San Joaquin Valley
AIR POLLUTION CONTROL DISTRICT

FEB 27 2012

Gerardo C. Rios, Chief
Permits Office (AIR-3)
U.S. EPA - Region IX
75 Hawthorne St
San Francisco, CA 94105

Re: Additional EPA Review of Preliminary Decision
Title V Permit Renewal
District Facility # N-2073
Project # N-1071604

Dear Mr. Rios:

Pursuant to District Rule 2520, Section 11.3.3.1, due to changes in the proposed decision, enclosed for your review and comment is the District's revised analysis of the application to renew the Federal Operating Permit for Covanta Stanislaus, Inc for its municipal waste combustion facility located at 4040 Fink Road in Crows Landing, California. Also enclosed are the District's responses to comments received to date.

Please submit your written comments on this project within the 45-day comment period which begins on the date of this letter.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,

David Warner
Director of Permit Services

cc: Jeff Ruoss, Covanta Stanislaus Inc,
PO Box 278, Crows Landing, CA 95313

Attachment

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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SAN JOAQUIN VALLEY
AIR POLLUTION CONTROL DISTRICT

Proposed Title V Permit Renewal Evaluation
Covanta Stanislaus, Inc.
N-2073

TABLE OF CONTENTS

I. PROPOSAL 2
II. FACILITY LOCATION 3
III. EQUIPMENT LISTING 3
IV. GENERAL PERMIT TEMPLATE USAGE 3
V. SCOPE OF EPA AND PUBLIC REVIEW 3
VI. FEDERALLY ENFORCEABLE REQUIREMENTS 4
VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE 6
VIII. PERMIT REQUIREMENTS 6
IX. PERMIT SHIELD 43
X. PERMIT CONDITIONS 44
XI. ATTACHMENTS 44

A. DRAFT RENEWED TITLE V OPERATING PERMIT
B. PREVIOUS TITLE V OPERATING PERMIT
C. DETAILED FACILITY LIST
D. EPA COMMENTS / DISTRICT RESPONSES
E. GREEN ACTION & GRAYSON NEIGHBORHOOD COUNCIL COMMENTS / DISTRICT RESPONSES
F. PUBLIC HEARING COMMENTS / DISTRICT RESPONSES

TITLE V PERMIT RENEWAL EVALUATION

Municipal Waste Combustion

Engineer: Chay Thao
Date Revised: February 15, 2012

Facility Number: N-2073
Facility Name: Covanta Stanislaus, Inc.
Mailing Address: PO Box 278
Crows Landing, CA 95313

Contact Name: Terry Coble
Phone: (209) 837-4423 ext 211

Responsible Official: Jeff Ruoss
Title: Facility Manager

Project # : N-1071604
Deemed Complete: May 16, 2007

I. PROPOSAL

Covanta Stanislaus, Inc (CSI) was issued a Title V permit on December 31, 2002 with an expiration date of October 31, 2007. This permit renewal application, received on April 26, 2007, complies with the District Rule 2520 requirement that a renewal application be submitted 6 to 18 months prior to permit expiration.

The Preliminary Decision for this permit renewal was issued on November 3, 2011. However, pursuant to District Rule 2520, Section 11.3.3.1, due to changes in the proposed decision, this analysis has been revised and will be subject to an additional 45-day EPA review period.

The existing Title V permit shall be reviewed and modified to reflect all applicable District and federal rules updated, removed, or added since the issuance of the initial Title V permit.

The purpose of this evaluation is to provide the legal and factual basis for all updated applicable requirements and to determine if the facility will comply with these updated requirements.

II. FACILITY LOCATION

CSI is located at 4040 Fink Road in Crows Landing, CA.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is included as Attachment A.

IV. GENERAL PERMIT TEMPLATE USAGE

The applicant is requesting to use the following model general permit Template:

A. Template SJV-UM-0-3 Facility Wide Umbrella

The applicant has requested to utilize template No. SJV-UM-0-3, Facility Wide Umbrella. Based on the information submitted in the Template Qualification Form, the applicant qualifies for the use of this template.

Template SJV-UM-0-3 conditions have been added as conditions 1 through 40 to the renewed facility wide requirements (N-2073-0-2) and replace conditions 1 through 39 and 45 of the existing facility wide requirements (N-2073-0-1). Rule reference "PSD SJ 86-03" will also be included in conditions 1, 2, 12, 18, 19, 20, and 21 of the renewed permit; these requirements are the same as the requirements in conditions 1, 2, 12, 18, 19, 20, and 21 of the existing permit that all have the "PSD SJ 86-03" reference.

V. SCOPE OF EPA AND PUBLIC REVIEW

Certain segments of the proposed Renewed Operating Permit are based on model general permit templates that have been previously subject to EPA and public review. The terms and conditions from the model general permit templates are included in the proposed permit and are not subject to further EPA and public review.

For permit applications utilizing model general permit templates, public and agency comments on the District's proposed actions are limited to the applicant's eligibility for model general permit template, applicable requirements not covered by the model general permit template, and the applicable procedural requirements for issuance of Title V Operating Permits.

The following permit conditions, including their underlying applicable requirements, originate from Model General Permit Template SJV-UM-0-3 and are not subject to further EPA or public review: conditions 1 through 40 of the renewed facility wide requirements (N-2073-0-2).

VI. FEDERALLY ENFORCEABLE REQUIREMENTS

A. Rules Updated

District Rule 2020, Exemptions
(as amended July 21, 1994 → August 18, 2011)

District Rule 2201, District New and Modified Stationary Source Review Rule
(as amended December 19, 2002 → April 21, 2011)

District Rule 4352, Solid Fuel Fired Boilers, Steam Generators and Process Heaters (as amended October 19, 1995 → December 15, 2011)

40 CFR Part 60, Subpart Cb, Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constructed on or Before September 20, 1994
(as amended May 10, 2006)

40 CFR Part 60, Subpart Db, Standard of performance for Industrial-Commercial-Institutional Steam Generating Units
(as amended January 28, 2009)

40 CFR Part 68, Chemical Accident Prevention Provisions
(as amended April 9, 2004)

B. Rules Removed

District Rule 4701 Internal Combustion Engines
(as amended November 12, 1998 → January 18, 2007)

Per Section 7.5.2.3 of District Rule 4702, District Rule 4701 does not apply to engines that are subject to the requirements of Section 4.1, Section 4.2, or Section 4.3 of District Rule 4702. Therefore, this rule is no longer applicable.

C. Rules Added

District Rule 4301 Fuel Burning Equipment (as amended December ,17, 1992)
This rule was not fully addressed in the initial Title V

District Rule 4702 Internal Combustion Engines
(as amended August 18, 2011)
** August 18, 2011 revision not SIP-approved, but applicable requirements identical to SIP-approved January 18, 2007 revision**

40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

40 CFR 64, Compliance Assurance Monitoring

Title 17 CCR, Section 93115, Airborne Toxic Control Measure (ATCM) for Stationary Compression-Ignition (CI) Engines

D. Rules Not Updated

District Rule 1070, Inspections (as amended December 17,1992) - (Non SIP replacement for Stanislaus County Rule 107)

District Rule 1080, Stack Monitoring (as amended December 17,1992)

District Rule 1081, Source Sampling (as amended December 16,1993)

District Rule 2010, Permits Required (as amended December 17, 1992)

District Rule 2031, Transfer of Permits (as amended December 17, 1992)

District Rule 2070, Standards for Granting Applications (as amended December 17, 1992)

District Rule 2080, Conditional Approval (as amended December 17, 1992)

District Rule 2520, Federally Mandated Operating Permits (amended June 21, 2001)

District Rule 4201, Particulate Matter Concentration
(as amended December 17, 1992) SIP: 12/17/92

District Rule 4202, Particulate Matter Emissions Rate (as amended December 17, 1992)

District Rule 4801, Sulfur Compounds (as amended December 17, 1992) - (Non SIP replacement for Stanislaus County Rule 407)

40 CFR Part 52.21, Prevention of Significant Deterioration (PSD)

VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as "Federally Enforceable Through Title V Permit".

For this facility, the following are not federally enforceable and will not be discussed in further detail:

- District Rule 1100, Equipment Breakdown (as amended December 17,1992)
- District Rule 1160, Emission Statements (as adopted November 18, 1992)
- District Rule 2040, Applications (as amended December 17, 1992)
- District Rule 4102, Nuisance (as amended December 17, 1992)
- District Rule 4203, Particulate Matter Emissions from Incineration of Combustible Refuse (as amended December 17, 1992)

VIII. PERMIT REQUIREMENTS

The purpose of this evaluation is to review changes to federally enforceable requirements; therefore, this compliance section will only address rules that have been amended or added since the issuance of the initial Title V permit.

A. District Rule 2020 - Exemptions

District Rule 2020 lists equipment which is specifically exempt from obtaining permits, and specifies recordkeeping requirements to verify such exemptions. The rule was amended in August 18, 2011. The amendments to this rule do not have any effect on current permit requirements and will therefore not be addressed in this evaluation.

B. District Rule 2201 - New and Modified Stationary Source Review Rule

District Rule 2201 has been amended since this facility's initial Title V permit was issued. This Title V permit renewal does not constitute a modification

per section 3.26, defined as an action including at least one of the following items:

1) Any change in hours of operation, production rate, or method of operation of an existing emissions unit, which would necessitate a change in permit conditions.
2) Any structural change or addition to an existing emissions unit which would necessitate a change in permit conditions. Routine replacement shall not be considered to be a structural change.
3) An increase in emissions from an emissions unit caused by a modification of the Stationary Source when the emissions unit is not subject to a daily emissions limitation.
4) Addition of any new emissions unit which is subject to District permitting requirements.
5) A change in a permit term or condition proposed by an applicant to obtain an exemption from an applicable requirement to which the source would otherwise be subject.

Therefore, the updated requirements of this rule are not applicable at this time.

C. District Rule 2520 - Federally Mandated Operating Permits

There are no federally applicable Greenhouse Gas (GHG) requirements for this source. It should be noted that the Mandatory Greenhouse Gas Reporting rule (40CFR Part 98) is not included in the definition of an applicable requirement within Title V (per 40CFR 71.2). Therefore, there will be no further discussion of GHG in this evaluation.

D. District Rule 4301 – Fuel Burning Equipment

The purpose of this rule is to limit the emission of air contaminants from fuel burning equipment. This rule limits the concentration of combustion contaminants and specifies maximum emission rates for sulfur dioxide, nitrogen oxide and combustion contaminant emissions. The provisions of this rule apply to any fuel burning equipment except air pollution control equipment. The rule defines fuel burning equipment as "any furnace, boiler, apparatus, stack, and all appurtenances thereto, used in the process of burning fuel for the primary purpose of producing heat or power by indirect heat transfer."

a. N-2073-1-10: Power Generation System

Section 5.1 limits release of combustion contaminants to no greater than 0.1

gr/dscf, calculated to 12% CO2 at dry standard conditions.

Condition 25 of this permit ensures compliance:

- Filterable particulate matter (i.e. front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 25 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input. Owner or operator shall conduct a performance test for particulate matter on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) with EPA Method 1; EPA Method 3, 3A, or 3B; and EPA Method 5. The minimum sample volume shall be 1.7 cubic meters. The probe and filter holder heating systems in the sample train shall be set to provide a gas temperature no greater than 160 degrees C. An oxygen or carbon dioxide measurement shall be obtained simultaneously with each Method 5 run. [District NSR Rule, District Rule 4301, 40 CFR 60.33b and 40 CFR 60.43b(d)(1)] Y

Section 5.2 requires that each fuel burning equipment unit (defined as "the minimum number of fuel burning equipment, the simultaneous operations of which are required for the production of useful heat") not exceed the following limits:

District Rule 4301 Limits			
	NO_2 (lb/hr)	Combustion Contaminants* (lb/hr)	SO_2 (lb/hr)
N-2073-1 (lb/hr)	107	10	35.6
Rule Limit (lb/hr)	140	10	200

**Per Rule 1020, Definitions, combustion contaminants are "particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.*

Previously, for biomass boilers C-799-3 and C-1820-1, the District has interpreted "combustion contaminants" as total PM (filterable and condensable) minus any ammonium chlorides or ammonium sulfates collected in the condensable fraction of the condensable PM catch. Reason is these ammonium salts have their origin in the ammonia injection used for NOx control and not in the "burning of any kind of material containing carbon."

Condition 36 of this permit ensures compliance:

- Emissions of combustion contaminants from each fuel burning equipment unit shall not exceed 10 lb/hr. Combustion contaminants are defined as total PM (filterable plus condensable) minus the ammonium salts (e.g. ammonium chloride, ammonium sulfate, ammonium bisulfate, etc.) present in the condensable PM fraction. A "fuel burning equipment unit" is the minimum number of fuel burning equipment required to operate simultaneously for the production of useful heat. Compliance with this emission limit shall be demonstrated annually by source test conducted according to EPA Methods 5 and 202 (or other APCO approved methods). Ammonium salts in the condensable PM fraction shall be determined by analysis of the condensable PM fraction by ion chromatography (or other APCO approved method). [District Rule 4301] Y

Section 5.3 states that nothing in this rule shall be construed as preventing the maintenance or preventing the alteration or modification of an existing fuel burning equipment unit which will reduce its mass rate of air contaminant emissions.

Section 6.0 provides test methods. Conditions 25 and 36 of this permit ensure compliance:

- Filterable particulate matter (i.e. front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 27 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input; each as measured by EPA Methods 1 through 5. [District NSR Rule, District Rule 4301, 40 CFR 60.33b, and 40 CFR 60.43b(d)(1)] Y

- Emissions of combustion contaminants from each fuel burning equipment unit shall not exceed 10 lb/hr. Combustion contaminants are defined as total PM (filterable plus condensable) minus the ammonium salts (e.g. ammonium chloride, ammonium sulfate, ammonium bisulfate, etc.) present in the condensable PM fraction. A "fuel burning equipment unit" is the minimum number of fuel burning equipment required to operate simultaneously for the production of useful heat. Compliance with this emission limit shall be demonstrated annually by source test conducted according to EPA Methods 5 and 202 (or other APCO approved methods). Ammonium salts in the condensable PM fraction shall be determined by analysis of the condensable PM fraction by ion chromatography (or other APCO approved method). [District Rule 4301] Y

E. Rule 4352 – Solid Fuel Fired Boilers, Steam Generators and Process Heaters

The purpose of this rule is to limit emissions of oxides of nitrogen (NOx) and carbon monoxide (CO) from solid fuel fired boilers, steam generators and process heaters. This rule applies to any boiler, steam generator or process heater fired on solid fuel. Heat may be supplied by liquid or gaseous fuels for start-ups, shutdowns, and during other flame stabilization periods, as deemed necessary by the owner/operator.

