 5.

j. Emission Limitation:

75.09 tpy PM/PM₁₀ as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

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Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM/PM₁₀ emission factor, in pounds/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The PM/PM₁₀ emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

k. Emission Limitation:

192.0 lbs/hr SO₂ as a 3 hour block average from the waste gas stack

Applicable Compliance Method:

Initial compliance with the allowable pounds per hour emission limitations shall be demonstrated by the performance testing as described in A.V.2.

Continual compliance shall be demonstrated from the three hour average SO₂ emission rate obtained from the SO₂ continuous emissions monitor on the lime spray dryer for the coke oven battery waste gas exhaust.

l. Emission Limitation:

700.80 tpy SO₂ as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current months' emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by adding the SO₂ emissions rate in pounds/day for each day of the calendar month, as measured by the SO₂ continuous emissions monitor and dividing by 2,000 pounds/ton.

m. Emission Limitation:

120.0 lbs/hr NO_x from the waste gas stack

Applicable Compliance Method:

Compliance shall be determined by multiplying the emission factor, in lbs of pollutant/wet ton coal charged, calculated from the results of the most recent performance test which demonstrated compliance, by the wet tons of coal charged per hour.

n. Emission Limitation:

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438.0 tpy NO_x as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the NO_x emission factor, in pounds/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The NO_x emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

o. Emission Limitation:

21.81 lbs/hr CO from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 10.

p. Emission Limitation:

95.54 tpy CO as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the CO emission factor, in pounds/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The CO emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

q. Emission Limitation:

4.67 lbs/hr VOC from waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements

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specified in 40 CFR Part 60, Appendix A, Methods 1 through 4, 5 or 25A, as appropriate.

r. Emission Limitation:

20.47 tpy VOC as a rolling, 12-month summation from the waste gas stack

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the VOC emission factor, in pounds/ton coal, times the tons of coal charged per month. The VOC emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

s. Emission Limitation:

21.0 lbs/hr PM/PM₁₀ from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the grains of PM/PM₁₀ per dscf of 0.03 times the maximum flow rate of the waste gas vented multiplied by an estimated 20% of total gas vented times 60 minutes per hour divided by 7000 grains per lb. The PM/PM₁₀ emission estimate was obtained from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 /1989..

t. Emission Limitation:

10.80 tpy PM/PM₁₀ from the HRSG by-pass vent stacks

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the grains of PM/PM₁₀ per dscf of 0.03 times the maximum flow rate of the waste gas vented multiplied by an estimated 20% of total gas vented times 60 minutes per hour divided by 7000 grains per lb multiplied by 192 hours of venting per year divided by 2000 lbs per ton multiplied by the number of by-pass vent stacks (5). The PM/PM₁₀ emission estimate was obtained from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 /1989..

u. Emission Limitation:

480.0 lbs /hr SO₂ as a 3 hour block average from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

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Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the SO₂ emission factor of 20 pounds/ton times the tons of coal charged per hour multiplied by an estimated 20% total gas venting . The SO₂ emission factor was derived using a material balance based on data from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 / 1989 and assuming a coal sulfur content of 1.3%.

v. Emission Limitation:

192.0 tpy SO₂ from the HRSG by-pass vent stacks

Applicable Compliance Method:

The emission limit was derived by multiplying the SO₂ emission factor of 20 pounds/ton times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton. The SO₂ emission factor was derived using a material balance based on data from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10/1989 and assuming a coal sulfur content of 1.3%

w. Emission Limitation:

24.0 lbs/hr NO_x from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the NO_x emission factor of 1 pound/ton times the tons of coal charged per hour multiplied by an estimated 20% of total gas venting. The NO_x emission factor was obtained from a EPA stack test data at ---Jewell Coke Co. dated ---- September 1992.

x. Emission Limitation:

9.60 tpy NO_x from the HRSG by-pass vent stacks

Applicable Compliance Method:

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The emission limit was derived by multiplying the NO_x emission factor of 1 pound/ton times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton. The NO_x emission factor was obtained from a EPA stack test data at Jewell Coke Co. dated September 1992.

y. Emission Limitation:

4.36 lbs/hr CO from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the CO emission factor of 20 ppm, times 28, the molecular weight of CO, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack.

z. Emission Limitation:

2.09 tpy CO from the HRSG by-pass vent stacks

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the CO emission factor of 20 ppm, times 28, the molecular weight of CO, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack, times the total hours/year of all by-pass events, divided by 2,000 pounds/ton.

aa. Emission Limitation:

0.93 lb/hr VOC from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

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Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the VOC emission factor of 10 ppm, times 12, the molecular weight of carbon, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack.

bb. Emission Limitation:

0.45 tpy VOC from the HRSG by-pass vent stacks

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the VOC emission factor of 10 ppm, times 12, the molecular weight of carbon, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack, times the total hours/year of all by-pass events, divided by 2,000 pounds/ton.

cc. Emission Limitation:

Particulate emissions from the lime spray dryer baghouse exhaust shall not exceed 0.008 gr/dscf of exhaust gases.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 5.

dd. Emission Limitation:

1.6 lb SO₂ / ton coal from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 6.

ee. Emission Limitation:

1 lb NO_x / ton coal from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements

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specified in 40 CFR Part 60, Appendix A, Method 7.

ff. Emission Limitation:

20 ppm CO from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 10.

gg. Emission Limitation:

10 ppm VOC from waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 4, 25 or 25A, as appropriate.

hh. Emission Limitation:

3.89 lbs/hr fugitive PM from charging

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.027 pounds/ton coal charged times the maximum tons of wet coal charged per hour times the capture factor of 0.3 (70% capture rate). The PM emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

ii. Emission Limitation:

3.55 tpy fugitive PM from charging

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.027 pounds/ton coal charged times the maximum tons of wet coal charged per year

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times the capture factor of 0.3 (70% capture rate), divided by 2,000 pounds/ton. The PM emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

jj. Emission Limitation:

Visible particulate emissions fugitive dust from charging from this emissions unit shall not exceed 20% opacity as an average of five consecutive charges .

Applicable Compliance Method:

The permittee shall conduct a performance test each week to demonstrate compliance this opacity limit. The permittee shall conduct each performance test according to the procedures and requirements in paragraphs (i)(a) through (iii) of this section.

- (i) Using a certified observer, determine the average opacity of five consecutive charges per week for each charging emissions capture system if charges can be observed according to Method 9 (40 CFR Part 60, Appendix A), except as specified in paragraphs (a) and (b) of this section.
 - (a) Instead of the procedures in section 2.4 of Method 9 (40 CFR Part 60, Appendix A), record observations to the nearest 5 percent at 15-second intervals for at least five consecutive charges.
 - (b) Instead of the procedures in section 2.5 of Method 9 (40 CFR Part 60, Appendix A), determine and record the highest 3-minute block average opacity for each charge from the consecutive observations recorded at 15-second intervals.
- (ii) Opacity observations are to start when the door is removed for charging and end when the door is replaced.
- (iii) Using the observations recorded from each performance test, the certified observer shall compute and record the average of the five 3-minute block averages.

kk. Emission Limitation:

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0.0081 lb PM/PM₁₀ / ton dry coal from the charging baghouse

Applicable Compliance Method:

The permittee shall demonstrate compliance with this emission limitation through emission testing performed in accordance with Method 5 of 40 CFR Part 60, Appendix A.

II. Emission Limitation:

3.3 tpy PM/PM₁₀ as a rolling, 12-month summation from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM emission factor, in pounds / ton dry coal, by the tons coal charged per month. The PM emission factor was obtained from 40 CFR Part 63, Subpart L, section 63.303(d)(2), dated April 15, 2005.

mm. Emission Limitation:

1.17 lbs/hr fugitive PM₁₀ from charging

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.027 pounds/ton coal charged, times the tons of wet coal charged per hour by the capture factor of 0.3 (70% capture rate) by 0.30 the fraction of TSP estimated to by PM₁₀. The emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

nn. Emission Limitation:

1.06 tpy PM₁₀ fugitive emissions as a rolling, 12-month summation

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.027 pounds/ton coal charged, times the tons of wet coal charged per month by the capture factor of 0.3 (70% capture rate) by 0.30 the fraction of TSP estimated to by PM₁₀, divided by 2,000 pounds/ton. The emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

oo. Emission Limitation:

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0.144 SO₂ from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.0003 pounds/ton wet coal charged, times the tons of wet coal charged per hour. The SO₂ emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

pp. Emission Limitation:

0.13 tpy SO₂ as a rolling, 12-month summation from charging baghouse
Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.0003 pounds/ton wet coal charged, times the tons of wet coal charged per month, divided by 2,000 pounds/ton. The SO₂ emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

qq. Emission Limitation:

1.34 lbs/hr CO from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.0028 pounds/ton wet coal charged times the wet tons of coal charged per hour. The CO emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

rr. Emission Limitation:

1.23 tpy CO as a rolling, 12-month summation from the charging baghouse

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Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.0028 pound/ton wet coal charged, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The CO emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

ss. Emission Limitation:

0.96 lb/hr VOC from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.0020 lb VOC/wet ton coal charged, times the wet tons of coal charged per hour. The VOC emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

tt. Emission Limitation:

0.88 tpy VOC as a rolling, 12-month summation from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.0020 lb VOC/wet ton coal charged, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The VOC emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

uu. Emission Limitation:

Visible particulate emissions from the charging baghouse stacks shall not exceed 20% opacity as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

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vv. Emission Limitation:

Visible particulate emissions of fugitive dust from pushing operations shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(3).

ww. Emission Limitation:

13.72 lbs/hr PM/PM₁₀ from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 5.

xx. Emission Limitation:

12.53 tpy PM/PM₁₀ as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM/PM₁₀ emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The PM/PM₁₀ emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

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yy. Emission Limitation:

24 lbs/hr SO₂ from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

zz. Emission Limitation:

21.9 tpy SO₂ as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the SO₂ emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The SO₂ emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

aaa. Emission Limitation:

7.68 lbs/hr NO_x from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

bbb. Emission Limitation:

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7.01 tpy NO_x as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the NO_x emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The NO_x emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

ccc. Emission Limitation:

36.96 lbs/hr CO from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

ddd. Emission Limitation:

33.73 tpy CO as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the CO emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The CO emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

eee. Emission Limitation:

96.0 lbs/hr VOC from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

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Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

fff. Emission Limitation:

87.6 tpy VOC as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the VOC emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The VOC emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

ggg. Emission Limitation:

Particulate emissions from the flat push hot car vented to multiclone dust collector exhaust shall not exceed 0.04 lb PM₁₀ / ton of coke.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Methods 1 through 5.

hhh. Emission Limitation:

0.05 lb SO₂ / ton coal from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 6.

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iii. Emission Limitation:

0.016 lb NO_x / ton coal from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 7.

jjj. Emission Limitation:

0.077 lb CO / ton coal from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 10.

kkk. Emission Limitation:

0.2 lb VOC / ton coal from the flat push hot car vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 25 or 25A, as appropriate.

III. Emission Limitation:

Visible particulate emissions from the flat push hot car vented to multiclone dust collector stack shall not exceed 20% opacity as a 6-minute average, except as provided by rule.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

mmm. Emission Limitation:

Lead emissions shall not exceed 0.41 ton per year for emissions units P901, P902, P001, and P002 combined.

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Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

i. waste gas stack

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

ii. charging

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor of 0.0000001 pound/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

iii. pushing

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

vi. quench towers

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission

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factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent water analysis which demonstrated compliance.

- v. by-pass vent stacks: Compliance shall be demonstrated by multiplying the lead pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton.

nnn. Emission Limitation:

0.0 percent leaking coke oven doors, or ovens operated under a negative pressure.

