

1. Please update your review of the applicable requirements for the NESHAP regulations listed in the permit (Subparts ZZZZ, BBBB, and CCCC). For example, Section D of the permit lists a date of January 18, 2008 for the RICE NESHAP – 40 CFR 63 Subpart ZZZZ. This regulation has been revised several times since then, with the most recent being August 20, 2010. The revisions were significant and may require some of the non-emergency engines at this facility to use add-on controls.
2. Based on the updated review, please add a discussion to the statement of basis of any changes to the applicable requirements for the equipment at the facility. An example for the engines would be:
  - a. There are [X] emergency engines at the facility that are considering existing engines under the RICE NESHAP - 40 CFR 63 Subpart ZZZZ – because they commenced construction before June 12, 2006. These emergency engines are subject to various work practice standards under the RICE NESHAP, which have been included in the permit.
  - b. [X] of the emergency engines are considered new engines under the NSPS – 40 CFR 60 Subpart IIII – because they commenced construction after June 12, 2006. Owners and operators comply with the NSPS by purchasing certified engines. Other applicable requirements for these engines were also included in the permit. The engines comply with 40 CFR 63 Subpart ZZZZ by complying with 40 CFR 60 Subpart IIII.
  - c. The [X] non-emergency engines at the facility all commenced construction prior to June 12, 2006 and are considered existing engines under the RICE NESHAP. These engines are subject to various requirements, including the requirement to use add-on controls to reduce [CO or formaldehyde].
3. Please add a brief discussion in the statement of basis regarding the applicability of the Boiler NESHAP for area sources – Subpart JJJJJ – to this facility. The boilers at this facility are not subject to the NESHAP per 40 CFR 63.11195(e) because they are gas-fired units as defined in 40 CFR 63.11237.
4. Pursuant to Rule 1304, each title V permit shall include emission limitations and those operational requirements that assure compliance with all regulatory requirements at the time of permit issuance. The NSPS and NESHAP requirements in the permit are incorporated by reference at too high of a level. The permit should be revised to specifically identify the applicable requirements and not just reference them. Considering the revisions that were made to the RICE NESHAP, the owner or operator may not be able to tell from the permit that there are new requirements that they must meet. Additionally, Section D appears to identify that 40 CFR 60 Subpart IIII applies to some of the engines, but the applicable requirements of this regulation do not appear to be identified in the permit.

**Example 1 (Section J, Page 2):**

The operator shall comply with all applicable testing and monitoring requirements pursuant to Section 63.11120.

**Rewrite by identifying the applicable provisions of the section, for example:**

- (a) Each owner or operator, at the time of installation, as specified in §63.11113(e), of a vapor balance system required under §63.11118(b)(1), and every 3 years thereafter, must comply with the requirements below. [40 CFR 63.11120(a)]
  - (1) You must demonstrate compliance with the leak rate and cracking pressure requirements, specified in item 1(g) of Table 1 to this subpart, for pressure-vacuum vent valves installed on your gasoline storage tanks using the test methods identified in paragraph (a)(1)(i) or paragraph (a)(1)(ii) to 40 CFR 63.11120(a)(1).
  - (2) You must demonstrate compliance with the static pressure performance requirement specified in item 1(h) of Table 1 to this subpart for your vapor balance system by conducting a static pressure test on your gasoline storage tanks using the test methods identified in paragraphs (a)(2)(i), (a)(2)(ii), or (a)(2)(iii) to 40 CFR 63.11120(a)(1).
- (b) Conduct of performance tests. Performance tests conducted for this subpart 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. Upon request, the owner or operator shall make available to the District such records as may be necessary to determine the conditions of performance tests. [40 CFR 63.11120(c)]

**Example 2 (Section J, Page 3):**

The owner/operator shall comply with monitoring, installation, operation, and maintenance requirements as specified in §63.6625 and §63.660

**Rewrite by identifying the applicable provisions of the section, for example:**

As specified in Table 5 to 40 CFR 63 Subpart ZZZZ, you must install, operate, and maintain a CEMS to monitor CO and either oxygen or CO<sub>2</sub> at both the inlet and the outlet of the control device according to the requirements in paragraphs (a)(1) through (4) of 40 CFR 63 Subpart ZZZZ. [40 CFR 63.6625]