This rule was recently revised on December 15, 2011, but the requirements are not applicable until January 1, 2013. Therefore, condition 122 ensures compliance with the new rule.

- On and after January 1, 2013, permittee shall demonstrate compliance with Table 1 emission limits and all applicable requirements of District Rule 4352 (December 15, 2011). [District Rule 4352]

a. N-2073-1-10: Power Generation System

Section 5.1 limits NOx emissions from the combustion of municipal solid waste to 200 ppmv @ 12% CO2 and CO emissions to 400 ppmv @ 3% O2. Section 5.2 requires that the limits be based on a block 24-hours average. The current conditions require 4-hour and 8-hour block averages which are more stringent.

Conditions 20 and 21 of this permit ensure compliance:

- The carbon monoxide (CO) emissions from each combustion unit shall not exceed 100 ppmv, dry, corrected to 7% O2, as measured utilizing EPA Methods 1-4 and 10. Compliance with this limit shall be determined based on a four hour block arithmetic average as defined in 40 CFR 60.51b. [District Rule 4352 and 40 CFR 60.34b] Y

- NOx emissions from each combustion unit shall not exceed 200 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 7E. Compliance with this limit shall be determined based on an eight rolling hour average. [NSR Rule, District Rule 4352, and 40 CFR 60.33b] Y

- After December 31, 2012, NOx emissions from each combustion unit shall not exceed 165 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 7E. Compliance with this limit shall be determined based on an eight rolling hour average. [District Rule 4352] Y

Section 5.3 provides startup/shutdown exemptions from the limits in Section 5.1. The duration of each startup and shutdown is limited to 96 hours and 12 hours, respectively. Currently condition 18 provides 3-hour exemptions during startup, shutdown, and malfunctions for limits based on District Rule 2201 and 40 CFR 60 Subparts Cb or Eb. However, District Rule 4352 does not provide any exemptions during malfunction periods. The exemptions are summarized below:

	NSR and 40 CFR 60 Subparts Cb or Eb	Rule 4352
Startup Time (hr)	3	96
Shutdown (hr)	3	12
Malfunction (hr)	3	0

Therefore, the condition 117 of this permit will clarify that District Rule 4352 provides exemptions during startup and shutdown periods but not during malfunction periods.

- During any 96-hour periods of startup or 12-hour periods of shutdown, the facility shall be exempt from emission limits identified in this permit which are based upon District Rule 4352. [District Rule 4352] Y

Section 5.4 allows an increase in emissions, under certain circumstances, if the unit is operating less than 50% of the rated heat input. The facility has not requested this and therefore this section is not applicable.

Section 5.5 requires for units using ammonia injection to include a Continuous Emissions Monitoring (CEM) system to monitor and record NOx concentrations, CO2 or O2 concentrations, as well as the NOx emission rate. The CEM system is required to be operated, maintained, and calibrated pursuant to 40 CFR 60.7(c) and 60.13 and satisfy the performance specifications of 40 CFR 60 Appendix B and the Relative Accuracy Test Audit of Appendix F. Conditions 64 and 67 of this permit ensure compliance:

- The facility shall install, calibrate, maintain, and operate a carbon dioxide CEM at the economizer and stack locations of each combustion unit, in accordance with 40 CFR 60.58b(b) and Appendices B and F. [40 CFR 60.38b and District Rule 4352] Y

- The facility shall install, calibrate, maintain, and operate a nitrogen oxides CEM at the stack locations in accordance with 40 CFR 60.58b(h) and Appendices B and F. [40 CFR 60.38b and District Rule 4352] Y

F. District Rule 4702 – Internal Combustion Engines

This analysis is based on the latest revision (August 18, 2011) which has not been SIP approved. However, this rule only impacts the emergency IC engine at this facility, and these requirements are identical to the latest SIP approved revision (January 18, 2007). The only change is Section 5.7 has been moved to Section 5.9. Therefore, compliance with this revision ensures compliance with the SIP approved January 18, 2007 revision. No further stringency analysis is required.

The purpose of this rule is to limit the emissions of nitrogen oxides (NO_x), carbon monoxide (CO), and volatile organic compounds (VOC) from internal combustion engines. This rule applies to any internal combustion engine with a rated brake horsepower greater than 50 horsepower.

a. N-2073-2-2: Emergency Diesel Fired IC Engine

Section 4.2 exempts emergency standby engines and low-use engines from the requirements of this rule, except for sections 5.9 and 6.2.3. Conditions 6 through 8 of this permit ensure compliance:

- This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. For testing purposes, the engine shall only be operated the number of hours necessary to comply with the testing requirements of the National Fire Protection Association (NFPA) 25 - "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems", 1998 edition. Total hours of operation for all maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year. [District Rule 4702 and 17 CCR 93115] Y

- An emergency situation is an unscheduled electrical power outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the permittee. [District Rule 4702] Y

- This engine shall not be used to produce power for the electrical distribution system, as part of a voluntary utility demand reduction program, or for an interruptible power contract. [District Rule 4702] Y

Section 5.9 requires that engines are operated and maintained in accordance to the manufacturer, operational characteristics are monitored, and a nonresettable elapsed time meter is installed. Conditions 3 through 5 of this permit ensure compliance:

- This engine shall be operated and maintained in proper operating condition as recommended by the engine manufacturer or emissions control system supplier. [District Rule 4702] Y

- This engine shall be equipped with an operational non-resettable elapsed time meter or other APCO approved alternative. [District Rule 4702 and 17 CCR 93115] Y

- During periods of operation for maintenance, testing, and required regulatory purposes, the permittee shall monitor the operational characteristics of the engine as recommended by the manufacturer or emission control system supplier (for example: check engine fluid levels, battery, cables and connections; change engine oil and filters; replace engine coolant; and/or other operational characteristics as recommended by the manufacturer or supplier). [District Rule 4702] Y

Section 6.2.3 requires maintenance of annual operating records for five years, and to include the following: total hours of operation, type of fuel used, purpose for operating engine, hours of non-emergency and emergency operation, and other supporting documentation to demonstrate exemption. Conditions 9 and 10 of this permit ensure compliance:

- The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, and the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.). For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115] Y

- All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702 and 17 CCR 93115] Y

G. 40 CFR Part 60, Subpart Cb - <u>Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constructed on or Before September 20,1994</u>

On December 19, 1995 EPA promulgated regulations for Municipal Waste Combustors implementing sections 111 and 129 of the Federal Clean Air Act.

The regulation includes New Source Performance Standards (NSPS) for new municipal waste combustors and "Emission Guidelines" for existing (those constructed on or before September 20, 1994) municipal waste combustors. This guideline (40 CFR 60, Subpart Cb) requires that each State develop and submit a "State Plan" to EPA identifying how the requirements in the guideline will be satisfied.

On April 16, 1998, the District submitted to the California Air Resources Board a proposal to implement the "Emission Guidelines" directly through the existing permit since there is only one facility affected.

On September 23, 1998, the California Air Resources Board submitted the state plan to EPA. Per correspondence with EPA (included in this project file) and Federal Register (http://www.epa.gov/EPA-AIR/2003/March/Day-11/a5748.htm), EPA approved the District's proposal for the 1998 "Emission Guidelines". These guidelines were updated in 2006. Compliance with these revised guidelines will be reviewed below.

This subpart is only applicable to permit N-2073-1.

a. N-2073-1-10: Power Generation System

60.30b – Scope and delegation of authority

This section states that the intent of the subpart is to control designated pollutants from certain municipal waste combustors and that EPA retains the authority to approve waivers, exemptions, and alternative compliance.

60.31b - Definitions

This section contains definitions used in the subpart.

60.32b – Designated facilities

This section states that this subpart applies to municipal waste combustors with capacity greater than 250 tons per day that commenced construction on or before September 20, 1994. Exemptions from this subpart were also included, provided the applicant notified EPA.

Per the initial Title V, construction commenced prior to December 20, 1989. Since the applicant has not requested any of the provided exemptions, this facility is subject to the requirements of this subpart.

60.33b – Emission guidelines for municipal waste combustor metals, acid gases, organics, and nitrogen oxides.

As included in the State Plan submitted by CARB on September 1998 and approved by EPA, this facility (formerly Ogden Martin Systems of Stanislaus) has demonstrated that readings at 7% O2 are equivalent to readings at 12% CO2. This relationship was established in accordance to 40 CFR 60 Subpart Cb - 60.38b.

This section requires emissions to not exceed the following limits.

Particulate Matter:
27 mg @ 7% O2 (before 4/28/09)
25 mg @ 7% O2 (on & after 4/28/09)

Condition 25 of this permit ensures compliance:

- Filterable particulate matter (i.e. front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 25 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input. Owner or operator shall conduct a performance test for particulate matter on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) with EPA Method 1; EPA Method 3, 3A, or 3B; and EPA Method 5. The minimum sample volume shall be 1.7 cubic meters. The probe and filter holder heating systems in the sample train shall be set to provide a gas temperature no greater than 160 degrees C. An oxygen or carbon dioxide measurement shall be obtained simultaneously with each Method 5 run. [District NSR Rule, District Rule 4301, and 40 CFR 60.33b] Y

Opacity:
10% Opacity (6-minute average)

Condition 19 of this permit ensures compliance:

- Opacity exhibited by the gases discharged to the atmosphere from each combustion unit, other than water vapor, shall not exceed 10 percent based on a six minute average as measured by EPA Method 9. [40 CFR 60.33b] Y

Cadmium:
0.040 mg/dscf @ 7% O2 (before 4/28/09)
0.035 mg/dscf @ 7% O2 (on & after 4/28/09)

Condition 44 of this permit ensures compliance:

- The Cadmium emissions from each combustion unit shall not exceed either of the following: 0.0013 g/s; 0.035 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29 [40 CFR 60.33b and District Rule 4102] Y

Mercury:
0.080 mg/dscf @ 7% O2 (before 4/28/09)
0.050 mg/dscf @ 7% O2 (on & after 4/28/09)
(or 85% control, whichever is less stringent)

Condition 53 of this permit ensures compliance:

- The Mercury emissions from each combustion unit shall not exceed 0.050 mg/dscm, corrected to 7% O2, or the mercury removal efficiency shall be at least 85% by weight, whichever is less stringent, as measured by EPA Methods 1, 3, and 29. [40 CFR 60.33b] Y

Lead:
0.440 mg/dscf @ 7% O2 (before 4/28/09)
0.400 mg/dscf @ 7% O2 (on & after 4/28/09)

Condition 51 of this permit ensures compliance:

- The Lead emissions from each combustion unit shall not exceed either of the following: 0.014 g/s; 0.400 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29. [40 CFR 60.33b and District Rule 4102] Y

SOx:
29 ppmvd @ 7% O2 (24-hr geometric mean)
(or 75% control, whichever is less stringent)

Condition 23 of this permit ensures compliance:

- The SO2 emissions from each combustion unit shall not exceed 29 ppmv, dry, corrected to 12% CO2, or the SO2 removal efficiency shall be at least 75% (by weight or volume), whichever is less stringent as measured by EPA Methods 1-4 and 6C. Compliance with this limit shall be determined

based on a 24-hour daily geometric mean. EPA method 19 shall be used to calculate the daily geometric average sulfur dioxide emission concentration and removal efficiency. [40 CFR 60.33b] Y

HCl:
29 ppmvd @ 7% O2
(or 95% control, whichever is less stringent)

Condition 50 of this permit ensures compliance:

- The Hydrogen Chloride (HCl) emissions from each combustion unit shall not exceed either of the following: 1.4 g/s; 29 ppmv or the HCl removal efficiency shall be at least 95% (by weight or volume), whichever is less stringent, corrected to 7% O2; each as measured by EPA Method 26. [40 CFR 60.33b and District Rule 4102] Y

Dioxin/Furan:
30 nanograms/dscf (total mass) @ 7% O2

Condition 47 of this permit ensures compliance:

- The Dioxin/Furan emissions from each combustion unit shall not exceed 30 ng/dscm (total mass), corrected to 7% O2, as measured by EPA Method 23. [40 CFR 60.33b] Y

NOx:
205 ppmvd @ 7 % O2
(mass burn waterwall, per applicant)

Condition 21 of this permit ensures compliance:

- The NOx emissions from each combustion unit shall not exceed 200 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 7E. Compliance with this limit shall be determined based on an eight rolling hour average. [District NSR Rule, District Rule 4352, and 40 CFR 60.33b] Y

<u>60.34b – Emission guidelines for municipal waste combustor operating practices.</u>

This section requires that a State plan shall include emission limits for carbon monoxide at least as protective as the emission limits for carbon monoxide listed in Table 3 of this subpart and provide emission limits for the carbon monoxide concentration level for each type of designated facility. Table 3

requires that CO emissions not exceed 100 ppmv, corrected to 7% O2, dry basis, based on a four hour block arithmetic average since the combustor technology is a mass burn waterwall (per applicant). Condition 20 of this permit ensures compliance:

- The carbon monoxide (CO) emissions from each combustion unit shall not exceed 100 ppmv, dry, corrected to 7% O2, as measured utilizing EPA Methods 1-4 and 10. Compliance with this limit shall be determined based on a four hour block arithmetic average as defined in 40 CFR 60.51b. [District Rule 4352 and 40 CFR 60.34b] Y

In addition, this section requires that a State plan include requirements for municipal waste combustor operating practices at least as protective as those requirements listed in §60.53b(b) and (c) of subpart Eb of this part. §60.53b(b) requires that no owner or operator of an affected facility shall cause such facility to operate at a load level greater than 110 percent of the maximum demonstrated municipal waste combustor unit load as defined in §60.51b, except as specified in paragraphs (b)(1) and (b)(2) of this section. The averaging time is specified under §60.58b(i). Condition 60 of this permit ensures compliance:

- The total steam generated from each boiler shall not exceed 110% of the maximum demonstrated combustion unit load achieved in the most recent Dioxin/Furan performance test, as defined in 40 CFR 60.51b. [40 CFR 60.34b(b)] Y

§60.53b(c) requires that no owner or operator of an affected facility shall cause such facility to operate at a temperature, measured at the particulate matter control device inlet, exceeding 17 °C above the maximum demonstrated particulate matter control device temperature as defined in §60.51b, except as specified in paragraphs (c)(1) and (c)(2) of this section. The averaging time is specified under §60.58b(i). The requirements specified in this paragraph apply to each particulate matter control device utilized at the affected facility. Condition 61 of this permit ensures compliance:

- The maximum flue gas temperature, measured at the particulate matter control device inlet from each boiler, shall not be higher than 17 deg. C (31 deg. F) above the maximum demonstrated particulate matter control device temperature as defined in 40 CFR 60.51b. [40 CFR 60.34b(b)] Y

60.35b – emission guidelines for municipal waste combustor operator training and certification.