Applicable Compliance Method:

Compliance shall be demonstrated by the monitoring/recordkeeping requirements in section A.III.11 of this permit.

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(P901) - 60 oven nonrecovery coke battery (A battery) and 40 oven nonrecovery coke battery (B battery) with heat recovery steam generators

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
Waste Gas from Coking Process with dry scrubber with baghouse and staged combustion	Compliance with OEPA Air Toxics Policy; see Part II, term B.
Charging Operations with baghouse with traveling hood	
Pushing Operations with mobile hood with a multiclone	

2. Additional Terms and Conditions

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

None

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Emissions Unit ID: P901

V. Testing Requirements

None

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VI. Miscellaneous Requirements

None

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Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment - (P902) - 60 oven nonrecovery coke battery © battery) and 40 oven nonrecovery coke battery (D battery) with heat recovery steam generators and gas sparging

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	<i>Waste Gas from Coking Process with lime spray dryer with baghouse, staged combustion and activated carbon injection</i>

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OAC rule 3745-31-05(A)(3)	<p>0.060 lb/hr Lead from the waste gas stack</p> <p>0.0057 lb HAPs (excluding HCl) / ton coal from the waste gas stack</p> <p>0.30 lb/hr lead from the heat recovery steam generator (HRSG) by-pass vent stacks (VS6-VS10)</p> <p>0.031 lb HAPS / ton coal from the HRSG by-pass vent stacks (VS6-VS10)</p> <p>See section A.I.2.m below.</p> <p>0.10 lb HCl / ton coal from the waste gas stack</p> <p>12.06 lbs/hr and 44.02 tons per year HCl emissions from the waste gas stack</p> <p>0.30 lb/hr lead from the heat recovery steam generator (HRSG) by-pass vent stacks (VS6-VS10)</p> <p>2.01 lb HCl / ton coal from the HRSG by-pass vent stacks (VS6-VS10)</p> <p>48.24 lbs/hr and 19.30 tons per year HCl emissions from the HRSG by-pass vent stacks (VS6-VS10)</p> <p>0.008 lb/hr and 6.34 pounds per rolling 12-month period of mercury emissions from the combined HRSG by-pass vent stacks (VS6 - VS10)</p>
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	<p>__ lb/hr and __ pounds per rolling 12-month period of mercury emissions from the waste gas stack (limits to be determined later; see A.I.2.o);</p> <p>See sections A.I.2.m, A.I.2.n and A.I.2.o below.</p> <p>Visible particulate emissions from the waste gas exhaust stack(s) shall not exceed 10% opacity as a 6-minute average.</p> <p>The requirements of this rule also include compliance with the requirements of OAC rule 3745-31-10 through 20.</p>
<p>40 CFR Part 52.21 and OAC rule 3745-31-10 through 20</p>	<p>30.69 lbs/hr PM/PM₁₀ from the waste gas stack 134.43 tpy PM/PM₁₀ as a rolling, 12-month summation from the waste gas stack</p> <p>192.0 lbs/hr SO₂ as a 3 hour block average from the waste gas stack 700.80 tpy SO₂ as a rolling, 12-month summation from the waste gas stack</p> <p>120.0 lbs/hr NO_x from the waste gas stack 438.0 tpy NO_x as a rolling, 12-month summation from the waste gas stack</p> <p>21.81 lbs/hr CO from the waste gas stack 95.54 tpy CO as a rolling, 12-month summation from the waste gas stack</p> <p>4.67 lbs/hr VOC from the waste gas stack 20.47 tpy VOC as a rolling, 12-month summation from waste gas stack</p> <p>35.57 lbs/hr PM/PM₁₀ from the HRSG by-pass vent stacks (VS6-VS10) 17.07 tpy PM/PM₁₀ from the HRSG by-pass vent stacks (VS6-VS10)</p>

	<p>480.0 lbs/hr SO₂ as a 3 hour block average from the HRSG by-pass vent stacks (VS6-VS10) 192.0 tpy SO₂ from the HRSG by-pass vent stacks (VS6-VS10) 24.0 lbs/hr NO_x from the HRSG by-pass vent stacks (VS6-VS10) 9.60 tpy NO_x from the by-pass vent stacks (VS1-VS5) 4.36 lbs/hr CO from the HRSG by-pass vent stacks (VS1-VS5) 2.09 tpy CO from the HRSG by-pass vent stacks (VS1-VS5) 0.93 lb/hr VOC from the HRSG by-pass vent stacks (VS1-VS5) 0.45 tpy VOC from the HRSG by-pass vent stacks (VS1-VS5)</p> <p>Particulate emissions from the lime spray dryer baghouse exhaust shall not exceed 0.014 gr/dscf of exhaust gases.</p> <p>See section A.I.2.o below.</p> <p>1.6 lb SO₂ / ton coal from the waste gas stack 1 lb NO_x / ton coal from the waste gas stack 20 ppm CO from the waste gas stack 10 ppm VOC from the waste gas stack</p> <p>See section A.I.2.a below.</p>
OAC rule 3745-17-07(A)(1)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 18-06(E)(2)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 21-08(B)	See section A.I.2.d below.
OAC rule 23-06(B)	See section A.I.2.c below.
OAC rule 31-05 (C)	See sections A.I.2.e below.
40 CFR Part 63, Subpart L	See sections A.I.2.f, A.I.2.g, and A.I.2.h below.
<i>Charging Operations with baghouse with traveling hood</i>	

<p>OAC rule 3745-31-05(A)(3)</p>	<p>3.89 lbs/hr fugitive PM from charging 3.55 tpy fugitive PM from charging</p> <p>The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(A)(1), 40 CFR Part 52.21 and 3745-31-10 through 20.</p> <p>Visible particulate emissions from the charging baghouse stack shall not exceed 10% opacity as a 6-minute average.</p> <p>Visible particulate emissions fugitive dust from charging operations shall not exceed 20% opacity as an average of 5 consecutive charges .</p>
<p>40 CFR Part 52.21 and OAC rule 3745-31-10 through 20</p>	<p>0.0081 lb PM/PM₁₀ / ton dry coal from the charging baghouse 3.3 tpy PM/PM₁₀ as a rolling, 12-month summation from the charging baghouse 1.17 lbs/hr fugitive PM₁₀ from charging 1.06 tpy fugitive PM₁₀ as a rolling, 12-month summation from charging 0.144 lb/hr SO₂ from the charging baghouse 0.13 tpy SO₂ as a rolling, 12-month summation from the charging baghouse 1.34 lbs/hr CO from the charging baghouse 1.23 tpy CO as a rolling, 12-month summation from the charging baghouse 0.96 lb/hr VOC from the charging baghouse 0.88 tpy VOC as a rolling, 12-month summation from the charging baghouse</p> <p>Particulate emissions from the charging baghouse exhaust shall not exceed 0.008 gr/dscf of exhaust gases . See section A.I.2.a below.</p> <p>0.0003 lb SO₂ / ton coal from the charging baghouse 0.0028 lb CO / ton coal from the charging baghouse 0.002 lb VOC / ton coal from the charging baghouse</p>

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OAC rule 3745-17-07(A)(1)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-21-08(B)	See section A.I.2.d below.
OAC rule 3745-31-05(C)	See section A.I.2.e below.
40 CFR Part 63, Subpart L	See sections A.I.2.f, A.I.2.g, and A.I.2.h below.
<i>Pushing Operations with FPHC vented to multiclone dust collector</i>	
OAC rule 3745-31-05(A)(3)	<p>See section A.I.2.o below.</p> <p>Visible particulate emissions of fugitive dust from the pushing operations shall not exceed 20% opacity as a 3-minute average. See section A.I.2.b below.</p> <p>The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(A)(1) and 3745-31-10 through 20.</p>

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<p>40 CFR Part 52.21 and OAC rule 3745-31-10 through 20</p>	<p>13.72 lbs/hr PM/PM₁₀ from the flat push hot car vented to multiclone dust collector</p> <p>12.53 tpy PM/PM₁₀ as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>24 lbs/hr SO₂ from the flat push hot car vented to multiclone dust collector</p> <p>28.8 lbs/hr SO₂ as a 3 hour average from the flat push hot car vented to multiclone dust collector</p> <p>21.90 tpy SO₂ as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>7.68 lbs/hr NO_x from the flat push hot car vented to multiclone dust collector</p> <p>7.01 tpy NO_x as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>36.96 lbs/hr CO from the flat push hot car vented to multiclone dust collector</p> <p>33.73 tpy CO as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>96.0 lbs/hr VOC from the flat push hot car vented to multiclone dust collector</p> <p>87.60 tpy VOC as a rolling, 12-month summation from the flat push hot car vented to multiclone dust collector</p> <p>Particulate emissions from the flat push hot car vented to multiclone dust collector exhaust shall not exceed 0.04 lb PM₁₀ / ton of coke.</p> <p>See section A.I.2.a below.</p> <p>0.05 lb SO₂ / ton coal from the flat push hot car vented to multiclone dust collector</p> <p>0.016 lb NO_x / ton coal from the flat push hot car vented to multiclone dust collector</p> <p>0.077 lb CO / ton coal from the flat push hot car vented to multiclone dust collector</p> <p>0.2 lb VOC / ton coal from the flat push hot car vented to multiclone dust collector</p>
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40 CFR Part 63, Subpart CCCCC	See section A.I.2.j below.
OAC rule 3745-17-07(A)(1)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-23-06(B)	See section A.I.2.c below.
OAC rule 3745-21-08(B)	See section A.I.2.d below.
OAC rule 3745-31-05 (C)	See section A.I.2.e below.

2. Additional Terms and Conditions

- 2.a** OAC rule 3745-31-15 requires the following best available control technologies:
- i. The waste gas from coking shall be processed by the use of a lime spray dryer with a manufacturer's design control efficiency of 92% for SO₂ control, staged combustion for NO_x control, combustion optimization for CO and VOC control, and a baghouse for PM control.
 - ii. The pushing operations shall employ a mobile hood with a multiclone dust collector for PM control and work practices for CO and VOC control.
 - iii. The charging operations shall employ a baghouse with a traveling hood for PM control.
- 2.b** The emissions control system for the pushing operation(s) shall maintain a minimum capture efficiency of 98%.
- 2.c** Except as provided by rule, all stationary nitrogen oxide emission sources shall minimize nitrogen oxide emissions by the use of the latest available control techniques and operating practices in accordance with best current technology. The permittee shall employ the best available control technologies described in term and condition A.I.2.b.i above to minimize nitrogen oxide emissions.
- 2.d** Except as provided by rule, all new stationary carbon monoxide emission sources shall minimize carbon monoxide emissions by the use of the best available control techniques and operating practices in accordance with best current technology. The permittee shall employ the best available control technologies described in term and conditions A.I.2.b.i and A.I.2.b.ii above to

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minimize carbon monoxide emissions.

2.e Lead emissions shall not exceed 0.41 ton per year as a rolling, 12-month summation for emissions units P901, P902, P001, and P002 combined.

2.f [40 CFR 63.300(e)]

The emission limitations set forth in 40 CFR Part 63, Subpart L shall apply at all times except during a period of startup, shutdown, or malfunction. The startup period shall be determined by the Administrator and shall not exceed 180 days.

2.g [40 CFR 63.303(b)(1)]

The coke oven emissions from the nonrecovery coke oven batteries shall not exceed 0.0 percent leaking coke oven doors, as determined by the procedures in 40 CFR Part 63, Section 63.309(d)(1); or

The permittee shall monitor and record, once per day of operation, the pressure in each oven or in a common battery tunnel to ensure that the ovens are operated under a negative pressure.

2.h [40 CFR 63.303(b)(2)]

For charging operations, the permittee shall install, operate and maintain an emission control system for the capture and collection of emissions in a manner consistent with good air pollution control practices for minimizing emissions from the charging operation.