This section requires that operators be trained and certified to levels as protective as section 60.54b of subpart Eb.

Sections (a) through (c) of 60.54b of subpart Eb requires that a fully certified chief facility operator or fully certified shift supervisor be on duty whenever the facility is in operation. Condition 109 of this permit ensures compliance:

- Facility shall operate only when a fully certified chief facility operator or fully certified shift supervisor is on duty, except as allowed under 40 CFR 60.54b(c)(2). [40 CFR 60.35b] Y

Section (d) of 60.54b of subpart Eb requires that all chief facility operators, shift supervisors, and control room operators complete the EPA or State municipal waste combustor operator training course. Condition 110 of this permit ensures compliance:

- All chief facility operators, shift supervisors, and control room operators shall have completed the EPA or State municipal waste combustor operator training course. [40 CFR 60.35b] Y

Section (e) of 60.54b of subpart Eb requires that owner or operator develop and update on an annual basis a site-specific operating manual in accordance with 40 CFR 60.54b(e). Condition 14 of this permit ensures compliance:

- The facility shall develop and annually update a site-specific operating manual in accordance with 40 CFR 60.54b(e). [40 CFR 60.35b] Y

Section (f) of 60.54b of subpart Eb requires that owner or operator establish a training program to review the operating manual, initially and annually, with each person who has responsibilities affecting the operation. Condition 15 of this permit ensures compliance:

- Each operator and all maintenance personnel shall receive initial and annual training on the site-specific operating manual in accordance with 40 CFR 60.54b(f). [40 CFR 60.35b] Y

Section (g) of 60.54b of subpart Eb requires that owner or operator make available operating manual to all operation and maintenance personnel, and make available operating manual and records to enforcement agency upon request. Condition 16 of this permit ensures compliance:

- The site-specific operating manual and operating manual training records shall be accessible to all operations and maintenance personnel and shall be made available to the enforcement agency upon request. [40 CFR 60.35b] Y

60.36b – Emission guidelines for municipal waste combustor fugitive ash emissions.

This section requires fugitive ash emission limits at least as stringent as section 60.55b of subpart Eb.

Sections (a) through (c) of 60.55b of 60.55b of subpart Eb limits visible emissions of combustion ash from ash conveying systems in excess of 5 percent, as determined by EPA Method 22. This is not applicable inside enclosures or during maintenance and repair of ash conveying systems. Condition 9 of this permit ensures compliance:

- The facility shall not cause visible emissions from ash conveying systems, including transfer points, in excess of 5% of the observation period, as determined by performing EPA Method 22 on a quarterly basis. Fugitive ash emissions do not include emissions within a building, an enclosed ash conveyor, or during periods of maintenance and repair of the ash conveyor systems. [40 CFR 60.36b] Y

60.37b – Emission guidelines for air curtain incinerators.

This section requires opacity limits for air curtain incinerators at least as stringent as section 60.56b of subpart Eb.

Section 60.56b of subpart Eb provides a less stringent opacity limit for air curtain incinerators combusting 100 percent yard waste. This facility does not process 100 percent yard waste; therefore, this section is not applicable.

60.38b – Compliance and performance testing.

This section requires the use of performance test methods listed in section 60.58b of subpart Eb and provides an optional alternative performance testing schedule for dioxins/furans as specified in section 60.58b(g)(5)(iii) of subpart Eb. The facility has not proposed the optional alternative performance testing schedule for dioxins/furans.

Section (c) 60.58b of subpart Eb requires that opacity and particulate matter be determined as follows:

Particulate Matter:

Owner or operator is required to conduct a performance test for particulate matter on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) with:

- EPA Method 1; EPA Method 3, 3A, or 3B; and EPA Method 5.
- use minimum sample volume of 1.7 cubic meters
- probe and filter holder heating systems in sample train shall be set to provide a gas temperature no greater than 160 degrees Celsius
- oxygen or carbon dioxide measurement shall be obtained simultaneously with each Method 5 run.
- use average of three test runs to determine compliance

Condition 25 of this permit ensures compliance:

- Filterable particulate matter (i.e. Front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 25 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input. Owner or operator shall conduct a performance test for particulate matter on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) with EPA Method 1; EPA Method 3, 3A, or 3B; and EPA Method 5. The minimum sample volume shall be 1.7 cubic meters. The probe and filter holder heating systems in the sample train shall be set to provide a gas temperature no greater than 160 degrees C. An oxygen or carbon dioxide measurement shall be obtained simultaneously with each Method 5 run. [District NSR Rule, 40 CFR 60.33b, 40 CFR 60.38b, and 40 CFR 60.43b(d)(1)] Y

Opacity:

Owner or operator is required to conduct a performance test for opacity on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) as follows:

- EPA Method 9
- use average of three test runs to determine compliance

Condition 111 of this permit ensures compliance:

- Owner or operator shall conduct a performance test for opacity on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) using EPA Method 9 and the average of three test runs to determine compliance. [40 CFR 60.38b] Y

60.39b – Reporting and recordkeeping guidelines and compliance schedules.

This section requires that each State submit to EPA a plan to implement and enforce the provisions of this subpart. Per 60.39(b)(g), if EPA has not approved the plan, all effected facilities must comply with the guidelines no later than August 26, 2002. Per 60.39(b)(h), if EPA has not approved the plan, all affected facilities must comply with the April 28, 2009 emission limits in section 60.33b(a), (b), (c), (d), and 60.34b(a) and the revised testing provision in section 60.38b(b) no later than May 10, 2011.

All facilities should be complying with these requirements since EPA has already approved the state plan. The conditions in this Title V renewal ensure compliance.

H. 40 CFR Part 60, Subpart Db – Standard of Performance for Industrial-Commercial-Institutional Steam Generating Units

This subpart applies to each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/hr)).

a. N-2073-1-10: Power Generation System

The solid waste combustors are 21.5 MW, which is less than 29 MW, and therefore are exempt from this subpart.

I. 40 CFR Part 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

a. N-2073-2-2: 187 BHP Emergency IC Engine

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

§6585(b) states, "A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site."

Per condition 50, this facility has a Hydrogen Chloride potential to emit limit of 1.4 g/s (equivalent to 48.7 tons/yr). Since Hydrogen Chloride is a HAP, this facility is a major source of HAP emissions.

§6590(a) states, "An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand."

§6590(a)(1) defines the criteria for an existing stationary RICE as follows:

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

This facility is a Major Source of HAP emissions. The engine at this facility has not commenced construction or reconstruction on or after June 12, 2006. Therefore, the engine at this facility meets the definition of an existing stationary RICE as defined in §6590(a)(1)(iii) and therefore Subpart ZZZZ applies.

§ 63.6595 When do I have to comply with this subpart?

(a) *Affected sources.* (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than June 15, 2007. If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. If you have an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary SI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than October 19, 2013.

This permit unit is an existing stationary CI RICE located at a major source of HAP emissions; therefore, the full compliance date for this subpart is May 3, 2013.

§ 63.6602 What emission limitations must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2c to this subpart which apply to you. Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in §63.6620 and Table 4 to this subpart.

Table 2c to Subpart ZZZZ of Part 63—Requirements for Existing Compression Ignition Stationary RICE Located at a Major Source of HAP Emissions and Existing Spark Ignition Stationary RICE ≤500 HP Located at a Major Source of HAP Emissions.

As stated in §§63.6600, 63.6602, and 63.6640, you must comply with the following requirements for existing compression ignition stationary RICE located at a major source of HAP emissions and existing spark ignition stationary RICE ≤500 HP located at a major source of HAP emissions:

For each . . .	You must meet the following requirements, except during periods of startup . . .	During periods of startup you must . . .
4. Emergency stationary CI RICE and black start stationary CI RICE.*	a. Change oil and filter every 500 hours of operation or annually, whichever comes first;	Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply
	b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and	N/A
	c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.	N/A

*If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management

practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable.

§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

If you own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions you are subject to the requirements of this section.

(a) You must conduct any initial performance test or other initial compliance demonstration according to Tables 4 and 5 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).

There are no applicable performance test requirements for emergency stationary CI RICE in Tables 4 and 5. Therefore, initial performance tests and compliance demonstrations are not required for this permit unit.

§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the

engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you.

(f) *Requirements for emergency stationary RICE.*

(1) If you own or operate an existing emergency stationary RICE located at an area source of HAP emissions, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1)(i) through (iii) of this section. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1)(i) through (iii) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1)(i) through (iii) of this section, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(iii) You may operate your emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(1)(iii), as long as the power provided by the financial arrangement is limited to emergency power.

Table 6 to Subpart ZZZZ of Part 63 - Continuous Compliance With Emission Limitations, Operating Limitations, Work Practices, and Management Practices

As stated in §63.6640, you must continuously comply with the emissions and operating limitations and work or management practices as required by the following:

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
9. Existing emergency and black start stationary RICE ≤500 HP located at a major source of HAP	a. Work or Management practices	i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

§ 63.6645 What notifications must I submit and when?

There are no notifications necessary for existing emergency engines.

§ 63.6650 What reports must I submit and when?

There are no report submittals necessary for existing emergency engines.

§ 63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records as follows:

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your

own maintenance plan if you own or operate any of the following stationary RICE:

(2) An existing stationary emergency RICE.

(f) If you own or operate any of the stationary RICE in paragraph (f)(2) below, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

§ 63.6660 In what form and how long must I keep my records?

(a) Your records must be 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 readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

Per the discussion above, conditions 3, 6, 10, and 11 through 17 of permit N-2073-2-2 ensure compliance with 40 CFR Subpart ZZZZ:

- On and after May 3, 2013, the permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [40 CFR 63 Subpart ZZZZ]

- On and after May 3, 2013, the engine shall be in full compliance with 40 CFR Part 63, Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines). [40 CFR 63 Subpart ZZZZ]

- On and after May 3, 2013, the engine's oil and filter shall be changed every 500 hours of operation or every 12 months, whichever comes first. [40 CFR 63 Subpart ZZZZ]

- On and after May 3, 2013, the engine's air filter shall be inspected every 1,000 hours of operation or every 12 months, whichever comes first, and replaced as necessary. [40 CFR 63 Subpart ZZZZ]

- On and after May 3, 2013, the engine's hoses and belts shall be inspected every 500 hours of operation or every 12 months, whichever comes first, and replaced as necessary. [40 CFR 63 Subpart ZZZZ]

- This engine shall be equipped with an operational non-resettable elapsed time meter or other APCO approved alternative. [District Rule 4702,17 CCR 93115, and 40 CFR 63 Subpart ZZZZ]

- This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. For testing purposes, the engine shall only be operated the number of hours necessary to comply with the testing requirements of the National Fire Protection Association (NFPA) 25 - "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems", 1998 edition. Total hours of operation for all maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year. [District Rule 4702, 17 CCR 93115, 40 CFR 63 Subpart ZZZZ]

- On and after May 3, 2013, the permittee shall maintain monthly records of all performance tests, opacity and visible emissions observations and required maintenance performed on the air pollution control and monitoring equipment. [District Rule 1070 and 40 CFR 63 Subpart ZZZZ]

- On and after May 3, 2013, the permittee shall maintain monthly records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. The permittee shall also maintain monthly records of action taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [District Rule 1070 and 40 CFR 63 Subpart ZZZZ]

- All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702, 17 CCR 93115, and 40 CFR 63 Subpart ZZZZ]

J. 40 CFR Part 68, Chemical Accident Prevention Provisions

This rule sets forth planning and reporting requirements for preventing possible accidental release of regulated substances or other extremely hazardous substances. This includes the preparation and implementation of a Risk Management Plan by June 21, 1999, if the facility stores substances listed in 40 CFR 68.130 in quantities above threshold levels.

a. N-2073-0-2: Facility-Wide

Condition 44 of this permit ensures compliance:

- When applicable to 40 CFR Part 68, a subject facility shall submit to the proper authority a Risk Management Plan when mandated by the regulation. [40 CFR Part 68] Y

K. 40 CFR Part 64 – Compliance Assurance Monitoring (CAM)

a. N-2073-2: Emergency IC Engine

§64.2 – Applicability

This section requires Compliance Assurance Monitoring (CAM) for units that meet the following three criteria:

1) the unit must have an emission limit for the pollutant;
2) the unit must have add-on controls for the pollutant; these are devices such as flue gas recirculation (FGR), baghouses, and catalytic oxidizers; and
3) the unit must have a pre-control potential to emit of greater than the major source thresholds:

- VOC - 10 ton/yr
- NOx - 10 ton/yr
- CO - 100 ton/yr
- PM10 - 70 ton/yr
- SOx - 70 ton/yr
- Single HAP [section 112(b) of Clean Air Act] - 10 ton/yr
- Combination HAP - 25 ton/yr

The engine does not have any add-on controls and is therefore not subject to CAM.

b. N-2073-1: Power Generation System

§64.2 – Applicability

This section requires Compliance Assurance Monitoring (CAM) for units that meet the following three criteria:

1) the unit must have an emission limit for the pollutant;
2) the unit must have add-on controls for the pollutant; these are devices such as flue gas recirculation (FGR), baghouses, and catalytic oxidizers; and
3) the unit must have a pre-control potential to emit of greater than the major source thresholds:

- VOC - 10 ton/yr
- NOx - 10 ton/yr
- CO - 100 ton/yr
- PM10 - 70 ton/yr
- SOx - 70 ton/yr
- Single HAP [section 112(b) of Clean Air Act] - 10 ton/yr
- Combination HAP - 25 ton/yr

NOx, CO, VOC, and SOx CAM:

Per 40 CFR 64.2(b)(vi), emission limitations or standards for which a part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1, are not required to comply with CAM requirements. A "continuous compliance determination method" means a method, specified by the applicable standard or an applicable permit condition, which: (1) is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and (2) provides data either in units of the standard or correlated directly with the compliance limit.