2.i Waste gas emissions from the by-pass vent stacks of battery D, which divert the waste gas from the lime spray dryer/baghouse, shall occur during Phase I only.

2.j [40 CFR 63.7300 (a)]

As required by §63.6(e)(1)(i), the permittee must always operate and maintain your affected source, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at least to the levels required by this subpart.

2.k [40 CFR 7300(b)(1) through (6)]

The permittee must prepare and operate at all times according to a written operation and maintenance plan for the general operation and maintenance of new coke oven batteries.

Each plan must address, at a minimum, the elements listed in paragraphs (1) through (6) below.

- (1) Not applicable to nonrecovery coke oven battery technology.
- (2) Not applicable to nonrecovery coke oven battery technology.
- (3) Procedures to prevent pushing an oven before it is fully coked.
- (4) Not applicable to nonrecovery coke oven battery technology.

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- (5) Not applicable to nonrecovery coke oven battery technology.
- (6) Schedule and procedures for the daily washing of baffles.

2.i [40 CFR 63. 7300(c)(1) through (3)]

The permittee must prepare and operate at all times according to a written operation and maintenance plan for each capture system and control device applied to pushing emissions from a new or existing coke oven battery. Each plan must address at a minimum the elements in paragraphs (1) through (3) below.

- (1) Monthly inspections of the equipment that are important to the performance of the total capture system (e.g., pressure sensors, dampers, and damper switches). This inspection must include observations of the physical appearance of the equipment (e.g., presence of holes in ductwork or hoods, flow constrictions caused by dents or accumulated dust in ductwork, and fan erosion). The operation and maintenance plan must also include requirements to repair any defect or deficiency in the capture system before the next scheduled inspection.
- (2) Preventative maintenance for each control device, including a preventative maintenance schedule that is consistent with the manufacturer's instructions for routine and long-term maintenance.

2.m Hazardous Air Pollutant (HAPs) emissions shall not exceed 6.43 tons per year for emissions units P001, P002, P901 and P902, combined.

2.n The permittee shall install, operate, and maintain an activated carbon injection system for the control of mercury emissions as required to comply with the mercury emissions from the waste gas stack. The activated carbon injection system shall be designed for a maximum activated carbon injection rate of 2 pounds per million actual cubic feet of exhaust gases. The system shall be operated, at all times when one or more of the associated ovens are operated, in a manner that will maximize the removal efficiency for mercury.

2.o During the review of this permit, it became clear that there are significant uncertainties concerning the expected mercury emissions from non-recovery coke manufacturing facilities. These uncertainties include, but are not limited to (1) the fact that limited mercury testing has been done on non-recovery coke facilities, (2) limited information is available concerning the effectiveness of the various control devices on this emissions unit for mercury control, (3) there are limitations to data concerning the amount of mercury in the coal that is expected to be used, and (4) the form of mercury (elemental, oxidized, and particle-bound) produced by this emissions unit is not fully understood.

Because of these significant uncertainties, the Best Available Technology (BAT)

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mercury emission limits for the main stack have not been set. Instead, the limits will be set once initial testing for mercury is complete and at least six months worth of data are collected via the mercury sorbent trap monitoring system or an alternate approved continuous emissions monitoring system based on an EPA promulgated instrumental reference method for mercury. After the completion of the initial testing for mercury, and not later than nine months after the mercury sorbent trap monitoring system commences operation, the permittee shall submit to the Director and the Portsmouth Local Air Agency a report that proposes appropriate BAT mercury emission limits for the waste gas stack. This report shall include, at a minimum, the results of the coal mercury content data, the permittee's recommended mercury emission limits, and the calculation of and rationale behind the recommended emission limits. Not later than six months after the submission of the permittee's report, the Director shall issue a revised draft permit-to-install to define the appropriate BAT mercury emission limits, the Director shall consider the information contained in the permittee's report, but is not obligated to accept the permittee's recommended BAT mercury emission limits.

The facility may petition the director to remove the continuous mercury monitoring term listed in section A.III.40 through A.III.44. The director may remove the language if emissions are considered to be consistent and understood of normal coking operations.

- 2.p** PM and PM₁₀ emissions limitations are representative of condensible and filterable particulate emissions from the waste gas and bypass stacks.
- 2.q** When charging coal with a sulfur content greater than or equal to 1.3 weight percent sulfur, the permittee shall either:
 - i. adjust operating parameters of the lime spray dryer as needed to increase the control efficiency for SO₂ emissions to comply with the pound per hour and rolling 12-month SO₂ emission limitations; or
 - ii. reduce production as needed to comply with the pound per hour and rolling 12-month SO₂ emission limitations.

II. Operational Restrictions

1. The pressure drop across the waste gas exhaust baghouse shall be maintained within the range of 3 to 12 inches of water while the emissions unit is in operation.

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2. The pressure drop across each charging baghouse shall be maintained within the range of 3 to 12 inches of water while the emissions unit is in operation.
3. The permittee shall operate and maintain common duct temperatures at a minimum of 1400 °F as established in the Work Practice Plan to ensure emission limits for the waste gas exhaust are not exceeded.

Gas sparging is allowed for natural gas usage up to 100 MMBTU/hr to be introduced in the common tunnel.

4. The maximum hourly charging/pushing rate for this emissions unit shall not exceed 10 ovens per hour.
5. The maximum daily wet coal usage rate for this emissions unit shall not exceed 2,400 wet tons coal.
6. The maximum annual wet coal usage rate for this emissions unit shall not exceed 876,000 tons, based upon a rolling, 12-month summation of the wet coal usage rates.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the wet coal usage levels specified in the following table:

Month	Maximum Allowable Cumulative Wet Coal Usage
1	73,000
1-2	146,000
1-3	219,000
1-4	292,000
1-5	365,000
1-6	438,000
1-7	511,000
1-8	584,000
1-9	657,000
1-10	730,000
1-11	803,000
1-12	876,000

After the first 12 calendar months of operation, compliance with the annual wet coal usage rate limitation shall be based upon a rolling, 12-month summation of the wet coal usage rates.

7. The lime spray dryer and baghouse associated with the battery waste gas exhaust shall begin operation within forty (40) days after start-up of this emissions unit .
8. [40 CFR 63.310]

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At all times including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain the coke oven battery and its pollution control equipment required under 40 CFR Part 63, Subpart L, in a manner consistent with good air pollution control practices for minimizing emissions to the levels required by any applicable performance standards under 40 CFR Part 63, Subpart L. Failure to adhere to the requirements of this paragraph shall not constitute a separate violation if a violation of an applicable performance or work practice standard has also occurred.

9. [40 CFR 63.7290(b)(3)]

For each capture system applied to pushing emissions, the permittee shall:

- (a) Maintain the daily average volumetric flow rate at the inlet of the control device at or above the minimum level established during the initial performance test.; or
- (b) For each capture system that uses an electric motor to drive the fan, the permittee shall maintain the daily average fan motor amperes at or above the minimum level established during the initial performance test; and
- (c) For each capture system that does not use a fan driven by an electric motor, the permittee shall maintain the daily average static pressure at the inlet to the control device at on equal or greater vacuum than the level established during the initial performance test or maintain the daily average fan revolutions per minute (RPM) at or above the minimum level established during the initial performance test.

10. [40 CFR 63.7290(b)(4)]

For each multiclone, the permittee shall maintain the daily average pressure drop at or below the minimum level established during the initial or subsequent performance test.

11. [40 CFR 63.7293(a)(1)]

The permittee shall visually inspect each oven prior to pushing by opening the door damper and observing the bed of coke.

12. [40 CFR 63.7293(a)(2)]

The permittee shall not push the oven unless the visual inspection indicates that there is no smoke in the open space above the coke bed and that there is an unobstructed view of the door on the opposite side of the oven.

13. The permittee shall ensure that the common battery tunnel(s), oven exhaust ductwork, waste heat ductwork, heat recovery steam generators, ductwork from the heat recovery steam generators to the lime spray dryer, lime spray dryer, baghouse and fan capacity are designed and installed to handle peak gassing periods.
14. It is recognized that soot formation can occur on the heat transfer surfaces of the heat recovery steam generators and reduce the heat transfer efficiency. The permittee shall implement maintenance procedures that allow for removal of soot from the heat transfer surfaces of the heat recovery steam generators without shutdown of the heat recovery steam generator(s). These maintenance procedures can include, but are not limited to, installation of sootblowers on the heat recovery steam generators to allow for periodic cleaning of the heat transfer surfaces
15. Waste gas emissions shall not be vented to the HRSG bypass vent stacks for more than 192 hours per rolling 12-month period per vent stack. There shall be no more than one HRSG bypass vent stack in use at any time.

To ensure enforceability during the first 12-calendar months of operation, the permittee shall not exceed the by-pass levels specified in the following table:

Month	Maximum cumulative hours of operation of each HRSG bypass vent stack
1	192
2	192
3	192
4	192
5	192
6	192
7	192
8	192
9	192
10	192
11	192
12	192

After the first 12 calendar months of operation, compliance with the annual HRSG bypass vent stack usage limitation shall be based upon a rolling, 12-month summation of the HRSG bypass vent stack usage rates.

16. The permittee shall maintain an activated carbon injection of 2 lbs/mmacf. A reduced activated carbon injection rate operational restriction may later be established by Ohio EPA, if the permittee demonstrates to the Director's satisfaction that a lower activated

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carbon injection rate can achieve the mercury emission limitation.

III. Monitoring and/or Record Keeping Requirements

1. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the waste gas baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual (s). The permittee shall record the pressure drop across the baghouse on a once per shift basis.
2. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across each charging baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across each baghouse on a once per shift basis.
3. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the flat push hot car (FPHC) vented to multiclone dust collector while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s).

The hood and duct work collecting pushing emissions shall be visually examined weekly for areas potentially needing repair. When an inspection identifies an area needing repair, the permittee shall maintain records of the date the inspection, the dates of each attempt to repair, the repair methods of each attempt to repair, and the date of successful repair.

4. The permittee shall maintain daily records of the coal usage rate, in wet tons, in this emissions unit.
5. The permittee shall maintain hourly records of the charging/pushing rate, in number of charges/pushes per hour, for this emissions unit.
6. The permittee shall maintain monthly records of the following information:
 - a. the wet coal usage rate for each month; and

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- b. beginning after the first 12 calendar months of operation, the rolling, 12-month summation of the wet coal usage rates.

Also, during the first 12 calendar months of operation, the permittee shall record the cumulative wet coal usage rate for each calendar month.

7. The permittee shall operate and maintain equipment to continuously monitor and record SO₂ from the waste gas stack in units of the applicable standard(s). Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.13.
8. The permittee shall maintain records of all data obtained by the continuous SO₂ monitoring system including, but not limited to, parts per million SO₂ on a 1-hour basis, and in units of pounds per hour on a one hour and three hour average basis and results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.
9. Within 180 days of the effective date of this permit, the permittee shall develop a written quality assurance/quality control plan for the continuous SO₂ monitoring system designed to ensure continuous valid and representative readings of SO₂. The plan shall follow the requirements of 40 CFR Part 60, Appendix F. The quality assurance/quality control plan and a logbook dedicated to the continuous SO₂ monitoring system must be kept on site and available for inspection during regular office hours.
10. The permittee shall monitor and record the temperature of the common battery tunnel on a once per shift basis.
11. The permittee shall monitor and record, once per day for each day of operation, the pressure in the common battery tunnel to ensure that the ovens are operated under a negative pressure.
12. [40 CFR 63.306(a)]
The permittee shall prepare and submit to the Administrator a written emission control work practice plan for each coke oven battery, in accordance with 40 CFR Part 63, Subpart L, Section 63.306, within 45 days of startup of the first coke oven battery facility.

The plan shall be designed to achieve compliance with visible emission limitations for coke oven doors, and charging operations under this subpart or, for a coke oven battery not subject to visible emission limitations under this subpart, other federally enforceable visible emission limitations for these emission points.

- a. The work practice plan must address each of the topics specified in paragraph (b) of this section in sufficient detail and with sufficient specificity to allow the Administrator to evaluate the plan for completeness and enforceability.

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- b. The Administrator may require revisions to the initial plan only where the Administrator finds either that the plan does not address each subject area listed in paragraph (b) of this section for each emission point subject to a visible emission standard under this subpart, or that the plan is unenforceable because it contains requirements that are unclear.
 - c. During any period of time that an owner or operator is required to implement the provisions of a plan for a particular emission point, the failure to implement one or more obligations under the plan and/or any recordkeeping requirement(s) under §63.311(f)(4) for the emission point during a particular day is a single violation.
13. [40 CFR 63.306(b)]
Plan components. The permittee shall organize the work practice plan to indicate clearly which parts of the plan pertain to each emission point subject to visible emission standards under this subpart. Each of the following provisions, at a minimum, shall be addressed in the plan:
- a. An initial and refresher training program for all coke plant operating personnel with responsibilities that impact emissions, including contractors, in job requirements related to emission control and the requirements of this subpart, including work practice requirements. Contractors with responsibilities that impact emission control may be trained by the owner or operator or by qualified contractor personnel; however, the owner or operator shall ensure that the contractor training program complies with the requirements of this section. The training program in the plan must include:
 - (i) A list, by job title, of all personnel that are required to be trained and the emission point(s) associated with each job title;
 - (ii) An outline of the subjects to be covered in the initial and refresher training for each group of personnel;
 - (iii) A description of the training method(s) that will be used (e.g., lecture, video tape);
 - (iv) A statement of the duration of initial training and the duration and frequency of refresher training;
 - (v) A description of the methods to be used at the completion of initial or

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refresher training to demonstrate and document successful completion of the initial and refresher training; and

- (vi) A description of the procedure to be used to document performance of plan requirements pertaining to daily operation of the coke oven battery and its emission control equipment, including a copy of the form to be used, if applicable, as required under the plan provisions implementing paragraph (b)(7) of this section.
- b. Procedures for controlling emissions from nonrecovery coke oven batteries including:
- (i) Procedures for charging coal into the oven, including any special procedures for minimizing air infiltration during charging, maximizing the draft on the oven, and for replacing the door promptly after charging;
 - (ii) If applicable, procedures for the capture and control of charging emissions;
 - (iii) Procedures for cleaning coke from the door sill area for both sides of the battery after completing the pushing operation and before replacing the coke oven door;
 - (iv) Procedures for cleaning coal from the door sill area after charging and before replacing the push side door;
 - (v) Procedures for filling gaps around the door perimeter with sealant material, if applicable; and
 - (vi) Procedures for detecting and controlling emissions from smoldering coal.
- c. Procedures for maintaining, for each emission point subject to visible emission limitations under this subpart, a daily record of the performance of plan requirements pertaining to the daily operation of the coke oven battery and its emission control equipment, including:
- (i) Procedures for recording the performance of such plan requirements; and
 - (ii) Procedures for certifying the accuracy of such records by the owner or operator.
- d. Any additional work practices or requirements specified by the Administrator according to paragraph (d) of this section.
14. [40 CFR 63.306(c)]
Implementation of work practice plans. On and after November 15, 1993, the owner or

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operator of a coke oven battery shall implement the provisions of the coke oven emission control work practice plan according to the following requirements:

- a. (1) The owner or operator of a coke oven battery subject to visible emission limitations under this subpart on and after November 15, 1993, shall:
 - (i) Implement the provisions of the work practice plan pertaining to a particular emission point following the second independent exceedance of the visible emission limitation for the emission point in any consecutive 6-month period, by no later than 3 days after receipt of written notification of the second such exceedance from the certified observer. For the purpose of this paragraph (c)(1)(i), the second exceedance is "independent" if either of the following criteria is met:
 - (A) The second exceedance occurs 30 days or more after the first exceedance;
 - (B) In the case of coke oven doors, topside port lids, and offtake systems, the 29-run average, calculated by excluding the highest value in the 30-day period, exceeds the value of the applicable emission limitation; or
 - (C) In the case of charging emissions, the 29-day logarithmic average, calculated in accordance with Method 303 in appendix A to this part by excluding the valid daily set of observations in the 30-day period that had the highest arithmetic average, exceeds the value of the applicable emission limitation.
 - (ii) Continue to implement such plan provisions until the visible emission limitation for the emission point is achieved for 90 consecutive days if 367 work practice requirements are implemented pursuant to paragraph (c)(1)(i) of this section. After the visible emission limitation for a particular emission point is achieved for 90 consecutive days, any exceedances prior to the beginning of the 90 days are not included in making a determination under paragraph (c)(1)(i) of this section.
- b. (2) The owner or operator of a coke oven battery not subject to visible

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emission limitations under this subpart until December 31, 1995, shall:

- (i) Implement the provisions of the work practice plan pertaining to a particular emission point following the second exceedance in any consecutive 6-month period of a federally enforceable emission limitation for that emission point for coke oven doors, topside port lids, offtake systems, or charging operations by no later than 3 days after receipt of written notification from the applicable enforcement agency; and
- (ii) Continue to implement such plan provisions for 90 consecutive days after the most recent written notification from the enforcement agency of an exceedance of the visible emission limitation.

15. [40 CFR 63.306(d)]

Revisions to plan. Revisions to the work practice emission control plan will be governed by the provisions in this paragraph (d) and in paragraph (a)(2) of this section.

- a. (1) The Administrator may request the owner or operator to review and revise as needed the work practice emission control plan for a particular emission point if there are 2 exceedances of the applicable visible emission limitation in the 6-month period that starts 30 days after the owner or operator is required to implement work practices under paragraph (c) of this section. In the case of a coke oven battery subject to visual emission limitations under this subpart, the second exceedance must be independent under the criteria in paragraph (c)(1)(i) of this section.
- b. (2) The Administrator may not request the owner or operator to review and revise the plan more than twice in any 12 consecutive month period for any particular emission point unless the Administrator disapproves the plan according to the provisions in paragraph (d)(6) of this section.
- c. (3) If the certified observer calculates that a second exceedance (or, if applicable, a second independent exceedance) has occurred, the certified observer shall notify the owner or operator. No later than 10 days after receipt of such a notification, the owner or operator shall notify the Administrator of any finding of whether work practices are related to the cause or the solution of the problem. This notification is subject to review by the Administrator according to the provisions in paragraph (d)(6) of this section.
- d. (4) The owner or operator shall submit a revised work practice plan within 60 days of notification from the Administrator under paragraph (d)(1) of this section, unless the Administrator grants an extension of time to submit the revised plan.

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- e. (5) If the Administrator requires a plan revision, the Administrator may require the plan to address a subject area or areas in addition to those in paragraph (b) of this section, if the Administrator determines that without plan coverage of such an additional subject area, there is a reasonable probability of further exceedances of the visible emission limitation for the emission point for which a plan revision is required.
 - f. (6) The Administrator may disapprove a plan revision required under paragraph (d) of this section if the Administrator determines that the revised plan is inadequate to prevent exceedances of the visible emission limitation under this subpart for the emission point for which a plan revision is required or, in the case of a battery not subject to visual emission limitations under this subpart, other federally enforceable emission limitations for such emission point. The Administrator may also disapprove the finding that may be submitted pursuant to paragraph (d)(3) of this section if the Administrator determines that a revised plan is needed to prevent exceedances of the applicable visible emission limitations.
16. [40 CFR 63.310(b)]
The permittee of a coke oven battery shall develop and implement a written startup, shutdown, and malfunction plan that describes procedures for operating the battery, including associated air pollution control equipment, during a period of a startup, shutdown, or malfunction in a manner consistent with good air pollution control practices for minimizing emissions, and procedures for correcting malfunctioning process and air pollution control equipment as quickly as practicable.
17. [40 CFR 63.310(g)]
To satisfy the requirements of 40 CFR Part 63, Section 63.310 to develop a startup, shutdown, and malfunction plan, the permittee may use the standard operating procedures manual for the battery, provided the manual meets all the requirements for 40 CFR Part 63, Section 63.310 and is made available for inspection at reasonable times when requested by the Administrator.
18. [40 CFR 63.310(h)]
The Administrator may require reasonable revisions to a startup, shutdown, and malfunction plan, if the Administrator finds that the plan:
- a. does not address a startup, shutdown, or malfunction event that has occurred

- b. fails to provide for the operation of the source (including associated air pollution control equipment) during a startup, shutdown, or malfunction event in a manner consistent with good air pollution control practices for minimizing emissions; or
 - c. does not provide adequate procedures for correcting malfunctioning process and/or air pollution control equipment as quickly as practicable.
19. [40 CFR 63.310(i)]
If the permittee demonstrates to the satisfaction of the Administrator that a startup, shutdown, or malfunction has occurred, then an observation occurring during such startup, shutdown, or malfunction shall not:
- a. constitute a violation of relevant requirements of 40 CFR Part 63, Subpart L;
 - b. be used in any compliance determination under 40 CFR Part 63, Section 63.309; or
 - c. be considered for purposes of 40 CFR Part 63, Section 63.306, until the Administrator determines that a startup, shutdown, or malfunction has not occurred, such observations may be used for purposes of 40 CFR Part 63, Section 63.306, regardless of whether the permittee further contests such determination. The permittee's receipt of written notification from the Administrator that a startup, shutdown, or malfunction has not occurred will serve, where applicable under 40 CFR Part 63, Subpart 63.306, as written notification from the certified observer that an exceedance has occurred.
20. [40 CFR 63.311(f)]
The permittee shall maintain files of all required information in a permanent form suitable for inspection at an onsite location for at least 1 year and must thereafter be assessable within 3 working days to the Administrator for a period of at least five years from the date of the monitoring sample, measurement, report or application.
21. [40 CFR 63.311(f)]
Copies of the work practice plan developed under 40 CFR Part 63, Section 63.306 and the startup, shutdown, and malfunction plan developed under 40 CFR Part 63, Section 63.310 shall be kept onsite at all times. The permittee shall maintain the following information:
- a. records of daily pressure monitoring, according to 40 CFR Part 63, Section 63.303(b)(1)(ii);
 - b. records demonstrating the performance of work practice requirements according to 40 CFR Part 63, Section 63.306(b)(7);
 - c. design characteristics of each emission control system for the capture and

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collection of charging emissions, as required by 40 CFR Part 63, Section 63.303(b)(2).

22. [40 CFR 63.311(f)(3)]
a copy of the work practice plan required by 40 CFR Part 63, Section 63.306 and any revision to the plan;
23. [40 CFR 63.311(g)(1)-(4)]
records required to be maintained and reports required to be filed with the Administrator, with a copy to the Portsmouth Local Air Agency, under 40 CFR Part 63, Subpart L shall be made available in accordance with the requirements of this section by the permittee to the authorized collective bargaining representative of the employees at a coke oven battery, for inspection and copying.
 - a. requests under this term and condition shall be submitted in writing, and shall identify the records or reports that are subject to the request with reasonable specificity;
 - b. the permittee shall produce the reports for inspection and copying within a reasonable period of time, not to exceed 30 days. A reasonable fee may be charged for copying (except for the first copy of any document), which shall not exceed the copying fee charged by the Administrator under part 2 of the CFR, chapter 40;
 - c. nothing in this term and condition shall require the production for inspection or copying of any portion of a document that contains trade secret or confidential business information that the Administrator would be prohibited from disclosing to the public under part 2 of the CFR, chapter 40; and;
 - d. the inspection or copying of document under this term and condition shall not in any way affect any property right of the permittee in such document under the laws for the protection of intellectual property, including the copyright laws.
24. [40 CFR 63.310(f)]
The permittee shall maintain a record of internal reports which form the basis of each malfunction notification in accordance with 40 CFR Part 63.310(d).
25. The permittee shall maintain records for each waste gas by-pass event of the date and time each event began, an identification of the stack venting, and the duration in hours.