The daily and annual mass emission limits for NOx and SOx in conditions 30 through 33 are addressed by the CEMS using the hourly stack concentrations and volumetric flowrate as specified in condition 59 of permit N-2073-1.

Pursuant to 40 CFR 62.2(b)(1)(i), emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to Section 111 or 112 of the Clean Air Act Amendments of 1990 are exempt

from CAM. The SO2 concentration limit and control efficiency requirements in condition 23 are NSPS requirements established after November 15, 1990 and are therefore exempt from CAM.

The concentration limits for NOx and SOx in conditions 21 and 22 are exempt from CAM due to the use of CEMS. The control efficiency requirement in condition 22 is optional and need only be demonstrated if SO2 emissions exceed 30 ppmv. Condition 123 has been added to ensure compliance:

- Each time SO2 emissions from each combustion unit exceeds 30 ppmv, dry, corrected to 12% CO2, based on an eight-hour rolling average, facility shall demonstrate that SO2 removal efficiency is at least 80% as measured by EPA Methods 1-4 and 6C, based on the measurement of the inlet and outlet SO2 concentrations. [40 CFR Part 64] Y

This permit unit is also exempt from VOC and CO CAM requirements, because there are no add-on controls for these pollutants.

HAP:

The HAP limit in condition 49 is based on District Rule 4102, which is not federally enforceable and therefore not a part of the Title V permit; therefore, CAM is not applicable. Condition 50 contains two limits. One is a NSPS requirement established after November 15, 1990 and is therefore exempt from CAM. The other is based on District Rule 4102 and therefore not subject to CAM

PM10:

PM10 emissions from this permit unit are controlled with baghouses. Since controlled PM10 emissions are 72.4 ton/yr, uncontrolled emissions are expected to be greater than the Major Source threshold of 70 ton/yr. Therefore, this permit unit is subject to PM10 CAM requirements.

§64.3 - Monitoring Design Criteria

This section specifies the design criteria for the CAM system.

Paragraph (a) (*General criteria*) requires that the CAM system be designed to obtain data for one or more appropriate indicators of emission control system performance and requires the owner to establish appropriate ranges or designated conditions for the selected indicators such that operation within the ranges provides a reasonable assurance of

ongoing compliance with emission limitations or standards for the anticipated range of operating conditions.

Paragraph (b) (*Performance criteria)* requires the owner or operator to establish and maintain the following:

- Specifications to ensure that representative data are collected
- Verification procedures for startup of new monitoring equipment
- Quality assurance and control practices to ensure continuing validity of data
- Data collection frequency and procedures

Paragraph (c) (*Evaluation factors)* requires the owner or operator to take into account site specific factors in the design of the CAM system.

Paragraph (d) (*Special criteria for the use of continuous emission, opacity, or predictive monitoring systems)* requires the owner or operator to use a continuous emission monitoring system (CEMS), continuous opacity monitoring system (COMS), or a predictive emission monitoring system (PEMS) to satisfy CAM requirements, provided that these monitoring systems are required pursuant to other authority under the Clean Air Act or state or local law. This subsection also stipulates the following:

- The use of a CEMS, COMS, or PEMS that satisfies any of the following monitoring requirements shall be deemed to satisfy the general design criteria in paragraphs (a) and (b) of this section, provided that a COMS may be subject to the criteria for establishing indicator ranges under paragraph (a) of this section:

  (i) Section 51.214 and appendix P of 40 CFR 51;
  (ii) Section 60.13 and appendix B of 40 CFR 60;
  (iii) Section 63.8 and any applicable performance specifications required pursuant to the applicable subpart of 40 CFR 63;
  (iv) 40 CFR 75;
  (v) Subpart H and appendix IX of 40 CFR 266; or
  (vi) In the event that the monitoring system is not subject to any of the requirements listed above, comparable requirements and specifications established by the permitting authority.

- The owner or operator shall design the monitoring system subject to this paragraph (d) to:

(i) Allow for reporting of exceedances (or excursions if applicable to a COMS used to assure compliance with a particulate matter standard), consistent with any period for reporting of exceedances in an underlying requirement. If an underlying requirement does not contain a provision for establishing an averaging period for the reporting of exceedances or excursions, the criteria used to develop an averaging period specified in the data collection procedures required under paragraph (b) of this section shall apply; and
(ii) Provide an indicator range consistent with paragraph (a) of this section for a COMS used to assure compliance with a particulate matter standard. If an opacity standard applies to the pollutant-specific emissions unit, such limit may be used as the appropriate indicator range unless the opacity limit fails to meet the criteria in paragraph (a) of this section after considering the type of control device and other site-specific factors applicable to the pollutant-specific emissions unit.

Since the post-control annual emissions exceed the Major Source threshold for PM10, a bag leak detection system or a continuous PM10 emissions monitor would be required to comply with CAM. However, the applicant has stated that they intend to submit an Authority to Construct application to modify the post-control PM10 emissions rate to not exceed the Major Source threshold of 70 tons/yr. Condition 118 ensures that the facility submits an ATC application to modify the permit and to implement the ATC within six months of the renewed Title V permit being issued.

- Within 6 months of the renewed Title V permit being issued, permittee shall apply for an Authority to Construct (ATC) and fully implement one of the following: 1) modify post-control PM10 emissions rate to less than 70 tons/yr or 2) install on the baghouse an air leak detection system or continuous PM10 emissions monitor. [40 CFR Part 64] Y

Currently, the baghouse is equipped with a pressure differential gauge, and the exhaust stack is equipped with a continuous opacity monitoring system. The manufacturer recommended pressure differential operating range will be added to the permit to ensure compliance. If the PM10 limit is less than the Major Source threshold of 70 tons/yr, using both the pressure differential gauge with the continuous opacity monitoring system ensure compliance with CAM. The following conditions 2, 19, 65, 118, 119, 120, and 121 ensure compliance:

- Opacity exhibited by the gases discharged to the atmosphere from each combustion unit, other than water vapor, shall not exceed 10 percent based on a six minute average as measured by EPA Method 9. [40 CFR 60.33b and 40 CFR Part 64] Y

- Upon detecting any excursion from the 10% opacity limit, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. Corrective action shall include the following: inspecting the dust collector system for any tears, abrasions, or holes in the filters; inspecting closed duct systems for damage; and repairing or replacing any defective or damaged material. [40 CFR Part 64]

- The facility shall install, calibrate, maintain, and operate a continuous opacity monitoring system in accordance with 40 CFR 60.13 and Appendix B. [40 CFR 60.38b and 40 CFR Part 64] Y

- The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule and 40 CFR Part 64] Y

- The baghouse shall operate at all times with a minimum differential pressure of 2 inches water column and a maximum differential pressure of 10 inches water column. [40 CFR Part 64] Y

- The baghouse differential operating pressure shall be monitored and recorded on each day the solid waste combustors/boilers operate. The permittee shall compare the readings with the acceptable range. Upon detecting any excursion from the acceptable range pressure readings, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. Corrective action shall include the following: inspecting the dust collector system for any tears, abrasions, or holes in the filters; inspecting closed duct systems for damage; and repairing or replacing any defective or damaged material. [40 CFR Part 64] Y

§64.4 - Submittal Requirements

This section specifies submittal requirements for the owner or operator which ensure the CAM system will comply with the design criteria of §64.3.

The CAM plan and analysis during this Title V renewal process will ensure compliance with these requirements.

§64.5 - Deadlines for Submittals

This section specifies required timing for submittals required under §64.4.

Large pollutant-specific emissions units (those with controlled emissions exceeding major source thresholds) are required to make the submittals as a part of the initial Title V permit application where the application has either not been filed or has not been deemed complete. Where the initial Title V permit has been issued without implementation of 40 CFR 64, the owner or operator must make the required submittals as a part of a subsequent application for any significant permit revision. If the required information is not submitted by either of these deadlines, it must be submitted as a part of the application for the Title V permit renewal.

For *other pollutant-specific emissions units,* the required submittal deadline is the application for Title V permit renewal.

The applicant has submitted their CAM plan along with the Title V renewal application; therefore, this requirement has been satisfied.

§64.6 - Approval of monitoring

This section stipulates the following:

- A requirement that the permitting authority act to approve the proposed monitoring by confirming that the monitoring submitted complies with the requirements of §64.3
- An allowance for the permitting authority to condition the approval based on collecting additional data on the indicators to be monitored, including performance or compliance testing
- The minimum conditions that must be placed on the permit in the event that the proposed monitoring is approved by the permitting authority including a milestone schedule for completion of any conditional approval actions required by the owner or operator, such as installations, testing, or verification of operational status
- Actions required by the permitting authority in the event that the proposed monitoring is not approved

The CAM submittal requirements and stipulations for approval of such submittals pursuant to §64.4, §64.5, and §64.6 have been completed in

conjunction with the application and review process for this renewal of the Title V permit.

§64.7 - Operation of Approved Monitoring

This section stipulates the following:

- Requirements that the owner or operator 1) commence the monitoring upon receipt of a Title V permit that includes such monitoring, 2) properly maintain the monitoring system, and 3) conduct all monitoring in a continuous mode with the exception of outage periods associated with monitor malfunction and repair and with quality assurance and control activities
- Actions required by the owner or operator in response to excursions or exceedances
- A requirement for the owner or operator to document any need for improved monitoring based upon either an identification of a failure of the monitoring system to identify an excursion or exceedance or upon the results of compliance or performance testing that identifies a need to modify the monitoring

The condition 114 on this permit ensures compliance:

- The permittee shall comply with the compliance assurance monitoring operation and maintenance requirements of 40 CFR part 64.7. [40 CFR Part 64] Y

§64.8 - Quality Improvement Plan (QIP) Requirements

This section stipulates that the Administrator or the permitting authority may require that the facility develop and implement a QIP in the event of a determination of a need for improved monitoring pursuant to §64.7.

§64.8 also identifies the minimum elements required in the QIP, and requires that the facility implement the QIP as expeditiously as possible, with implementation not exceeding 180 days after the date that the need for implementation was identified unless the permitting authority is notified.

A QIP will be required when the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or

performance testing document a need to modify the existing indicator ranges or designated conditions.

Condition 115 of this permit ensures compliance:

- If the District or EPA determine that a Quality improvement Plan is required under 40 CFR 64.7(d)(2), the permittee shall develop and implement the Quality Improvement Plan in accordance with 40 CFR 64.8. [40 CFR Part 64] Y

§64.9 - Reporting and Recordkeeping Requirements

This section stipulates the minimum reporting and recordkeeping requirements for facilities subject to 40 CFR 64.

Condition 116 of this permit ensures compliance:

- The permittee shall comply with the recordkeeping and reporting requirements of 40 CFR 64.9. [40 CFR Part 64] Y

§64.10 - Savings Provisions

This section states that the purpose of 40 CFR 64 is to require, as a part of the issuance of a Title V permit, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of 40 CFR 64. In addition, §64.10 states that nothing in 40 CFR 64 shall excuse an owner or operator from any other requirements of federal, state or local law or restrict or abrogate the authority of the Administrator or of the permitting authority.

Compliance with this section is assured with the above CAM conditions.

L. Title 17 CCR, Section 93115, Airborne Toxic Control Measure (ATCM) for Stationary Compression-Ignition (CI) Engines

Emergency Operating Requirements:

This regulation stipulates that no owner or operator shall operate any new or in-use stationary diesel-fueled compression ignition (CI) emergency standby engine, in response to the notification of an impending rotating outage, unless specific criteria are met.

This section applies to emergency standby IC engines that are permitted to operate during non-emergency conditions for the purpose of providing electrical power. However, District Rule 4702 states that emergency standby IC engines may only be operated during non-emergency conditions for the purposes of maintenance and testing. Therefore, this section does not apply and no further discussion is required.

This ATCM requires that no owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (>50 bhp) that emits diesel PM at a rate greater than 0.40 g/bhp-hr more than 20 hours per year for maintenance and testing purposes. Engines powering a fire pump through direct-drive are exempt from the 20 hours per year limitation. Per the applicant, since the engine is a direct-drive fire pump engine, the annual 20 hour limit is not applicable.

The ATCM requires that in-use emergency standby engines are required to use only diesel fuels that meet the definition of CARB diesel at the time of purchase.

The ATCM requires that no owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine for non-emergency use, including maintenance and testing, during the following periods: a) whenever there is a school sponsored activity, if the engine is located on school grounds, and b) between 7:30 a.m. and 3:30 p.m. on days when school is in session, if the engine is located within 500 feet of school grounds. This facility is not located near any schools so these requirements are not applicable.

The ATCM requires that owner or operator of an emergency standby diesel-fueled CI engine shall keep a monthly log of usage that shall list and document the nature of use for each of the following:

- Emergency use hours of operation;
- Maintenance and testing hours of operation;
- Hours of operation for any emission testing;
- Initial start-up hours;
- If applicable, hours of operation to comply with the requirements of NFPA 25;
- Hours of operation for all uses other than those specified above; and
- The fuel used.

The owner or operator shall document fuel use through the retention of fuel purchase records that account for all fuel used in the engine and all fuel

purchased for use in the engine, and, at a minimum, contain the following information for each individual fuel purchase transaction:

- Identification of the fuel purchased as either CARB Diesel;
- Amount of fuel purchased;
- Date when the fuel was purchased;
- Signature of owner or operator or representative of owner or operator who received the fuel; and
- Signature of fuel provider indicating fuel was delivered

a. N-2073-2: Emergency IC Engine

Conditions 2, 3, 6, 9, and 10 of this permit ensure compliance:

- Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801 and 17 CCR 93115] Y

- This engine shall be equipped with an operational non-resettable elapsed time meter or other APCO approved alternative. [District Rule 4702 and 17 CCR 93115] Y

- This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. For testing purposes, the engine shall only be operated the number of hours necessary to comply with the testing requirements of the National Fire Protection Association (NFPA) 25 - "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems", 1998 edition. Total hours of operation for all maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year. [District Rule 4702 and 17 CCR 93115] Y

- The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, and the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.). For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115] Y

- All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702 and 17 CCR 93115] Y

IX. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

A. Requirements Addressed by Model General Permit Templates

a. N-2073-0-2: Facility-Wide

By submitting the Model General Permit Template SJV-UM-0-3 qualification form, the applicant has requested that a permit shield be granted for all the applicable requirements identified by the template. Therefore, the permit shields as granted in Model General Permit Template SJV-UM-0-3 is included as conditions 39 and 40 of the facility-wide requirements (N-2073-0-2).