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26. [40 CFR 7330(d)]
For each capture system applied to pushing emissions, the permittee must at all times monitor the volumetric flow rate according to the requirements in §63.7331(g) or the fan motor amperes according to the requirements in §63.7331(h), or the static pressure or the fan RPM according to the requirements in §63.7331(i) .
27. [40 CFR 63.7330(f)]
For each multiclone applied to pushing emissions, the permittee must monitor at all times the pressure drop using a CPSM according to the requirements in §63.7331(k).
28. [40 CFR 63.7331 (g)]
If the permittee elects the operating limit in §63.7290(b)(3)(i) for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure the total volumetric flow rate at the inlet to the control device .
29. [40 CFR 63.7331 (h)]
If the permittee elects the operating limit in §63.7290(b)(3)(ii) for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure the fan motor amperes .
30. [40 CFR 63.7331 (i)]
If the permittee elects the operating limit in §63.7331(b)(3)(ii), for a capture system applied to pushing emissions, you must install, operate, and maintain a device to measure static pressure at the inlet of the control device or the fan RPM.
31. [40 CFR 63.7331 (k)]
For each multiclone applied to pushing emissions, you must install, operate, and maintain CPMS to measure and record the pressure drop across each multiclone during each push according to the requirements in paragraphs (b) through (d) of 40 CFR 63.7331 except as specified in paragraphs (e)(1) through (3) of 40 CFR 63.7331.
32. [40 CFR 63.7333(d)]
For each capture system applied to pushing emissions and subject to the operating limit in 40 CFR 63.7290(b)(3), you must demonstrate continuous compliance by meeting the requirements in paragraph (d)(1), (2), or (3) of 40 CFR 63.7333 as summarized in section A.III.32.(a) through (c) below:
 - a. If you elect the operating limit for volumetric flow rate in 40 CFR 63.7290(b)(3):
 - i. maintaining the daily average volumetric flow rate at the inlet of the control device at or above the minimum level established during the initial or subsequent performance test; and
 - ii. checking the volumetric flow rate at least every 8 hours to verify the daily average is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.

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- b. If you elect the operating limit for the fan motor amperes in 40 CFR 63.7290(b)(3)(i):
 - i. maintaining the daily average fan motor amperes at or above the minimum level established during the initial or subsequent performance test; and
 - ii. checking the fan motor average at least every 8 hours to verify the daily average is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.
 - c. If you elect the operating limit for static pressure or fan RPM in 40 CFR 7290(b)(3)(ii):
 - i. maintaining the daily average static pressure at the inlet to the control device at an equal or greater vacuum than established during the initial or subsequent performance test or the daily average fan RPM at or above the minimum level established during the initial or subsequent performance test; and
 - ii. checking the static pressure or fan RPM at least every 8 hours to verify the daily average static pressure at the inlet to the control device is at an equal or greater vacuum than established during the initial or subsequent performance test or the daily average fan RPM is at or above the minimum level established during the initial or subsequent performance test and recording the results of each check.
33. [40 CFR 7333(h)]
For each multiclone applied to pushing emissions and subject to the operating limit in 40 CFR 7290(b)(4), you must demonstrate compliance by meeting the requirements in paragraphs (h)(1) through (3) of 40 CFR 63.7333 as summarized in section A.III.33.(a) through (c) below:
- a. maintaining the daily average pressure drop at a level at or below the level established during the initial or subsequent performance test.
 - b. operating and maintaining each CPMS according to 40 CFR 63.7331(k) and recording all information needed to document conformance with these requirements.

- c. collecting and reducing monitoring data for pressure drop according to 40 CFR 63.7331(e)(1) through (3).
34. [40 CFR 63.7342 (a)(1) through (3)]

The permittee must keep the records specified in paragraphs (a) through (c) below.

 - (a) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any initial notification or notification of compliance status that you submitted, according to the requirements in §63.10(b)(2)(xiv).
 - (b) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.
 - (c) Records of performance tests, performance evaluations, and opacity observations as required in §63.10(b)(2)(viii).
35. [40 CFR 63.7342 (d)]

The permittee must keep the records required in §§63.7333 through 63.7335 to show continuous compliance with each emission limitation, work practice standard, and operation and maintenance requirement that applies.
36. [40 CFR 63.7343 (a) through (c)]
 - (a) The permittee must keep your records in a form suitable and readily available for expeditious review, according to §63.10(b)(1).
 - (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
 - (c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records offsite for the remaining 3 years.
37. The permittee shall collect monthly composite samples of the coal charged in this emissions unit. The Permittee shall collect a composite sample of the coal charged in this emissions unit each time the coal blend is changed. The individual samples for each monthly composite shall be collected from primary conveyor belt that feeds batteries C and D or other location mutually agreeable by the permittee and Ohio EPA. A sufficient number of individual samples shall be collected so that each composite sample is representative of the average quality of coal charged in this emissions unit during each calendar month. The coal sampling shall be performed in accordance with ASTM method D2234, Collection of a Gross Sample of Coal.

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Each monthly composite sample of coal shall be analyzed for sulfur content (percent), mercury content (percent), and chlorine content (percent), . The analytical methods for sulfur content, mercury content, and chlorine content shall be: ASTM method D3177, Total Sulfur in the Analysis Sample of Coal and Coke or ASTM method D4239, Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods; D6722-01 Standard Test Method for Total Mercury in Coal and Coal Combustion Residues by Direct Combustion Analysis; D6721-01 Standard Test Method for Determination of Chlorine in Coal by Oxidation Hydrolysis Microcoulometry. Alternative, equivalent methods may be used upon written approval from the appropriate Ohio EPA District Office or local air agency.

38. The permittee shall maintain monthly records of the results of the analyses for sulfur content, mercury content, and chlorine content of the coal charged.
39. All bypass vent stacks shall be equipped with sensors that detect when the bypass stacks are open, or partially opened, either due to relieving system pressure or manual opening of the bypass vent stacks by the operator. These sensors shall be instrumented to the operator and an alarm sounded when there is stack gas flow to any of the by-pass vent stacks. The permittee shall record and maintain daily records for each bypass vent stack the time periods that there was flow through the bypass vent stack(s).
40. The permittee shall install, operate, and maintain a sorbent trap monitoring system (as defined in 40 CFR Part 72.2) to measure and record the concentration of mercury in the exhaust gas from the main stack according to the procedures of 40 CFR Part 75.15 and the following requirements.
 - a. The sorbent traps used in the sorbent trap monitoring system (as defined in 40 CFR Part 72.2) shall be of sufficient size to collect samples for a minimum sampling duration of 7 days. The permittee shall replace the sorbent traps in the sorbent trap sampling system every 7 days.
 - b. The permittee shall calculate and record the mercury emission rate in pounds for each calendar month and pounds per rolling 12-month period using equations 1 and 2 below, except that for a particular pair of sorbent traps, C_n in equation 1 shall be the flow-proportional average Hg concentration measured over the data collection period.

$$(Equation 1) \quad E_h = K C_h Q_h t_h (1 - B_{ws})$$

Where:

E_h = Hg mass emissions for the hour, (lb)

K = Units conversion constant, 6.24×10^{-11} lb-scm/ μ g-scf

C_h = Hourly mercury concentration, dry basis, μ g/dscm

Q_h = Hourly stack gas volumetric flow rate, (scfh)

t_h = Unit operating time, i.e., the fraction of the hour for which the unit operated

B_{ws} = Stack gas moisture content, expressed as a decimal fraction (e.g., for 8 percent H₂O, $B_{ws} = 0.08$)

$$(Equation 2) \quad M = \sum_{h=1}^n E_h$$

Where:

M = total Hg mass emissions for the month

E_h = Hg mass emissions for hour "h", from Equation 1, lb

n = The number of unit operating hours in the month with valid sorbent trap monitoring system data

- c. The emissions data must be corrected for the stack gas moisture content. A certified continuous moisture monitoring system that meets the requirements of 40 CFR Part 75.11(b) is acceptable for this purpose. The permittee may use a default moisture value determined during the initial stack test with prior approval from Ohio EPA.
 - d. Annual RATA of sorbent trap monitoring systems shall be performed in accordance with appendices A and B of 40 CFR Part 75, and all other quality assurance requirements specified in appendix K to 40 CFR Part 75 shall be met for sorbent trap monitoring systems.
41. Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall monitor continuously the mercury emissions from the main stack (or collect data at all required intervals) at all times that the emissions unit is operating.
 42. The permittee may not use mercury continuous emissions sampling system data recorded during monitoring malfunctions, associated repairs, or required quality assurance or control activities, in data averages and calculations used to report emissions or operating levels. The permittee shall use all data collected during all other periods in assessing the operation of the control device and associated control system.
 43. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure

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of the monitoring system to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. Any period for which the monitoring system is out-of-control and data are not available for required calculations constitutes a deviation from the monitoring requirements.

44. Prior to startup, the permittee shall prepare and submit to the Portsmouth Local Air Agency and Ohio EPA Central Office for approval a monitoring plan for the mercury sorbent trap monitoring system. The plan must address the requirements below.
 - a. Installation of the sorbent trap monitoring system sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., at or downstream of the last control device);
 - b. Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems;
 - c. Performance evaluation procedures and acceptance criteria (e.g., calibrations);
 - d. Ongoing operation and maintenance procedures in accordance with 40 CFR 60.13(d) or 40 CFR Part 75;
 - e. Ongoing data quality assurance procedures in accordance with 40 CFR 60.13 or 40 CFR Part 75; and
 - f. Ongoing recordkeeping and reporting procedures in accordance with 40 CFR Part 60, Subpart Da.
45. If continuous mercury emissions monitoring systems prove to reliably and accurately measure the mercury emissions from non-recovery coke ovens in the future, the permittee may switch from a Method 324 monitoring system to a continuous mercury emissions monitoring system, or Ohio EPA may require the permittee to install a continuous mercury emissions monitoring system.
46. Ohio EPA reserves the right to require the permittee to install a continuous opacity monitoring system on the main stack if Method 9 readings indicate that visible emissions are at a level near the allowable visible emission limitation. If Ohio EPA determines that a continuous opacity monitoring system is needed to assure compliance with the visible emission limitation, the permittee shall install an opacity

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monitoring system on the main stack within 90 days of notification by Ohio EPA that an opacity monitoring system is required to be installed. Prior to installation of an opacity monitoring system, the permittee shall submit information detailing the proposed location of the sampling site in accordance with the siting requirements in 40 CFR Part 60, Appendix B, Performance Specification 1 for approval by the Ohio EPA, Central Office.

47. The permittee shall maintain monthly records of all the following information for all periods when waste gas emissions are vented to the HRSG bypass vent stacks:
 - a. the date, time, and duration of each bypass event;
 - b. the identification of each bypass vent stack in use;
 - c. the reason for the bypass event; and
 - d. beginning after the first 12 calendar months of operation, the rolling, 12-month summation of the HRSG bypass vent stack usage rates per stack.
48. The permittee shall install equipment to continuously monitor and record the activated carbon injection rate, in units of pounds per hour.
49. The permittee shall observe each coke oven door after charging and record the oven number of any door from which visible emissions occur. Emissions from coal spilled during charging or from material trapped within the seal area of the door are not considered to be a door leak if the permittee demonstrates that the oven is under negative pressure, and that no emissions are visible from the top of the door or from the dampers on the door.
50. Except as provided in (a) below, if a coke oven door leak is observed at any time during the coking cycle, the permittee shall take corrective action and stop the leak within 15 minutes from the time the leak is first observed. No additional leaks are allowed from doors on that oven for the remainder of that oven's coking cycle.
 - a. For no more than two times per battery in any semiannual reporting period, the permittee may take corrective action and stop the leak within 45 minutes (instead of 15 minutes) from the time the leak is first observed.

IV. Reporting Requirements

1. The permittee shall submit pressure drop deviation (excursion) reports that identify that all periods of time during which the pressure drop across the waste gas baghouse did not comply with the allowable range specified above.
2. The permittee shall submit pressure drop deviation (excursion) reports that identify all periods of time during which the pressure drop across either charging baghouse did

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not comply with the allowable range specified above.

3. The permittee shall submit pressure drop deviation (excursion) reports that identify all periods of time during which the pressure drop across the pushing multiclone dust collector did not comply with the allowable range specified above.

The permittee shall submit semi-annual written reports which (a) list all inspections which identified an area of the hood and duct work needing repair, and (b) a description of the repairs completed.

4. The permittee shall submit deviation (excursion) reports which identify all exceedances of the daily wet coal usage rate limitation.
5. The permittee shall submit deviation (excursion) reports which identify all exceedances of the hourly charging/pushing rate limitation.
6. The permittee shall submit deviation (excursion) reports that identify all exceedances of the rolling, 12-month wet coal usage rate limitation and, for the first 12 calendar months of operation, all exceedances of the maximum allowable cumulative wet coal usage levels.
7. Pursuant to OAC rules 3745-15-04, 3745-35-02, and ORC sections 3704.03(I) and 3704.031 and 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the Portsmouth Local Air Agency documenting the date, commencement and completion times, duration magnitude, reason (if known), and corrective actions taken (if any), of all instances of SO₂ values in excess of the applicable limit(s) specified OAC Chapter 3745-18, the daily SO₂ emission rates and/or the annual SO₂ emission rates. These reports shall also contain the total SO₂ emissions for the calendar quarter (in tons).

The permittee shall submit reports within 30 days following the end of each calendar quarter to the Portsmouth Local Air Agency documenting any continuous SO₂ monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report.

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If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit, control equipment, and/or monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line also shall be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

8. The permittee shall submit common battery tunnel temperature deviation (excursion) reports that identify all periods of during which the temperature in the common battery tunnel did not comply with the allowable range specified above. These reports shall include the time of the temperature deviation, the duration of the exceedance and the corrective action taken.
9. The permittee shall submit deviation (excursion) reports which identify all exceedances of the 0.41 ton per year Lead emissions limitation.
10. [40 CFR 63.310(d)]
In order for the provisions of term and condition III.8. to apply with respect to the observation (or set of observations) for a particular day, notification of a startup, shutdown, or a malfunction shall be made by the permittee;
 - a. if practicable, to the certified observer if the observer is at the facility during the occurrence; or
 - b. to the enforcement agency, in writing, within 24 hours of the occurrence first being documented by a company employee, and if the notification was not made, an explanation of why no such notification was made.
11. [40 CFR 63.310(e)]
Within 14 days of the original notification made under term and condition IV.4 or after a startup or shutdown, the permittee shall submit a written report to the Administrator, with a copy to the Portsmouth Local Air Agency that:
 - a. describes the times and circumstances of the startup, shutdown, or malfunction;
 - b. describes actions taken that might be considered inconsistent with the startup, shutdown, or malfunction plan.
12. [40 CFR 63.311(b)]
The permittee shall provide a written statement(s) to certify compliance to the Administrator, with a copy to the Portsmouth Local Air Agency, within 45 days of the

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applicable compliance date for the emission limitations or requirements in 40 CFR Part 63, Subpart L. The permittee shall include the following information in the initial compliance certification:

- a. statement, signed by the permittee, certifying that a written startup, shutdown, and malfunction plan has been prepared as required in 40 CFR Part 63, Section 63.310.
13. [40 CFR 63.311(c)]
The permittee shall provide written notification(s) to the Administrator of:
- a. intention to construct a new coke oven battery (including reconstruction of an existing coke oven battery and construction of a greenfield coke oven battery), including the anticipated date of startup.
14. [40 CFR 63.311(d)]
The permittee shall include the following information in the semi-annual compliance certification:
- a. certification, signed by the permittee, that a startup, shutdown, or malfunction event did not occur for the coke oven battery during the reporting period or that a startup, shutdown, event did occur and a report was submitted according to the requirements in 40 CFR Part 63, Section 63.310(e); and,
 - b. certification, signed by the permittee, that work practices were implemented if applicable under 40 CFR 63.306.
15. The permittee shall submit semi-annual written reports which identify the date, time, and duration of each waste gas by-pass event.
16. The deviation (excursion) reports shall be submitted in accordance with Part 1 - General Terms and Conditions of this permit under section (A)(1).
17. The permittee shall submit to the Portsmouth Local Air Agency quarterly common battery tunnel negative pressure deviation (excursion) reports that identify all periods of time during which each common battery tunnel was not maintained at a negative pressure. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during the quarter. These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.
18. The permittee shall submit to the Portsmouth Local Air Agency quarterly deviation (excursion) reports that identify all periods during which visual inspections of the enclosed flat push hot car identified areas potentially needing repair to minimize visible emissions of fugitive dust. The report shall include the repair methods of each attempt to repair, and the date of successful repair. If no deviations occurred during a calendar

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quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

19. The permittee shall submit to the Portsmouth Local Air Agency quarterly reports concerning the quality and quantity of the coal burned in this emissions unit. These reports shall include the following information for the emissions unit for each day during the calendar quarter:
 - a. the total quantity of wet coal charged (tons);
 - b. the average mercury content (percent) of the coal charged;
 - c. the average chlorine content (percent) of the coal charged; and
 - d. the average sulfur content (weight percent) of the coal charged.

These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

20. The permittee shall submit to the Portsmouth Local Air Agency quarterly deviation (excursion) reports that identify all exceedances of the HRSG bypass vent stack usage limitations. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during the quarter. These reports are due by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.
21. Reporting Requirements for Hg Sorbent Trap Monitoring System

The permittee shall submit quarterly reports to the appropriate Ohio EPA District Office or local air agency documenting the date, commencement and completion times, duration, magnitude, reason (if known), and corrective actions taken (if any), of all instances of Hg values in excess of the applicable mercury emission limitations for the main stack under section A.I.1 for this emissions unit in units of pounds per rolling 12-month period. These reports shall also contain the total Hg emissions for each month and the rolling, 12-month summation of the monthly emissions.

The permittee shall submit reports to the Portsmouth Local Air Agency documenting

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any Hg sorbent trap monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the *sorbent trap monitoring system* while the emissions unit was on line shall also be included in the quarterly report.

If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit, control equipment, and/or monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the *sorbent trap monitoring system* while the emissions unit was on line also shall be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 31, April 30, July 31, and October 31 of each year and shall address the data obtained during the previous calendar quarter.

V. Testing Requirements

1. Emission Testing Requirements

The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate but no later than 180 days after initial startup of the emissions unit for the waste gas stack, charging baghouse stacks, pushing multiclone stacks, fugitive charging emissions, and fugitive pushing emissions. The emission testing for the HRSG bypass vent stacks shall be conducted during the first scheduled by-pass of a heat recovery steam generator for purposes of the annual heat recovery steam generator inspection and maintenance. The HRSG bypass vent stack initial testing is only required on one of the five bypass vent stacks.
- b. The emission testing shall be conducted to demonstrate compliance with the following allowable limitations.
 - i. Waste gas Stack: PE, PM₁₀, SO₂, NO_x, CO, VOC*, Lead, HCl, mercury, and opacity. Opacity observations shall be taken concurrent with PE and PM₁₀ emission testing.
 - ii. Charging baghouse stacks: PE, and opacity.

During each test run, sample only during periods of actual charging when the capture system fan and control device are engaged. Collect a

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minimum sample volume of 30 dry standard cubic feet of gas during each test run. Three valid test runs are needed to comprise a performance test. Each run must start at the beginning of a charge and finish at the end of a charge (i.e., sample for an integral number of charges).

Compute the process-weighted mass emissions factor (E_p) for each test run using Equation 1 of this section as follows:

$$E_p = C \times Q \times T / (P \times K)$$

Where:

E_p = Process weighted mass emissions of PM, lb/ton ;

C = Concentration of particulate matter of PM, gr/dscf;

Q = Volumetric flow rate of stack gas, dscf/hr;

T = Total time during a run that a sample is withdrawn from the stack during pushing, hr;

K = Conversion factor, 7,000 gr/lb; and

P = Total amount of dry coal charged during the test run, tons.

Opacity observations shall be taken concurrent with PE emission testing.

- iii. Pushing multiclone stack: PE, SO₂, NO_x, CO, VOC*, Lead, and opacity.

During each test run, sample only during periods of actual pushing when the capture system fan and control device are engaged. Collect a minimum sample volume of 30 dry standard cubic feet of gas during each test run. Three valid test runs are needed to comprise a performance test. Each run must start at the beginning of a push and finish at the end of a push (i.e., sample for an integral number of pushes).

Compute the process-weighted mass emissions factor (E_p) for each test run using Equation 1 of this section as follows:

$$E_p = C \times Q \times T / (P \times K)$$

Where:

E_p = Process weighted mass emissions of PM , lb/hr;

C = Concentration of particulate matter of PM, gr/dscf;

Q = Volumetric flow rate of stack gas, dscf/hr;

T = Total time during a run that a sample is withdrawn from the

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stack during pushing, hr;

K = Conversion factor, 7,000 gr/lb; and

P = Total amount of coke pushed during the test run, tons.

Opacity observations shall be taken concurrent with PE emission testing.

- iv. Fugitive charging emissions: opacity. Opacity observations shall be taken concurrent with PE emission testing.
- v. Fugitive pushing emissions: opacity. Opacity observations shall be taken concurrent with PE emission testing.
- vi. HRSG bypass vent stacks: PE, SO₂, opacity, lead, HCl and *mercury*.
- c. The emission testing shall be conducted to determine the emissions of dioxins, furans, HAP metals and acid gases from the Waste Gas stack stacks.
- d. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s):

Pollutant	Method of 40 CFR Part 60, Appendix A
particulates	Methods 1 through 4 and 5
PM ₁₀	Methods 1 through 4, 201 and 202 of 40 CFR Part 51, Appendix M
SO ₂	Methods 1 through 4 and 6C
NOx	Methods 1 through 4 and 7E
CO	Methods 1 through 4 and 10
VOC	Methods 1 through 4, 25 or 25A, and if necessary, Method 18
Lead	Methods 1 through 4 and 12 or 29
HCl	Method 26
Opacity	Methods 9 and 22
Mercury	ASTM D6784-02, Standard Test Method for Elemental, Oxidized Particle-Bound, and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (also known as the Ontario Hydro Method)

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

*Test Methods shall be selected to consider all species of organics in the gas stream. The results shall be total VOC.

Pollutant	Method under 40 CFR
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Dioxins and furans	Method 23 of 40 CFR Part 60, Appendix A
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Acid gas emissions
(include HCl, HF, Cl₂, etc.)