- {4400} Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), Rule 111 (Kern, Tulare, Kings), and Rule 202 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced, San Joaquin). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Y

- {4401} Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601 (12/17/09); 8021 (8/19/2004); 8031 (8/19/2004); 8041 (8/19/2004); 8051 (8/19/2004); 8061 (8/19/2004); and 8071 (9/16/2004). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Y

B. Requirements not Addressed by Model General Permit Templates

a. N-2073-0-2: Facility-Wide

Permit shields in condition 46 of this permit were given during the Initial Title V, because the applicant had certified that the facility was not subject to the requirements. No changes have taken place to invalidate these permit shields. Therefore, the following condition will be included in the renewed permit.

- Compliance with permit conditions in the Title V shall be deemed compliance with following applicable requirements: 40 CFR 82 Subparts A, B, C, D, E, and F. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Y

C. Obsolete Permit Shields From Existing Permit Requirements

There are no obsolete shields from the existing permit requirements.

X. PERMIT CONDITIONS

See Attachment A - Draft Renewed Title V Operating Permit.

XI. ATTACHMENTS

A. Draft Renewed Title V Operating Permit
B. Previous Title V Operating Permit
C. Detailed Facility List
D. EPA Comments / District Responses
E. Green Action & Grayson Neighborhood Council Comments / District Responses
F. Public Hearing Comments / District Responses

ATTACHMENT A

Draft Renewed Title V Operating Permit

San Joaquin Valley
Air Pollution Control District

FACILITY: N-2073-0-2 **EXPIRATION DATE:** 10/31/2007

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FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; Stanislaus County Rule 110; and PSD SJ 86-03] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; Stanislaus County Rule 110; and PSD SJ 86-03] Federally Enforceable Through Title V Permit
3. {4364} The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. {4365} Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. {4367} A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. {4368} Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. {4369} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. {4370} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

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10. {4371} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit

11. {4372} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit

12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7 and PSD SJ 86-03] Federally Enforceable Through Title V Permit

13. {4374} It shall not be a defense for a 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 conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit

14. {4375} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit

15. {4376} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit

16. {4377} The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit

17. {4378} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit

18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1 and PSD SJ 86-03] Federally Enforceable Through Title V Permit

19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2 and PSD SJ 86-03] Federally Enforceable Through Title V Permit

20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3 and PSD SJ 86-03] Federally Enforceable Through Title V Permit

21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4 and PSD SJ 86-03] Federally Enforceable Through Title V Permit

22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (02/17/05). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101 and Stanislaus County Rule 401] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

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23. {4384} No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit

24. {4385} All VOC-containing materials subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit

25. {4386} The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit

26. {4387} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit

27. {4388} If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit

28. {4389} If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit

29. {4390} Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8021 and 8011] Federally Enforceable Through Title V Permit

30. {4391} Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8031 and 8011] Federally Enforceable Through Title V Permit

31. {4392} An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8041 and 8011] Federally Enforceable Through Title V Permit

32. {4393} Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8051 and 8011] Federally Enforceable Through Title V Permit

33. {4394} Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/2004) or Rule 8011 (8/19/2004). [District Rule 8061 and Rule 8011] Federally Enforceable Through Title V Permit

34. {4395} Any unpaved vehicle/equipment area that anticipates more than 50 Average annual daily Trips (AADT) shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 150 vehicle trips per day (VDT) shall comply with the requirements of Section 5.1.2 of District Rule 8071. On each day that 25 or more VDT with 3 or more axles will occur on an unpaved vehicle/equipment traffic area, the owner/operator shall comply with the requirements of Section 5.1.3 of District Rule 8071. On each day when a special event will result in 1,000 or more vehicles that will travel/park on an unpaved area, the owner/operator shall comply with the requirements of Section 5.1.4 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/2004) or Rule 8011 (8/19/2004). [District Rule 8071 and Rule 8011] Federally Enforceable Through Title V Permit

35. {4396} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

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FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

36. {4397} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit

37. {4398} The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit

38. {4399} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit

39. {4400} Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), Rule 111 (Kern, Tulare, Kings), and Rule 202 (Fresno, Kern, Tulare, Kings, Madera, Stanislaus, Merced, San Joaquin). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

40. {4401} Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (2/17/05); 4601 (12/17/09); 8021 (8/19/2004); 8031 (8/19/2004); 8041 (8/19/2004); 8051 (8/19/2004); 8061 (8/19/2004); and 8071 (9/16/2004). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

41. In the event of changes in control or ownership, this Operating Permit shall be binding on new owners and operators. The applicant shall notify successor of the existence of this Operating Permit and its conditions in writing and forward a copy to the District, California Air Resources Board, and EPA. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

42. The applicant shall construct and operate the facility in compliance with all other applicable provisions of 40 CFR Parts 52, 60 and 61 and all other applicable Federal, State and District air quality regulations. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

43. All correspondence as required by this Operating Permit shall be forwarded to: the District; Director, Air & Toxics Div. (Attn: A-3-3), EPA Region 9, 75 Hawthorne St. San Francisco, CA 94105; and Director, Stationary Source Div., CARB, Box 2815, Sacramento, CA 95812. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

44. When applicable to 40 CFR Part 68, a subject facility shall submit to the proper authority a Risk Management Plan when mandated by the regulation. [40 CFR Part 68] Federally Enforceable Through Title V Permit

45. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]

46. Compliance with permit conditions in the Title V shall be deemed compliance with following applicable requirements: 40 CFR 82 Subparts A, B, C, D, E and F. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

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San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: N-2073-1-10 **EXPIRATION DATE:** 10/31/2007

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EQUIPMENT DESCRIPTION:
POWER GENERATION SYSTEM: TWO 400 TON/DAY MUNICIPAL SOLID WASTE COMBUSTOR/BOILERS PRODUCING 21.5 MW OF ELECTRICITY EQUIPPED WITH DRY LIME SCRUBBERS, FLY ASH BAGHOUSE, AMMONIA INJECTION SYSTEM, LIME SLURRY INJECTION, ACTIVATED CARBON INJECTION SYSTEM, LIME AND SODA AND CARBON SILOS WITH FILTER VENTS, WASTE RECEIVING, ASH CONVEYING, AND ASH RESIDUE ENCLOSURE

PERMIT UNIT REQUIREMENTS

1. All equipment, facilities and systems installed or used to comply with the terms and conditions of this Permit to Operate shall be maintained in good working order and be operated as required to meet the conditions of this permit. Operator shall, on each boiler, continuously operate and maintain the following air pollution controls to minimize emissions: baghouse for the control of particulates; lime slurry dry scrubber for t he control of SO2 and acid gas emissions; and ammonia injection system for the control of NOx emissions. [District Rule 2080 & PSD SJ 86-03] Federally Enforceable Through Title V Permit
2. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule and 40 CFR Part 64] Federally Enforceable Through Title V Permit
3. The baghouse shall have a maximum effective air-to-cloth ratio of 4:1 and shall be equipped with an automatic cleaning mechanism. [District NSR Rule] Federally Enforceable Through Title V Permit
4. Replacement bags numbering at least 10% of the total number of bags in the largest individual combustion unit baghouse using each type of bag shall be maintained on the premises. [District NSR Rule] Federally Enforceable Through Title V Permit
5. There shall be no visible emissions from any location other than designated vents on refuse receiving, processing or storage buildings at any time, except as provided in this permit to operate. Visible emissions shall be inspected quarterly under material and environmental conditions, such as dry and windy, where high emissions are expected. [District Rules 2520, 9.3.2 and NSR] Federally Enforceable Through Title V Permit
6. Paved areas shall be kept free of visible dust at all times and shall be vacuum swept at least once every fourteen days. Records of vacuum sweeping shall be maintained and made available to the District upon request. [District Rule 4102]
7. The NOx control system shall be in full use whenever this equipment is fired with MSW. [District NSR Rule] Federally Enforceable Through Title V Permit
8. The ash shall be handled in such a manner as to mitigate fugitive emissions to the maximum extent possible. Enclosure shall be completely inspected annually for evidence of particulate matter leaks and repaired as needed. [District Rules 2520, 9.3.2 and NSR] Federally Enforceable Through Title V Permit
9. The facility shall not cause visible emissions from ash conveying systems, including transfer points, in excess of 5% of the observation period, as determined by performing EPA Method 22 on a quarterly basis. Fugitive ash emissions do not include emissions within a building, an enclosed ash conveyor, or during periods of maintenance and repair of the ash conveyor systems. [40 CFR 60.36b] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

10. Fuel Oil #2, with a sulfur content not to exceed 0.25% by weight, may be used as necessary to maintain the minimum combustion zone temperature requirements and annual usage shall not exceed 1,108,321 gallons for each combustor. [District NSR Rule, 40 CFR 60. 44b(c) & PSD SJ 86-03] Federally Enforceable Through Title V Permit

11. A furnace roof temperature of 1,100 degrees F shall be stabilized, as measured by multiple thermocouples, to ensure that a minimum temperature of 1,800 degrees F is established above the grate prior to the ignition of MSW. [District NSR Rule] Federally Enforceable Through Title V Permit

12. During any period of time that MSW is burning on the grates, the combustion gas retention time shall be maintained at a minimum of one second, the combustion zone temperature shall be maintained at a minimum of 1,800 degrees F, and the furnace roof temperature shall be maintained at an average (4 hour arithmetic block) of 1,100 degrees F, except during periods of start-up, shutdown, and malfunction, as defined in 40 CFR 60.58b(a). [District NSR Rule] Federally Enforceable Through Title V Permit

13. Hazardous materials shall not be burned in this equipment. Hazardous materials are that portion of solid waste which, by reason of its composition or characteristics, is: (a) hazardous waste as defined in the Solid Waste Disposal Act, 42 USC section 6901 et. seq., and the regulations thereunder, the California Health & Safety Code, Div. 20, Chs. 6.5, 6.7, and 6.8 (section 25100 et. seq.), the California Code of Regulations, Title 22, Div. 4.5, and any similar or substituted legislation or regulations or amendments to the foregoing; (b) any other materials which any governmental agency or unit having appropriate jurisdiction shall determine from time to time is harmful, toxic, or dangerous, or otherwise ineligible for disposal through the facility; and (c) any material, other than residential or commercial solid waste of the type historically collected by the County and the City as acceptable for disposal into non-hazardous waste landfills, which would result in process residue being hazardous waste under (a) or (b) above. [District Rule 4102]

14. The facility shall develop and annually update a site-specific operating manual in accordance with 40 CFR 60.54b(e). [40 CFR 60.35b] Federally Enforceable Through Title V Permit

15. Each operator and all maintenance personnel shall receive initial and annual training on the site-specific operating manual in accordance with 40 CFR 60.54b(f). [40 CFR 60.35b] Federally Enforceable Through Title V Permit

16. The site-specific operating manual and operating manual training records shall be accessible to all operations and maintenance personnel and shall be made available to the enforcement agency upon request. [40 CFR 60.35b] Federally Enforceable Through Title V Permit

17. The District reserves the right to require the permittee to re-evaluate the health risk assessment if there is a significant change in population locations as projected in the currently approved health risk assessment, or new health data becomes available. [District Rule 4102]

18. During any 3-hour periods of startup, shutdown, and malfunction, the facility shall be exempt from emission limits identified in this permit which are based upon 40 CFR 60 Subpart Cb or Subpart Eb. This exemption shall not apply to CO emission limits of 40 CFR 60.53b(a) if the malfunction is a loss of boiler water level control. [District NSR Rule] Federally Enforceable Through Title V Permit

19. Opacity exhibited by the gases discharged to the atmosphere from each combustion unit, other than water vapor, shall not exceed 10 percent based on a six minute average as measured by EPA Method 9. [40 CFR 60.33b and 40 CFR Part 64] Federally Enforceable Through Title V Permit

20. The carbon monoxide (CO) emissions from each combustion unit shall not exceed 100 ppmv, dry, corrected to 7% O2, as measured utilizing EPA Methods 1-4 and 10. Compliance with this limit shall be determined based on a four hour block arithmetic average as defined in 40 CFR 60.51b. [District Rule 4352 and 40 CFR 60.34b] Federally Enforceable Through Title V Permit

21. The NOx emissions from each combustion unit shall not exceed 200 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 7E. Compliance with this limit shall be determined based on an eight rolling hour average. [District NSR Rule, District Rule 4352, and 40 CFR 60.33b] Federally Enforceable Through Title V Permit

22. Either the SO2 emissions from each combustion unit shall not exceed 30 ppmv, dry, corrected to 12% CO2, based on an eight hour rolling average, or the SO2 removal efficiency shall be at least 80% as measured by EPA Methods 1-4 and 6C. The SO2 80% removal efficiency shall be based on the measurement of the inlet and outlet SO2 concentrations, corrected to 12% CO2. [District NSR Rule] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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23. The SO2 emissions from each combustion unit shall not exceed 29 ppmv, dry, corrected to 12% CO2, or the SO2 removal efficiency shall be at least 75% (by weight or volume), whichever is less stringent as measured by EPA Methods 1-4 and 6C. Compliance with this limit shall be determined based on a 24-hour daily geometric mean. EPA method 19 shall be used to calculate the daily geometric average sulfur dioxide emission concentration and removal efficiency. [40 CFR 60.33b] Federally Enforceable Through Title V Permit

24. Particulate matter emissions from each combustion unit shall not exceed 0.0275 gr/dscf, corrected to 12% CO2, as measured by EPA Methods 1 through 5, including the condensable portion in the "back-half". [District NSR Rule] Federally Enforceable Through Title V Permit

25. Filterable particulate matter (i.e. front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 25 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input. Owner or operator shall conduct a performance test for particulate matter on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) with EPA Method 1; EPA Method 3, 3A, or 3B; and EPA Method 5. The minimum sample volume shall be 1.7 cubic meters. The probe and filter holder heating systems in the sample train shall be set to provide a gas temperature no greater than 160 degrees C. An oxygen or carbon dioxide measurement shall be obtained simultaneously with each Method 5 run. [District NSR Rule, District Rule 4301, 40 CFR 60.33b, 40 CFR 60.38b, and 40 CFR 60.43b(d)(1)] Federally Enforceable Through Title V Permit

26. Filterable particulate matter emissions from each combustion unit shall not exceed 0.008 gr/dscf, corrected to 12% CO2, for the fraction of particles less than 2u in diameter, as measured by Andersen Cascade Impactor, Flow Sensor Multiclone or any other equivalent measurement as validated by EPA Method 301. [District NSR Rule] Federally Enforceable Through Title V Permit

27. Each combustion unit shall only be allowed to emit half of the total allowable (mass) emission rate for each pollutant. [District NSR Rule] Federally Enforceable Through Title V Permit

28. The CO emissions shall not exceed 800 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

29. The CO emissions shall not exceed 121.9 tons/yr. [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

30. The NOx emissions shall not exceed 2,260 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

31. The NOx emissions shall not exceed 344.4 tons/year. [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

32. The SO2 emissions shall not exceed 800 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

33. The SO2 emissions shall not exceed 121.9 tons/year. [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

34. The PM emissions shall not exceed 475 pounds in any one day. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation E=3.59xP^0.62 if P is less than or equal to 30 tons per hour, or E=17.37xP^0.16 if P is greater than 30 tons per hour. Particulate emissions shall be no more than 0.1 lbs per 100 lbs of combustible refuse charged. [District Rules NSR, 4202, and 4203, 4.3] Federally Enforceable Through Title V Permit

35. The PM emissions shall not exceed 72.4 tons/year. [District NSR Rule] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

36. Emissions of combustion contaminants from each fuel burning equipment unit shall not exceed 10 lb/hr. Combustion contaminants are defined as total PM (filterable plus condensable) minus the ammonium salts (e.g. ammonium chloride, ammonium sulfate, ammonium bisulfate, etc.) present in the condensable PM fraction. A "fuel burning equipment unit" is the minimum number of fuel burning equipment required to operate simultaneously for the production of useful heat. Compliance with this emission limit shall be demonstrated annually by source test conducted according to EPA Methods 5 and 202 (or other APCO approved methods). Ammonium salts in the condensable PM fraction shall be determined by analysis of the condensable PM fraction by ion chromatography (or other APCO approved method). [District Rule 4301] Federally Enforceable Through Title V Permit
37. The THC emissions shall not exceed 96 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit
38. The THC emissions shall not exceed 14.6 tons/year. [District NSR Rule] Federally Enforceable Through Title V Permit
39. The THC emissions (as CH4) from each combustion unit shall not exceed 70 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 25A. [District NSR Rule] Federally Enforceable Through Title V Permit
40. Ammonia (NH3) breakthrough of the exhaust shall not exceed 50 ppmv, dry, as measured by BAAQMD Method ST-1B. The facility shall be exempt from this condition for periods of start-up, shutdown, and malfunction as defined in 40 CFR 60.58b(a). [District Rule 4102]
41. The Antimony emissions from each combustion unit shall not exceed 0.0315 g/s as measured by CARB Method 436. [District Rule 4102]
42. The Arsenic emissions from each combustion unit shall not exceed 0.0005 g/s as measured by CARB Method 436. [District Rule 4102]
43. The Beryllium emissions from each combustion unit shall not exceed 0.00005 g/s as measured by CARB Method 436. [District Rule 4102]
44. The Cadmium emissions from each combustion unit shall not exceed either of the following: 0.0013 g/s; 0.035 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29 [40 CFR 60.33b and District Rule 4102] Federally Enforceable Through Title V Permit
45. The Chromium +6 emissions from each combustion unit shall not exceed 0.00005 g/s as measured by CARB Method 436 (5% of the total chromium shall be considered to be hexavalent chromium). [District Rule 4102]
46. The Copper emissions from each combustion unit shall not exceed 0.155 g/s as measured by CARB Method 436. [District Rule 4102]
47. The Dioxin/Furan emissions from each combustion unit shall not exceed 30 ng/dscm (total mass), corrected to 7% O2, as measured by EPA Method 23. [40 CFR 60.33b] Federally Enforceable Through Title V Permit
48. The Dioxin/Furan emissions from each combustion unit shall not exceed 50 ng/s, based on the Department of Health Services toxic equivalent calculation. [District Rule 4102]
49. The Hydrogen Fluoride (HF) emissions from each combustion unit shall not exceed 0.05 g/s as measured by EPA Method 26. [District Rule 4102]
50. The Hydrogen Chloride (HCl) emissions from each combustion unit shall not exceed either of the following: 1.4 g/s; 29 ppmv or the HCl removal efficiency shall be at least 95% (by weight or volume), whichever is less stringent, corrected to 7% O2; each as measured by EPA Method 26. [40 CFR 60.33b and District Rule 4102] Federally Enforceable Through Title V Permit
51. The Lead emissions from each combustion unit shall not exceed either of the following: 0.014 g/s; 0.400 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29. [40 CFR 60.33b and District Rule 4102] Federally Enforceable Through Title V Permit
52. The Manganese emissions from each combustion unit shall not exceed 0.055 g/s as measured by CARB Method 436. [District Rule 4102]

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

53. The Mercury emissions from each combustion unit shall not exceed 0.050 mg/dscm, corrected to 7% O2, or the mercury removal efficiency shall be at least 85% by weight, whichever is less stringent, as measured by EPA Methods 1, 3, and 29. [40 CFR 60.33b] Federally Enforceable Through Title V Permit

54. The Mercury emissions from each combustion unit shall not exceed 0.0025 g/s (3-hour average). [PSD ATC SJ 86-03 and District Rule 4102] Federally Enforceable Through Title V Permit

55. The Nickel emissions from each combustion unit shall not exceed 0.025 g/s as measured by CARB Method 436. [District Rule 4102]

56. The Selenium emissions from each combustion unit shall not exceed 0.055 g/s as measured by CARB Method 436. [District Rule 4102]

57. The Vanadium emissions from each combustion unit shall not exceed 0.15 g/s as measured by CARB Method 436. [District Rule 4102]

58. The Zinc emissions from each combustion unit shall not exceed 0.315 g/s as measured by CARB Method 436. [District Rule 4102]

59. The mass emission rates shall be calculated from the hourly stack concentrations and the volumetric flow rate using municipal solid waste Carbon Dioxide based F-factor of 1820 dscf/MMBtu (EPA Method 19, Table 19-2). [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

60. The total steam generated from each boiler shall not exceed 110% of the maximum demonstrated combustion unit load achieved in the most recent Dioxin/Furan performance test, as defined in 40 CFR 60.51b. [40 CFR 60.34b(b)] Federally Enforceable Through Title V Permit

61. The maximum flue gas temperature, measured at the particulate matter control device inlet from each boiler, shall not be higher than 17 deg. C (31 deg. F) above the maximum demonstrated particulate matter control device temperature as defined in 40 CFR 60.51b. [40 CFR 60.34b(b)] Federally Enforceable Through Title V Permit

62. The steam load and particulate matter control device inlet flue gas temperature limitations shall apply at all times except during the annual Dioxin/Furan performance test, the two weeks preceding the annual Dioxin/Furan performance test, and when the facility obtains a waiver in accordance with permission granted by the Administrator or the Air Pollution Control Officer. [40 CFR 60.53b(b)] Federally Enforceable Through Title V Permit

63. The ammonia (NH3) injection rate shall be measured and recorded continuously. [District NSR Rule] Federally Enforceable Through Title V Permit

64. The facility shall install, calibrate, maintain, and operate a carbon dioxide CEM at the economizer and stack locations of each combustion unit, in accordance with 40 CFR 60.58b(b) and Appendices B and F. [40 CFR 60.38b and District Rule 4352] Federally Enforceable Through Title V Permit

65. The facility shall install, calibrate, maintain, and operate a continuous opacity monitoring system in accordance with 40 CFR 60.13 and Appendix B. [40 CFR 60.38b and 40 CFR Part 64] Federally Enforceable Through Title V Permit

66. The facility shall install, calibrate, maintain, and operate a sulfur dioxide CEM at the stack locations in accordance with 40 CFR 60.58b(e) and Appendices B and F. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

67. The facility shall install, calibrate, maintain, and operate a nitrogen oxides CEM at the stack locations in accordance with 40 CFR 60.58b(h) and Appendices B and F. [40 CFR 60.38b and District Rule 4352] Federally Enforceable Through Title V Permit

68. The facility shall install, calibrate, maintain, and operate a carbon monoxide CEM at the stack locations in accordance with 40 CFR 60.58b(i) and Appendices B and F. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

69. The facility shall install, calibrate, maintain, and operate a continuous steam flow monitoring and recording device and a device to measure temperature at the inlet of each particulate matter control device in accordance with 40 CFR 60.58b(i). [40 CFR 60.38b] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

70. The permittee shall be responsible for providing the District access, via telemetry, to the stored computerized data associated with the continuous emission monitoring system. [District Rule 1080, 7.0] Federally Enforceable Through Title V Permit

71. Continuous monitoring and recording equipment shall be provided for the following: No. 2 fuel oil burning rate and temperature. Each combustion unit shall have sufficient monitors to demonstrate combustion unit temperature profile as required in condition 12 and flue gas temperature into the particulate matter control device as required by condition 61. [District Rule 1080, 7.0] Federally Enforceable Through Title V Permit

72. In the event that monitoring or test data show that emissions from the facility exceed any emission limitation conditions of this Permit to Operate, the permittee shall take immediate corrective action to bring the plant's emissions within these limitations. [District NSR Rule] Federally Enforceable Through Title V Permit

73. Emissions in excess of those allowed by this permit shall be cause for the District to order an immediate reduction in fuel feed rate or to take other appropriate abatement action. [District Rule 2080] Federally Enforceable Through Title V Permit

74. The permittee shall notify the District of any emission violation by the next working day after such violation has occurred. [District Rule 2080] Federally Enforceable Through Title V Permit

75. Performance testing to demonstrate compliance with permit conditions shall be conducted annually (at least every calender year but no later than 12 months from previous performance testing). The main exhaust stack shall be equipped with permanent provisions to allow collection of stack gas samples using approved test methods. [District Rule 1081, 3.0, 4.0 & PSD SJ 86-03] Federally Enforceable Through Title V Permit

76. Performance testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any performance test, and a test plan must be submitted for approval 15 days prior to testing. [District Rule 1081, 7.1] Federally Enforceable Through Title V Permit

77. The results of each performance test shall be submitted to the District within 60 days thereafter. [District Rule 1081, 7.3] Federally Enforceable Through Title V Permit

78. Performance tests shall include a test of both combustion unit exhausts following the baghouse for the following parameters, corrected to 12% CO2 on a dry basis: Oxides of nitrogen emissions; Total hydrocarbons, as methane; Carbon monoxide; Sulfur dioxide; Concentrations of gaseous ammonia (NH3); and Exhaust flow rate, wet and dry. [District Rule 1081, 4.0]

79. Performance tests shall include: Total particulate matter emission concentration corrected to 12% CO2 and shall be conducted including the condensable portion in the "back half"; and Filterable particulate matter emission concentration corrected to 12% CO2 and shall be conducted including only "front-half". If the measured Filterable particulate matter emission concentration is greater than 0.008 gr/dscf, corrected to 12% CO2, testing shall be conducted to verify compliance with condition 26. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

80. Performance tests shall include a test of both combustion unit exhausts following the baghouse for the following parameters, corrected to 12% CO2 on a dry basis: Polynuclear aromatic hydrocarbons (Benzo-A-Pyrene, Benzo-E-Pyrene, Benzo-A-Anthracene, and Coronene and PCB); and Dioxins and Furans. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

81. The following Dioxin isomers & homologues shall be measured in both the combustion unit exhausts: 2,3,7,8 tetra CDD; total tetra CDD; 1,2,3,7,8 penta CDD; total penta CDD; 1,2,3,4,7,8 hexa CDD; 1,2,3,6,7,8 hexa CDD; 1,2,3,7,8,9 hexa CDD; total hexa CDD; 1,2,3,4,6,7,8 hepta CDD; total hepta CDD; total octa CDD. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

82. The following Furan isomers & homologues shall be measured in both the combustion unit exhausts: 2,3,7,8 tetra CDF; total tetra CDF; 1,2,3,7,8 penta CDF; 2,3,4,7,8 penta CDF; total penta CDF; 1,2,3,4,7,8 hexa CDF; 1,2,3,6,7,8 hexa CDF; 1,2,3,7,8,9 hexa CDF; 2,3,4,6,7,8 hexa CDF; total hexa CDF; 1,2,3,4,6,7,8 hepta CDF; 1,2,3,4,7,8,9 hepta CDF; total hepta CDF; total octa CDF. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

83. The facility may elect to alternate Dioxin/Furan testing on each stack, if the previous two years indicate Dioxin/Furan emissions levels are less than or equal to 15 ng/dscm total mass, corrected to 12% CO2. [40 CFR 60.38b and District Rule 4102] Federally Enforceable Through Title V Permit

84. Performance tests of both combustion unit exhausts shall be performed for HCl, corrected to 12% CO2 on a dry basis, and for the following heavy metals, corrected to 12% CO2 on a dry basis: Antimony, Arsenic, Beryllium, Cadmium, Total Chromium (5% of the total chromium shall be considered to be hexavalent chromium), Copper, Lead, Manganese, Mercury, Nickel, Selenium, Vanadium, and Zinc. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

85. A performance test of both combustion unit exhausts shall be performed for HF, corrected to 12% CO2 on a dry basis. [District Rule 4102]

86. Cooling tower drift shall not exceed 0.005 percent of the circulating water flow or a maximum annual drift emission rate of 1,090,000 kg/year as demonstrated by design calculations. Chromium compounds shall not be used as an additive in the cooling tower water. [District Rule 4102]

87. Soot blowers or super heater rappers shall be operated in a mode consistent with normal cleaning requirements of the system during the performance tests. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

88. The facility shall submit an annual report in accordance with 40 CFR 60.59b(g) by February 1 of each year following the calendar year in which the data were collected. [40 CFR 60.39b] Federally Enforceable Through Title V Permit

89. The facility shall submit semiannual reports within 31 days following the end of each 6 month period in accordance with 40 CFR 60.59b(h). [40 CFR 60.39b] Federally Enforceable Through Title V Permit

90. A monthly report summarizing the quantity of pollutant emissions of SO2, NOx, and CO, based on data from the CEM system, shall be included in the information required by following condition. Copies of the monthly reports prepared pursuant to this condition shall be sent to the district office by the 15th day of the following month. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

91. Permittee shall maintain a complete file containing all measurements, records, required monitoring data and support information. Support information includes copies of all reports required by this permit and for continuous monitoring instrumentation, and all calibration and maintenance records. This file shall include, but not be limited to: (a) Data collected from in-stack monitoring instruments; (b) Input rate records for all fuels burned; (c) Purchase records that indicate the sulfur content, by weight, of all fuel oil #2 purchased; (d) Results of all source tests; (e) All other air pollution system performance evaluations and records of calibration checks, calibration gas cylinder changes, adjustments and maintenance performed on all equipment (including CEM adjustment or maintenance). [District Rule 1070, 4.0 & PSD SJ 86-03] Federally Enforceable Through Title V Permit