Method 26 of 40 CFR Part 60, Appendix A

HAPs Metal emissions

Method 29 of 40 CFR Part 60, Appendix A

- e. The following additional information shall be documented during all emission testing for PE, PM₁₀, SO₂, NO_x, CO, VOC, Lead, mercury, opacity, dioxins and furans, acid gases, metals and flow rate.
- i. Hourly wet coal charge rates, in tons/hr and the number of charges per hour to allow a determination of an emission factor in pounds of pollutant per ton of coal processed;
 - ii. Hourly coke push rates, in tons/hr and the number of pushes per hour to allow a determination of an emission factor in pounds of pollutant per ton of coke produced;
 - iii. Pressure drop readings approximately every 15 minutes during the test(s) for:
 - (a) each charging *baghouse* when charging emissions are being tested;
 - (b) the lime spray dryer baghouse when the main stack emissions are being tested;
 - (c) each pushing *multiclone* when pushing emissions are being tested;
 - iv. lime spray dryer operating parameters *when the main stack emissions are being tested*;
 - v. main stack baghouse cleaning cycle; and
 - vi. activated carbon injection rate in pounds per hour and pounds per million actual cubic feet of exhaust gases.
- f. The permittee shall perform an activated carbon injection study to determine the optimum operating parameters of the activated carbon injections system as described in Section A.I.2.m and A.II.16 to maximize the control of mercury emissions. The permittee shall submit to the Portsmouth Local Air Agency and

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Ohio EPA a carbon injection study plan for approval within 60 days prior to the proposed date of the commencement of the optimization study.

- g. The permittee shall provide, or cause to be provided, performance testing facilities as follows for the outlet duct for the charging baghouse, inlet duct for the lime spray dryer, the outlet duct for the main stack, and the outlet duct for the pushing multiclone:
 - i. Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
 - ii. Safe sampling platform(s).
 - iii. Safe access to sampling platform(s).
 - iv. Utilities for sampling and testing equipment.
- h. The outlet duct for the charging baghouse, the outlet duct for the main stack, and the outlet duct for the pushing multiclone shall be designed in a manner that allows for emissions sampling ports to be installed according to criteria specified in Method 1 of 40 CFR Part 60, Appendix A.
- i. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Portsmouth Local Air Agency.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Portsmouth Local Air Agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Portsmouth Local Air Agency's refusal to accept the results of the emission test(s).

Personnel from the Portsmouth Local Air Agency shall be permitted to witness

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the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Portsmouth Local Air Agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Portsmouth Local Air Agency.

2. Certification

Prior to the installation of the continuous SO₂ monitoring system, the permittee shall submit information detailing the proposed location of the sampling site(s) in accordance with the siting requirements in 40 CFR Part 60, Appendix B, Performance Specification 6 for approval by the Ohio EPA, Central Office.

Within 60 days after achieving the maximum production rate, the permittee shall conduct certification tests of the continuous SO₂ monitoring system pursuant to ORC section 3704.03(I) and 40 CFR Part 60, Appendix B, Performance Specification 6. Personnel from the Portsmouth Local Air Agency shall be notified 30 days prior to initiation of the applicable tests and shall be permitted to examine equipment and witness the certification tests. In accordance with OAC rule 3745-15-04, all copies of the test results shall be submitted to the Portsmouth Local Air Agency within 30 days after the test is completed. Copies of the test results shall be sent to the Portsmouth Local Air Agency and the Ohio EPA, Central Office. Certification of the continuous SO₂ monitoring system shall be granted upon determination by the Ohio EPA, Central Office that the system meets all requirements of ORC section 3704.03(I) and 40 CFR Part 60, Appendix B, Performance Specification 6.

3. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

0.060 lb/hr Lead from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 12 .

b. Emission Limitation:

0.0057 lb HAPs (excluding HCl) / ton coal from the waste gas stack

Applicable Compliance Method:

The emission limitation was derived by the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] and HNCC test data.

If required, compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 18. Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

c. Emission Limitation:

6.43 tpy HAPs from emission units P001, P002, P901 and P902, combined

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of i through iv below:

- i. Waste Gas Stack: .
Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the maximum annual coal charge rate divided by 2000 lbs/ton.
- ii. Pushing Stack: Compliance shall be determined by multiplying the emission factor of 0.00024 lb total combined HAPs/wet ton coal charged , multiplying the emission factor of each of the following : 0.00021 lb Benzene Soluble Compounds (BSO)/wet ton coal charged, 0.000012 lb Arsenic/wet ton coal charged, 0.000015 lb lead/wet ton coal charged, and 0.0000021 lb manganese/wet ton coal charged, (emission factors from October 1989 Jewell stack test) by the wet tons of coal charged per year divided by 2000 lbs per ton.
- iii. Charging Baghouse D: Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton, times the maximum tons of coal charged per year, divided by 2,000 pounds/ton. The HAPs emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.
- iv. Quench Towers: Compliance shall be determined by multiplying the summation of the HAP emission factor, in pounds/ton, times the wet tons of coal charged per year, and divide by 2000 pounds/ton. The HAPs emission factor shall be

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calculated from the results of the most recent quench water analysis which demonstrated compliance.

- v. By-Pass Vent Stacks: Compliance shall be demonstrated by multiplying the summation of the individual HAP pollutant pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton.

- d. Emission Limitation:

Visible particulate emissions from the waste gas stack shall not exceed 10% opacity as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

- e. Emission Limitation:

Visible particulate emissions of fugitive dust from this emissions unit shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(3).

- f. Emission Limitation:

No visible emissions shall be permitted from the waste gas common duct or its associated piping.

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Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 22 and the procedures and methods required in OAC rule 3745-17-03(B)(4).

g. Emission Limitation:

30.69 lbs/hr PM/PM₁₀ from waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 51 Appendix M , Methods 201 and 202 .

h. Emission Limitation:

134.43 tpy PM/PM₁₀ as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM/PM₁₀ emission factor, in pounds/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The PM/PM₁₀ emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

i. Emission Limitation:

192.0 lbs/hr SO₂ as a 3 hour block average from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated from the three hour average SO₂ emission rate obtained from the SO₂ continuous emissions monitor on the lime spray dryer for the coke oven battery waste gas exhaust.

j. Emission Limitation:

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700.80 tpy SO₂ as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current months' emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by adding the SO₂ emissions rate in pounds/day for each day of the calendar month, as measured by the SO₂ continuous emissions monitor and dividing by 2,000 pounds/ton.

k. Emission Limitation:

120.0 lbs/hr NO_x from the waste gas stack

Applicable Compliance Method:

Compliance shall be determined by multiplying the emission factor, in lbs of pollutant/wet ton coal charged, calculated from the results of the most recent performance test which demonstrated compliance, by the wet tons of coal charged per hour.

l. Emission Limitation:

438.0 tpy NO_x as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the NO_x emission factor, in pounds/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The NO_x emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

m. Emission Limitation:

43.63 lbs/hr CO from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 10.

n. Emission Limitation:

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95.54 tpy CO as a rolling, 12-month summation from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the CO emission factor, in pounds/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The CO emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

- o. Emission Limitation:

9.35 lbs/hr VOC from waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 25 or 25A, as appropriate.

- p. Emission Limitation:

20.47 tpy VOC as a rolling, 12-month summation from the waste gas stack

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the VOC emission factor, in pounds/ton coal, times the tons of coal charged per month. The VOC emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

- q. Emission Limitation:

Particulate emissions from the lime spray dryer baghouse exhaust shall not exceed 0.014 gr/dscf of exhaust gases.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements

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specified in 40 CFR Part 51, Appendix M, Methods 201 and 202.

r. Emission Limitation:

1.6 lb SO₂ / ton coal from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 6.

s. Emission Limitation:

1 lb NO_x / ton coal from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 7.

t. Emission Limitation:

20 ppm CO from the waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 10.

u. Emission Limitation:

10 ppm VOC from waste gas stack

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 25 or 25A, as appropriate.

v. Emission Limitation:

3.89 lbs/hr fugitive PM from charging

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.027 pounds/ton coal charged times the maximum tons of wet coal charged per hour times the capture factor of 0.3 (70% capture rate). The PM emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

w. Emission Limitation:

3.55 tpy fugitive PM from charging

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.027 pounds/ton coal charged times the maximum tons of wet coal charged per year times the capture factor of 0.3 (70% capture rate), divided by 2,000 pounds/ton. The PM emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

x. Emission Limitation:

Visible particulate emissions fugitive dust from charging from this emissions unit shall not exceed 20% opacity, as an average of five consecutive charges .

Applicable Compliance Method:

The permittee shall conduct a performance test each week to demonstrate compliance this opacity limit. The permittee shall conduct each performance test according to the procedures and requirements in paragraphs (i)(a) through (iii) of this section.

(i) Using a certified observer, determine the average opacity of five consecutive charges per week for each charging emissions capture system if charges can be observed according to Method 9 (40 CFR Part 60, Appendix A), except as specified in paragraphs (a) and (b) of this section.

(a) Instead of the procedures in section 2.4 of Method 9 (40 CFR Part 60, Appendix A), record observations to the nearest 5 percent at 15-second intervals for at least five consecutive charges.

(b) Instead of the procedures in section 2.5 of Method 9 (40 CFR Part

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60, Appendix A), determine and record the highest 3-minute block average opacity for each charge from the consecutive observations recorded at 15-second intervals.

- (ii) Opacity observations are to start when the door is removed for charging and end when the door is replaced.
- (iii) Using the observations recorded from each performance test, the certified observer shall compute and record the average of the five 3-minute block averages.

y. Emission Limitation:

0.0081 lb PM/PM₁₀ / ton dry coal from the charging baghouse
Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 5.

z. Emission Limitation:

3.3 tpy PM/PM₁₀ as a rolling, 12-month summation from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM emission factor, in pounds / ton dry coal, times the tons coal charged per month. The PM emission factor was obtained from 40 CFR Part 63, Subpart L, section 63.303(d)(2), dated April 15, 2005.

aa. Emission Limitation:

1.17 lbs/hr fugitive PM₁₀ from charging

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.027 pounds/ton coal charged, times the tons of wet coal charged per hour by the

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capture factor of 0.3 (70% capture rate) by 0.30 the fraction of TSP estimated to by PM₁₀. The emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

bb. Emission Limitation:

1.06 tpy PM₁₀ fugitive emissions as a rolling, 12-month summation

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.027 pounds/ton coal charged, times the tons of wet coal charged per month by the capture factor of 0.3 (70% capture rate) by 0.30 the fraction of TSP estimated to by PM₁₀, divided by 2,000 pounds/ton. The emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

cc. Emission Limitation:

0.144 lb/hr SO₂ from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.0003 pounds/ton wet coal charged, times the tons of wet coal charged per hour. The SO₂ emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

dd. Emission Limitation:

0.13 tpy SO₂ as a rolling, 12-month summation from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.0003 pounds/ton wet coal charged, times the tons of wet coal charged per month, divided by 2,000

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pounds/ton. The SO₂ emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

ee. Emission Limitation:

1.34 lbs/hr CO from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.0028 pounds/ton wet coal charged times the wet tons of coal charged per hour. The SO₂ emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

ff. Emission Limitation:

1.23 tpy CO as a rolling, 12-month summation from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.0028 pound/ton wet coal charged, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The CO emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

gg. Emission Limitation:

0.96 lb/hr VOC from the charging baghouse

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor of 0.0020 lb VOC/wet ton coal charged, times the wet tons of coal charged per hour. The VOC emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

hh. Emission Limitation:

0.88 tpy VOC as a rolling, 12-month summation from the charging baghouse

Applicable Compliance Method:

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Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the emission factor of 0.0020 lb VOC/wet ton coal charged, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The VOC emission factor was calculated from the results of an October 1989 stack test at Jewell Coal and Coke Company located in Vansant, Virginia.

ii. Emission Limitation:

Particulate emissions from the charging baghouse exhaust shall not exceed 0.008 gr/dscf of exhaust gases.

Applicable Compliance Method:

Compliance shall also be demonstrated in accordance with the requirements of 40 CFR, Part 60, Appendix A, Methods 1 through 5.

jj. Emission Limitation:

Visible particulate emissions from the charging baghouse stack shall not exceed 10 % opacity as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

kk. Emission Limitation:

Visible particulate emissions of fugitive dust from pushing operations shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and

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methods required in OAC rule 3745-17-03(B)(3).

II. Emission Limitation:

13.72 lbs/hr PM/PM₁₀ from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

mm. Emission Limitation:

12.73 tpy PM/PM₁₀ as a rolling, 12-month summation from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the PM/PM₁₀ emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The PM/PM₁₀ emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

nn. Emission Limitation:

24 lbs/hr SO₂ from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

oo. Emission Limitation:

28.8 lbs/hr SO₂ as a 3 hour block average from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

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Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged for a three hour averaging period. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

pp. Emission Limitation:

21.9 tpy SO₂ as a rolling, 12-month summation from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the SO₂ emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The SO₂ emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

qq. Emission Limitation:

7.68 lbs/hr NO_x from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

rr. Emission Limitation:

7.01 tpy NO_x as a rolling, 12-month summation from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to

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the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the NO_x emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The NO_x emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

ss. Emission Limitation:

36.96 lbs/hr CO from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

tt. Emission Limitation:

33.73 tpy CO as a rolling, 12-month summation from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the CO emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The CO emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

uu. Emission Limitation:

96.0 lbs/hr VOC from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

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Compliance shall be demonstrated by multiplying the emission factor, in pounds/ton wet coal charged, times the maximum tons of wet coal charged per hour. The emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

vv. Emission Limitation:

87.60 tpy VOC as a rolling, 12-month summation from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated by adding the current month's emissions to the emissions for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the VOC emission factor, in lb/ton coal, times the tons of coal charged per month, divided by 2,000 pounds/ton. The VOC emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

ww. Emission Limitation:

Particulate emissions from the flat push hot car (FPHC) vented to multiclone dust collector exhaust shall not exceed 0.04 lb PM₁₀ / ton of coke.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Methods 1 through 5.

xx. Emission Limitation:

0.05 lb SO₂ / ton coal from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 6.

yy. Emission Limitation:

0.016 lb NO_x / ton coal from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

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Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 7.

zz. Emission Limitation:

0.077 lb CO / ton coal from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 10.

aaa. Emission Limitation:

0.2 lb VOC / ton coal from the flat push hot car (FPHC) vented to multiclone dust collector

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 25 or 25A, as appropriate.

bbb. Emission Limitation:

Visible particulate emissions from the flat push hot car (FPHC) vented to multiclone dust collector stack shall not exceed 20% opacity as a 6-minute average, except as provided by rule.

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements specified in 40 CFR Part 60, Appendix A, Method 9 and the procedures and methods required in OAC rule 3745-17-03(B)(1).

ccc. Emission Limitation:

Lead emissions shall not exceed 0.41 ton per year for emissions units P901, P902, P001, and P002 combined.

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Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of the following:

i. waste gas stack

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

ii. charging

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor of 0.0000001 pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor was obtained from draft AP-42, Section 12.2, Table 12.2-21, dated July 2001.

iii. pushing

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be calculated from the results of the most recent stack test which demonstrated compliance.

vi. quench towers

Compliance shall be demonstrated by adding the current month's emissions to the emission for the preceding eleven calendar months. Monthly emissions shall be determined by multiplying the lead emission factor, in pounds/ton, times the wet tons of coal charged per month, divided by 2,000 pounds/ton. The lead emission factor shall be

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calculated from the results of the most recent water analysis which demonstrated compliance.

- v. by-pass vent stacks: Compliance shall be demonstrated by multiplying the lead pound per ton emission factors [Table 12.2-20 of Draft AP-42 Section 12.2 dated July, 2001] by the times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton.

ddd. Emission Limitation:

0.0 percent leaking coke oven doors, or ovens operated under a negative pressure.

Applicable Compliance Method:

Compliance shall be demonstrated by the monitoring/record & keeping requirements in section A.III.11 of this permit.

eee. Emission Limitation:

0.30 lb/hr lead from the heat recovery steam generator (HRSG) by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the lead emission factor of 0.0031 pounds/ton times the tons of coal charged per hour. The lead emission factor was obtained the draft AP-42, Section 12.2, Table 12.2-20, dated July 2001.

fff. Emission Limitation:

0.031 lb HAPS / ton coal from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

The emissions limit was derived from calculating the summation of the individual HAP pollutants lb/ton emission factors obtained from the draft AP-42, Section 12.2, Table 12.2-20, dated July 2001 and HNCC test data.

ggg. Emission Limitation:

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35.57 lbs/hr PM/PM₁₀ from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the grains of PM/PM₁₀ per dscf of 0.083 times the maximum flow rate of the waste gas vented multiplied by an estimated 20% of total gas vented times 60 minutes per hour divided by 7000 grains per lb. The PM/PM₁₀ emission estimate was obtained from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 /1989.

hhh. Emission Limitation:

17.07 tpy PM/PM₁₀ from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the grains of PM/PM₁₀ per dscf of 0.083 times the maximum flow rate of the waste gas vented multiplied by an estimated 20% of total gas vented times 60 minutes per hour divided by 7000 grains per lb multiplied by 192 hours of venting per year divided by 2000 lbs per ton multiplied by the number of by-pass vent stacks (5). The PM/PM₁₀ emission estimate was obtained from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 /1989..

iii. Emission Limitation:

480.0 lbs/hr SO₂ from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the SO₂ emission factor of 20 pounds/ton times the tons of coal charged per hour multiplied by an estimated 20% of total gas venting. The SO₂ emission factor was derived using a material balance based on data from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 /1989 and assuming a coal sulfur content of 1.3%.

jjj. Emission Limitation:

480.0 lbs/hr SO₂ as a 3 hour block average from the HRSG by-pass vent stacks (VS6-VS10)

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Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the SO₂ emission factor of 20 pounds/ton times the tons of coal charged per hour multiplied by an estimated 20% total gas venting . The SO₂ emission factor was derived using a material balance based on data from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 / 1989 and assuming a coal sulfur content of 1.3%.

kkk. Emission Limitation:

192.0 tpy SO₂ from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

The emission limit was derived by multiplying the SO₂ emission factor of 20 pounds/ton times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks

divided by 2,000 lbs/ton. The SO₂ emission factor was derived using a material balance based on data from a stack test at the Jewell Coal and Coke Company in Vansant, VA in 10 / 1989 and assuming a coal sulfur content of 1.3%.

III. Emission Limitation:

24.0 lbs/hr NO_x from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the NO_x emission factor of 1 pound/ton times the tons of coal charged per hour multiplied by an estimated 20% of total gas venting. The NO_x emission factor was obtained from a EPA stack test data at ---Jewell Coke Co. dated ---- September 1992.

mmm. Emission Limitation:

9.6 tpy NO_x from the HRSG by-pass vent stacks (VS6-VS10)

Applicable Compliance Method:

The emission limit was derived by multiplying the NO_x emission factor of 1 pound/ton times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton. The NO_x emission factor was obtained from a EPA stack test data at Jewell Coke Co. dated September 1992.

nnn. Emission Limitation:

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4.36 lbs/hr CO from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the CO emission factor of 20 ppm, times 28, the molecular weight of CO, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack.

ooo. Emission Limitation:

2.09 tpy CO from the HRSG by-pass vent stacks

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the CO emission factor of 20 ppm, times 28, the molecular weight of CO, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack, times the total hours/year of all by-pass events, divided by 2,000 pounds/ton.

ppp. Emission Limitation:

0.93 lb/hr VOC from the HRSG by-pass vent stacks (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the VOC emission factor of 10 ppm, times 12, the molecular weight of carbon, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack.

qqq. Emission Limitation:

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0.45 tpy VOC from the HRSG by-pass vent stacks

Applicable Compliance Method:

Compliance shall be demonstrated by multiplying the VOC emission factor of 10 ppm, times 12, the molecular weight of carbon, divided by the 385,100,000 conversion factor, times the maximum waste gas flow, in dscf/min, times 60 minutes/hour, times 0.20, the fraction of the total waste gas produced expected to be vented from any single by-pass stack, times the total hours/year of all by-pass events, divided by 2,000 pounds/ton.

rrr. Emission Limitation:

0.10 lb HCl / ton coal and 12.06 lbs/hr HCl from the waste gas stack (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 26.

sss. Emission Limitation:

44.24 tpy HCl emissions from the waste gas stack

Compliance shall be demonstrated by multiplying the HCl emission factor, in lb/ton coal, times the tons of coal charged per year, divided by 2,000 pounds/ton. The HCl emission factor shall be calculated from the results of the most recent performance test which demonstrated compliance.

ttt. Emission Limitation:

2.01 lb HCl / ton coal and 48.24 lbs/hr HCl from the heat recovery steam generator (HRSG) by-pass vent stacks (VS6-VS10) (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Compliance shall be demonstrated in accordance with the requirements of 40 CFR Part 60, Appendix A, Method 26.

uuu. Emission Limitation:

19.30 tpy HCl emissions from the heat recovery steam generator (HRSG) by-pass vent stacks (VS6-VS10)

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Applicable Compliance Method:

The emission limit was derived by multiplying the HCl emission factor of 2.01 pound/ton times the tons of coal charged per day multiplied by an estimated 20% of total waste gas venting times 8 days of venting per year times the 5 vent stacks divided by 2,000 lbs/ton. The HCl emission factor was obtained from stack test data at Haverhill North Coke Co. dated June 2005.

vvv. Emission Limitation:

0.008 lb/hr and 6.34 pounds per rolling 12-month period of mercury emissions from the combined HRSG by-pass vent stacks (VS6-VS10) (only 1 of the 5 stacks shall be vented at any given time)

Applicable Compliance Method:

Utilizing the emission factor in Draft Chapter 12.2 (Coke Production) Air Pollutant Emission Factor, AP-42 Fifth Edition, Volume 1: 3.3×10^{-4} Emission data from EPA testing conducted at Jewell facility in Vansant, Virginia.

$(\text{Max production of 480 tons per day} \times (3.3 \times 10^{-4}) \times 1.2 (\text{process flow variation}) / 24 \text{ hours} = 0.008 \text{ lbs/hr})$

$(480 \text{ tons per day} \times 8 \text{ days} \times 5 \text{ stacks} \times (3.3 \times 10^{-4}) = 6.34 \text{ lbs/yr})$

www. Emission Limitation:

lb/hr mercury from the waste gas stack

Applicable Compliance Method:

ASTM D6784-02, Standard Test Method for Elemental, Oxidized Particle-Bound, and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (also known as the Ontario Hydro Method) shall be used to demonstrate compliance.

Data obtained from the stack test shall be used to demonstrate compliance with this emission limitation.

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xxx. Emission Limitation:

lbs per year mercury from the waste gas stack

Applicable Compliance Method:

Data obtained from the mercury sorbent trap monitoring system shall be used to demonstrate compliance with this emission limitation.

VI. Miscellaneous Requirements

None

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B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment -(P902) - 60 oven nonrecovery coke battery © battery) and 40 oven nonrecovery coke battery (D battery) with heat recovery steam generators

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
Waste Gas from Coking Process with lime spray dryer with baghouse staged combustion and activated carbon injection	Compliance with OEPA Air Toxics Policy; see Part II, term B.
Charging Operations with baghouse with traveling hood	
Pushing Operations with mobile hood with a multiclone	

2. Additional Terms and Conditions

None

II. Operational Restrictions

None

III. Monitoring and/or Record Keeping Requirements

None

IV. Reporting Requirements

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None

V. Testing Requirements

None

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VI. Miscellaneous Requirements

None