92. Records shall be kept for each unit with the following: (a) Specific time of operation of each combustion unit; (b) Specific time of operation of the auxiliary burners; (c) Equipment breakdowns or malfunctions; (d) Exceedances of emission standards. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

93. The permittee shall follow all written maintenance procedures and schedules for the following: all emissions control equipment, combustion units, and monitoring equipment for measuring emission levels. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

94. Operating and maintenance manuals, subject to District review, shall be provided for the equipment covered by this permit. The permittee's operators shall be trained in the operation and maintenance of both fuel burning and pollution control equipment. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

95. If the Fuel Oil #2 is Air Resources Board regulated diesel fuel, with a supplier certified sulfur content less than 0.25% by weight, the operator shall maintain copies of all fuel invoices and supplier certifications. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

96. If the Fuel Oil #2 is non-certified for sulfur content of less than 0.25% by weight, then the owner or operator shall determine the sulfur content of each delivery of Fuel Oil being fired. The sulfur content shall be determined using ASTM method D 2880. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

97. Permittee shall provide access to all sampling ports and platforms on boiler exhaust stacks in accordance with 40 CFR 60.8(e) and District Rule 1081 (as amended 12/16/93). [District Rule 1081, 3.3; & PSD SJ 86-03] Federally Enforceable Through Title V Permit

98. The SO2 emissions from both combustion units shall be more stringent of 35.6 lb/hr or 42 ppm, dry, corrected to 12% CO2, averaged over three hour period and more stringent of 33.3 lb/hr or 40 ppm, dry, corrected to 12% CO2, averaged over a 24 hour period. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

99. The NOx emissions from both combustion units shall be more stringent of 107 lb/hr or 175 ppm, dry, corrected to 12% CO2, averaged over three hour period and more stringent of 100 lb/hr or 165 ppm, dry, corrected to 12% CO2, averaged over a 24 hour period. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

100. The CO emissions from both combustion units shall be 33.3 lb/hr or 400 ppm, dry, corrected to 12% CO2 (3-hour average). [PSD SJ 86-03] Federally Enforceable Through Title V Permit

101. The Mercury emissions from both combustion units shall not exceed 0.083 lb/hr (3-hour average) as measured by EPA Method 101. Upon EPA approval of a change to the facility PSD permit allowing Method 29 to be used in place of Method 101, Method 29 may be used to measure Mercury emissions. (40 CFR Part 61, Appendix B). [PSD SJ 86-03] Federally Enforceable Through Title V Permit

102. Permittee shall submit a written report of all excess emissions to EPA (Attn: A-3-3) for every calendar quarter. The report shall include the following: (a) the magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factors used, and the date and time of commencement and completion of each time period of excess emissions. (b) Specific identification of each time period of excess emissions that occurs during startups, shutdowns, and malfunctions of furnace/boiler system. The nature and cause of malfunction (if known) and corrective action taken or preventive measures adopted shall be reported. (c) The date and time identifying each period during which continuous monitoring system was inoperative except for zero and span checks, and the nature of the system repairs and adjustments. (d) When no excess emissions have occurred or the continuous monitoring system has not been inoperative, repaired, or adjusted, such information shall be stated in report. (e) Excess emissions shall be defined as any three-hour period during which the average emissions of NOx, SO2, and/or CO, as measured by continuous monitoring system exceeds the NOx, SO2, and/or CO emission limit set for each of the pollutants. (f) Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for purposes of PSD permit. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

103. The calculation of annual emissions shall commence with the submission of the first fourth-quarter report, and will continue to be calculated and submitted with each successive quarterly report. The annual emissions shall be computed on a daily (i.e. 24 hours) basis and shall be running total of the latest 8,760 hours. The quarterly reports shall contain highest annual emissions computed for each week in the quarter, as well as all excesses of the annual emissions limits. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

104. Permittee shall meet all applicable requirements of Subparts A, Db, and E of 40 CFR 60. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

105. Permittee shall comply with following activated carbon mass feed requirements: (1) During the initial performance test and each subsequent performance test for dioxins/furans and mercury, as applicable, the permittee shall calculate and record an average carbon mass feed rate in pounds per hour being employed based on load cell measurements of carbon feed during the test; (2) During operation of the facility, the carbon injection mass feed rate must be measured using load cells, calculated and recorded on an eight (8) hour block average basis, and must equal or exceed the level(s) documented during the most recent performance tests for dioxins/furans and mercury. When calculating the eight (8) hour block average, exclude the hours when the combustion unit is not operational and include the hours when the combustion unit is operating but the carbon feed system is not working properly. [40 CFR 60.38b & 40 CFR 60.58b(m)(1), (2)] Federally Enforceable Through Title V Permit

106. The permittee shall estimate the total carbon usage of the plant (kilograms or pounds) for each calendar quarter by two independent methods, according to the following procedures: (1) The weight of carbon delivered to the plant. (2) The permittee shall estimate the average carbon mass feed rate for each during the operation of each combustion unit, and sum the results for both units at the plant for the total number of hours of operation during the calendar quarter. [40 CFR 60.38b & 40 CFR 60.58b(m)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

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107. Should additional guidance related to the June 3, 1986 PSD remand, applicable to PSD permit action, be developed, the Permittee shall provide to EPA any such analysis, data, or demonstration of compliance with the other requirements within the time required by the guidance. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

108. The Regional Administrator shall be notified by telephone within 48 hours following any failure of air pollution control equipment, process equipment, or of a process to operate in a normal manner which results in an increase in emissions above any allowable emissions limit stated in Section VIII of these conditions. In addition, the Regional Administrator shall be notified in writing within fifteen (15) days of any such failure. This notification shall include a description of the malfunctioning equipment or abnormal operation, the date of the initial failure, the period of time over which emissions were increased due to the failure, the cause of the failure, the estimated resultant emissions in excess of those allowed under Section IX of these conditions, and the methods utilized to restore normal operations. Compliance with this malfunction notification provision shall not excuse or otherwise constitute a defense to any violations of this permit or of any law or regulations which such malfunction may cause. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

109. Facility shall operate only when a fully certified chief facility operator or fully certified shift supervisor is on duty, except as allowed under 40 CFR 60.54b(c)(2). [40 CFR 60.35b] Federally Enforceable Through Title V Permit

110. All chief facility operators, shift supervisors, and control room operators shall have completed the EPA or State municipal waste combustor operator training course. [40 CFR 60.35b] Federally Enforceable Through Title V Permit

111. Owner or operator shall conduct a performance test for opacity on a calendar year basis (no less than 9 calendar months and no more than 15 calendar months following the previous performance test, and must complete five performance tests in each 5-year calendar period) using EPA Method 9 and the average of three test runs to determine compliance. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

112. Permittee shall establish parameters for the differential pressure across the baghouse filter, which provides a reasonable assurance of ongoing compliance with emission limitations stated in this permit. The initial parameters shall be established using manufacturer/supplier recommendations and by correlating with opacity readings and source test results. These parameters shall be reviewed annually and revised if necessary based on PM10 source test result data, historical operating data and manufacturer/supplier recommendations. [40 CFR Part 64] Federally Enforceable Through Title V Permit

113. The baghouse differential operating pressure shall be monitored and recorded on each day the solid waste combustors/boilers operate. The permittee shall compare the readings with the acceptable range. Upon detecting any excursion from the acceptable range pressure readings, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. [40 CFR Part 64] Federally Enforceable Through Title V Permit

114. The permittee shall comply with the compliance assurance monitoring operation and maintenance requirements of 40 CFR part 64.7. [40 CFR 64] Federally Enforceable Through Title V Permit

115. If the District or EPA determine that a Quality improvement Plan is required under 40 CFR 64.7(d)(2), the permittee shall develop and implement the Quality Improvement Plan in accordance with 40 CFR 64.8. [40 CFR Part 64] Federally Enforceable Through Title V Permit

116. The permittee shall comply with the recordkeeping and reporting requirements of 40 CFR 64.9 [40 CFR Part 64] Federally Enforceable Through Title V Permit

117. During any 96-hour periods of startup or 12-hour periods of shutdown, the facility shall be exempt from emission limits identified in this permit which are based upon District Rule 4352. [District Rule 4352] Federally Enforceable Through Title V Permit

118. Within 6 months of the renewed Title V permit being issued, permittee shall apply for an Authority to Construct (ATC) and fully implement one of the following: 1) modify post-control PM10 emissions rate to less than 70 tons/yr or 2) install on the baghouse an air leak detection system or continuous PM10 emissions monitor. [40 CFR Part 64] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

119. Upon detecting any excursion from the 10% opacity limit, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. Corrective action shall include the following: inspecting the dust collector system for any tears, abrasions, or holes in the filters; inspecting closed duct systems for damage; and repairing or replacing any defective or damaged material. [40 CFR Part 64] Federally Enforceable Through Title V Permit

120. The baghouse shall operate at all times with a minimum differential pressure of 2 inches water column and a maximum differential pressure of 10 inches water column [40 CFR Part 64] Federally Enforceable Through Title V Permit

121. The baghouse differential operating pressure shall be monitored and recorded on each day the solid waste combustors/boilers operate. The permittee shall compare the readings with the acceptable range. Upon detecting any excursion from the acceptable range pressure readings, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. Corrective action shall include the following: inspecting the dust collector system for any tears, abrasions, or holes in the filters; inspecting closed duct systems for damage; and repairing or replacing any defective or damaged material. [40 CFR Part 64] Federally Enforceable Through Title V Permit

122. On and after January 1, 2013, permittee shall demonstrate compliance with Table 1 emission limits and all applicable requirements of District Rule 4352 (December 15, 2011). [District Rule 4352] Federally Enforceable Through Title V Permit

123. Each time SO2 emissions from each combustion unit exceeds 30 ppmv, dry, corrected to 12% CO2, based on an eight-hour rolling average, facility shall demonstrate that SO2 removal efficiency is at least 80% as measured by EPA Methods 1-4 and 6C, based on the measurement of the inlet and outlet SO2 concentrations. [40 CFR Part 64]

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San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: N-2073-2-2

EXPIRATION DATE: 10/31/2007

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EQUIPMENT DESCRIPTION:
187 HP DIESEL EMERGENCY IC ENGINE SERVING THE MAIN FIRE PUMP

PERMIT UNIT REQUIREMENTS

1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. [District Rule 4201] Federally Enforceable Through Title V Permit
2. Only CARB certified diesel fuel containing not more than 0.0015% sulfur by weight is to be used. [District Rules 2201 and 4801 and 17 CCR 93115] Federally Enforceable Through Title V Permit
3. This engine shall be equipped with an operational non-resettable elapsed time meter or other APCO approved alternative. [District Rule 4702,17 CCR 93115, and 40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
4. This engine shall be operated and maintained in proper operating condition as recommended by the engine manufacturer or emissions control system supplier. [District Rule 4702] Federally Enforceable Through Title V Permit
5. During periods of operation for maintenance, testing, and required regulatory purposes, the permittee shall monitor the operational characteristics of the engine as recommended by the manufacturer or emission control system supplier (for example: check engine fluid levels, battery, cables and connections; change engine oil and filters; replace engine coolant; and/or other operational characteristics as recommended by the manufacturer or supplier). [District Rule 4702] Federally Enforceable Through Title V Permit
6. This engine shall be operated only for testing and maintenance of the engine, required regulatory purposes, and during emergency situations. For testing purposes, the engine shall only be operated the number of hours necessary to comply with the testing requirements of the National Fire Protection Association (NFPA) 25 - "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems", 1998 edition. Total hours of operation for all maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year. [District Rule 4702, 17 CCR 93115, 40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
7. An emergency situation is an unscheduled electrical power outage caused by sudden and reasonably unforeseen natural disasters or sudden and reasonably unforeseen events beyond the control of the permittee. [District Rule 4702] Federally Enforceable Through Title V Permit
8. This engine shall not be used to produce power for the electrical distribution system, as part of a voluntary utility demand reduction program, or for an interruptible power contract. [District Rule 4702] Federally Enforceable Through Title V Permit
9. The permittee shall maintain monthly records of emergency and non-emergency operation. Records shall include the number of hours of emergency operation, the date and number of hours of all testing and maintenance operations, and the purpose of the operation (for example: load testing, weekly testing, rolling blackout, general area power outage, etc.). For units with automated testing systems, the operator may, as an alternative to keeping records of actual operation for testing purposes, maintain a readily accessible written record of the automated testing schedule. [District Rule 4702 and 17 CCR 93115] Federally Enforceable Through Title V Permit

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PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

10. All records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rule 4702, 17 CCR 93115, and 40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
11. On and after May 3, 2013, the permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
12. On and after May 3, 2013, the engine shall be in full compliance with 40 CFR Part 63, Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines). [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
13. On and after May 3, 2013, the engine's oil and filter shall be changed every 500 hours of operation or every 12 months, whichever comes first. [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
14. On and after May 3, 2013, the engine's air filter shall be inspected every 1,000 hours of operation or every 12 months, whichever comes first, and replaced as necessary. [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
15. On and after May 3, 2013, the engine's hoses and belts shall be inspected every 500 hours of operation or every 12 months, whichever comes first, and replaced as necessary. [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
16. On and after May 3, 2013, the permittee shall maintain monthly records of all performance tests, opacity and visible emissions observations and required maintenance performed on the air pollution control and monitoring equipment. [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit
17. On and after May 3, 2013, the permittee shall maintain monthly records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. The permittee shall also maintain monthly records of action taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63 Subpart ZZZZ] Federally Enforceable Through Title V Permit

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ATTACHMENT B

Previous Title V Operating Permit

San Joaquin Valley
Air Pollution Control District

FACILITY: N-2073-0-1 **EXPIRATION DATE:** 10/31/2007

FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; Stanislaus County Rule 110; and PSD SJ 86-03] Federally Enforceable Through Title V Permit
2. The owner or operator shall submit a written report to the District within ten days after a breakdown condition has been corrected. This report shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; Stanislaus County Rule 110; and PSD SJ 86-03] Federally Enforceable Through Title V Permit
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020. [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (Permits Required) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2 & 40 CFR 60.39b] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit

11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520. [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit

12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7; and PSD SJ 86-03] Federally Enforceable Through Title V Permit

13. It shall not be a defense for a 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 conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit

14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit

15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit

16. The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit

17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit

18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1; and PSD ATC SJ 86-03] Federally Enforceable Through Title V Permit

19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2; and PSD SJ 86-03] Federally Enforceable Through Title V Permit

20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3; and PSD SJ 86-03] Federally Enforceable Through Title V Permit

21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4; and PSD SJ 86-03] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101, by using EPA method 9. If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and Stanislaus County Rule] Federally Enforceable Through Title V Permit

23. No person shall supply, sell, solicit or apply any architectural coating, except specialty coatings, that contains more than 250 grams of VOC per liter of coating (less water and exempt compounds, and excluding any colorant added to tint bases), or manufacture, blend, or repackage such coating with more than 250 grams of VOC per liter (less water and exempt compounds, and excluding any colorant added to tint bases) for use within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit

24. Specialty Coating Limitations: No person shall apply, sell, solicit, or offer for sale any architectural coating listed in the Tables of Standards (District Rule 4601, Table 1 and Table 2), nor manufacture, blend, or repackage such coating for use within the District, which contains VOCs in excess of the specified limits after the corresponding date listed in Table 1(grams of VOC per liter of coating as applied less water and exempt compounds, excluding any colorant added to tint bases) and in Table 2 (grams of VOC per liter of material), except as provided in Section 5.3 of Rule 4601. [District Rule 4601, 5.2] Federally Enforceable Through Title V Permit

25. All VOC-containing materials shall be stored in closed containers when not in use. In use includes, but is not limited to: being accessed, filled, emptied, maintained or repaired. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit

26. A person shall not use VOCs for the cleanup of spray equipment unless equipment for collection of the cleaning compounds and minimizing its evaporation to the atmosphere is used. [District Rule 4601, 5.5] Federally Enforceable Through Title V Permit

27. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.2. [District Rule 4601, 6.1 and 6.2] Federally Enforceable Through Title V Permit

28. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official [District Rule 2520, 9.13.1and 10.0] Federally Enforceable Through Title V Permit

29. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR Part 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit

30. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit

31. Disturbances of soil related to any construction, demolition, excavation, extraction, and other earthmoving activities shall comply with the requirements for fugitive dust control in Rule 8021 (11/15/01) unless specifically exempted under section 4.0 of Rule 8021. [District Rule 8021] Federally Enforceable Through Title V Permit

32. Outdoor handling, storage, and transport of any bulk material shall comply with the requirements of Rule 8031 (11/15/01), unless specifically exempted under section 4.0 of Rule 8031. [District Rule 8031] Federally Enforceable Through Title V Permit

33. Any open area having 3.0 acres or more of disturbed surface area, that has remained undeveloped, unoccupied, unused or vacant for more than seven days shall comply with the requirements of Rule 8051 (11/15/01), unless specifically exempted under section 4.0 of Rule 8051. [District Rule 8051] Federally Enforceable Through Title V Permit

34. Any new or existing public or private paved or unpaved road, road construction project, or road modification project shall implement the control measures and design criteria of, and comply with the requirements of Rule 8061 (11/15/01) unless specifically exempted under section 4.0 of Rule 8061. [District Rule 8061] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

35. Any unpaved vehicle/equipment traffic area of 1.0 acre or larger shall comply with the requirements of Rule 8071 (11/15/01), unless specifically exempted under section 4.0 of Rule 8071. [District Rule 8071] Federally Enforceable Through Title V Permit

36. Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit

37. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit

38. The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit

39. When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit

40. In the event of changes in control or ownership, this Operating Permit shall be binding on new owners and operators. The applicant shall notify successor of the existence of this Operating Permit and its conditions in writing and forward a copy to the District, California Air Resources Board, and EPA. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

41. The applicant shall construct and operate the facility in compliance with all other applicable provisions of 40 CFR Parts 52, 60 and 61 and all other applicable Federal, State and District air quality regulations. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

42. All correspondence as required by this Operating Permit shall be forwarded to: the District; Director, Air & Toxics Div. (Attn: A-3-3), EPA Region 9, 75 Hawthorne St. San Francisco, CA 94105; and Director, Stationary Source Div., CARB, Box 2815, Sacramento, CA 95812. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

43. When applicable to 40 CFR Part 68, a subject facility shall submit to the proper authority a Risk Management Plan when mandated by the regulation. [40 CFR Part 68] Federally Enforceable Through Title V Permit

44. No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]

45. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92);2070 , section 7.0 (12/17/92); 2080 (12/17/92); 4101 (10/31/01); 4601, sections 5.1, 5.2, 5.4, 5.5, 6.1, and 6.2 (10/31/01); 8021 (11/15/01); 8031 (11/15/01); 8061 (11/15/01); A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

46. Compliance with permit conditions in the Title V shall be deemed compliance with following applicable requirements: 40 CFR 82 Subparts A, B, C, D, E, and F; A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: N-2073-1-3 **EXPIRATION DATE:** 10/31/2007

EQUIPMENT DESCRIPTION:
POWER GENERATION SYSTEM: TWO 400 TON/DAY MUNICIPAL SOLID WASTE COMBUSTOR/BOILERS PRODUCING 21.5 MW OF ELECTRICITY EQUIPPED WITH DRY LIME SCRUBBERS, FLY ASH BAGHOUSE, AMMONIA INJECTION SYSTEM, LIME SLURRY INJECTION, ACTIVATED CARBON INJECTION SYSTEM, LIME AND SODA AND CARBON SILOS WITH FILTER VENTS, WASTE RECEIVING, ASH CONVEYING, AND ASH RESIDUE ENCLOSURE

PERMIT UNIT REQUIREMENTS

1. All equipment, facilities and systems installed or used to comply with the terms and conditions of this Permit to Operate shall be maintained in good working order and be operated as required to meet the conditions of this permit. Operator shall, on each boiler, continuously operate and maintain the following air pollution controls to minimize emissions: baghouse for the control of particulates; lime slurry dry scrubber for t he control of SO2 and acid gas emissions; and ammonia injection system for the control of NOx emissions. [District Rule 2080 & PSD SJ 86-03] Federally Enforceable Through Title V Permit
2. The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule] Federally Enforceable Through Title V Permit
3. The baghouse shall have a maximum effective air-to-cloth ratio of 4:1 and shall be equipped with an automatic cleaning mechanism. [District NSR Rule] Federally Enforceable Through Title V Permit
4. Replacement bags numbering at least 10% of the total number of bags in the largest individual combustion unit baghouse using each type of bag shall be maintained on the premises. [District NSR Rule] Federally Enforceable Through Title V Permit
5. There shall be no visible emissions from any location other than designated vents on refuse receiving, processing or storage buildings at any time, except as provided in this permit to operate. Visible emissions shall be inspected quarterly under material and environmental conditions, such as dry and windy, where high emissions are expected. [District Rules 2520, 9.3.2 and NSR] Federally Enforceable Through Title V Permit
6. Paved areas shall be kept free of visible dust at all times and shall be vacuum swept at least once every fourteen days. Records of vacuum sweeping shall be maintained and made available to the District upon request. [District Rule 4102]
7. The NOx control system shall be in full use whenever this equipment is fired with MSW. [District NSR Rule]
8. The ash shall be handled in such a manner as to mitigate fugitive emissions to the maximum extent possible. Enclosure shall be completely inspected annually for evidence of particulate matter leaks and repaired as needed. [District Rules 2520, 9.3.2 and NSR] Federally Enforceable Through Title V Permit
9. The facility shall not cause visible emissions from ash conveying systems, including transfer points, in excess of 5% of the observation period, as determined by performing EPA Method 22 on a quarterly basis. Fugitive ash emissions do not include emissions within a building, an enclosed ash conveyor, or during periods of maintenance and repair of the ash conveyor systems. [40 CFR 60.36b] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

10. Fuel Oil #2, with a sulfur content not to exceed 0.25% by weight, may be used as necessary to maintain the minimum combustion zone temperature requirements and annual usage shall not exceed 1,108,321 gallons for each combustor. [District NSR Rule, 40 CFR 60. 44b(c) & PSD SJ 86-03] Federally Enforceable Through Title V Permit

11. A furnace roof temperature of 1,100 degrees F shall be stabilized, as measured by multiple thermocouples, to ensure that a minimum temperature of 1,800 degrees F is established above the grate prior to the ignition of MSW. [District NSR Rule] Federally Enforceable Through Title V Permit

12. During any period of time that MSW is burning on the grates, the combustion gas retention time shall be maintained at a minimum of one second, the combustion zone temperature shall be maintained at a minimum of 1,800 degrees F, and the furnace roof temperature shall be maintained at an average (4 hour arithmetic block) of 1,100 degrees F, except during periods of start-up, shutdown, and malfunction, as defined in 40 CFR 60.58b(a). [District NSR Rule] Federally Enforceable Through Title V Permit

13. Hazardous materials shall not be burned in this equipment. Hazardous materials are that portion of solid waste which, by reason of its composition or characteristics, is: (a) hazardous waste as defined in the Solid Waste Disposal Act, 42 USC section 6901 et. seq., and the regulations thereunder, the California Health & Safety Code, Div. 20, Chs. 6.5, 6.7, and 6.8 (section 25100 et. seq.), the California Code of Regulations, Title 22, Div. 4.5, and any similar or substituted legislation or regulations or amendments to the foregoing; (b) any other materials which any governmental agency or unit having appropriate jurisdiction shall determine from time to time is harmful, toxic, or dangerous, or otherwise ineligible for disposal through the facility; and (c) any material, other than residential or commercial solid waste of the type historically collected by the County and the City as acceptable for disposal into non-hazardous waste landfills, which would result in process residue being hazardous waste under (a) or (b) above. [District Rule 4102]

14. The facility shall develop and annually update a site-specific operating manual in accordance with 40 CFR 60.54b(e). [40 CFR 60.35b] Federally Enforceable Through Title V Permit

15. Each operator and all maintenance personnel shall receive initial and annual training on the site-specific operating manual in accordance with 40 CFR 60.54b(f). [40 CFR 60.35b] Federally Enforceable Through Title V Permit

16. The site-specific operating manual and operating manual training records shall be accessible to all operations and maintenance personnel and shall be made available to the enforcement agency upon request. [40 CFR 60.35b] Federally Enforceable Through Title V Permit

17. The District reserves the right to require the permittee to re-evaluate the health risk assessment if there is a significant change in population locations as projected in the currently approved health risk assessment, or new health data becomes available. [District Rule 4102]

18. During any 3-hour periods of startup, shutdown, and malfunction, the facility shall be exempt from emission limits identified in this permit which are based upon 40 CFR 60 Subpart Cb or Subpart Eb. This exemption shall not apply to CO emission limits of 40 CFR 60.53b(a) if the malfunction is a loss of boiler water level control. [District NSR Rule] Federally Enforceable Through Title V Permit

19. Opacity exhibited by the gases discharged to the atmosphere from each combustion unit, other than water vapor, shall not exceed 10 percent based on a six minute average as measured by EPA Method 9. [40 CFR 60.33b] Federally Enforceable Through Title V Permit

20. The carbon monoxide (CO) emissions from each combustion unit shall not exceed 100 ppmv, dry, corrected to 7% O2, as measured utilizing EPA Methods 1-4 and 10. Compliance with this limit shall be determined based on a four hour block arithmetic average as defined in 40 CFR 60.51b. [40 CFR 60.34b] Federally Enforceable Through Title V Permit

21. The NOx emissions from each combustion unit shall not exceed 200 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 7E. Compliance with this limit shall be determined based on an eight rolling hour average. [District NSR Rule and 40 CFR 60.33b] Federally Enforceable Through Title V Permit

22. Either the SO2 emissions from each combustion unit shall not exceed 30 ppmv, dry, corrected to 12% CO2, based on an eight hour rolling average, or the SO2 removal efficiency shall be at least 80% as measured by EPA Methods 1-4 and 6C. The SO2 80% removal efficiency shall be based on the measurement of the inlet and outlet SO2 concentrations, corrected to 12% CO2. [District NSR Rule] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

23. The SO2 emissions from each combustion unit shall not exceed 29 ppmv, dry, corrected to 12% CO2, or the SO2 removal efficiency shall be at least 75% (by weight or volume), whichever is less stringent as measured by EPA Methods 1-4 and 6C. Compliance with this limit shall be determined based on a 24-hour daily geometric mean. EPA method 19 shall be used to calculate the daily geometric average sulfur dioxide emission concentration and removal efficiency. [40 CFR 60.33b] Federally Enforceable Through Title V Permit

24. Particulate matter emissions from each combustion unit shall not exceed 0.0275 gr/dscf, corrected to 12% CO2, as measured by EPA Methods 1 through 5, including the condensable portion in the "back-half". [District NSR Rule] Federally Enforceable Through Title V Permit

25. Filterable particulate matter (i.e. Front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 27 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input; each as measured by EPA Methods 1 through 5. [District NSR Rule, 40 CFR 60.33b and 40 CFR 60.43b(d)(1)] Federally Enforceable Through Title V Permit

26. Filterable particulate matter emissions from each combustion unit shall not exceed 0.008 gr/dscf, corrected to 12% CO2, for the fraction of particles less than 2u in diameter, as measured by Andersen Cascade Impactor, Flow Sensor Multiclone or any other equivalent measurement as validated by EPA Method 301. [District NSR Rule] Federally Enforceable Through Title V Permit

27. Each combustion unit shall only be allowed to emit half of the total allowable (mass) emission rate for each pollutant. [District NSR Rule] Federally Enforceable Through Title V Permit

28. The CO emissions shall not exceed 800 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

29. The CO emissions shall not exceed 121.9 tons/yr. [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

30. The NOx emissions shall not exceed 2,260 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

31. The NOx emissions shall not exceed 344.4 tons/year. [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

32. The SO2 emissions shall not exceed 800 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

33. The SO2 emissions shall not exceed 121.9 tons/year. [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

34. The PM emissions shall not exceed 475 pounds in any one day. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation E=3.59xP^0.62 if P is less than or equal to 30 tons per hour, or E=17.37xP^0.16 if P is greater than 30 tons per hour. Particulate emissions shall be no more than 0.1 lbs per 100 lbs of combustible refuse charged. [District Rules NSR, 4202, and 4203, 4.3] Federally Enforceable Through Title V Permit

35. The PM emissions shall not exceed 72.4 tons/year. [District NSR Rule] Federally Enforceable Through Title V Permit

36. The THC emissions shall not exceed 96 pounds in any one day. [District NSR Rule] Federally Enforceable Through Title V Permit

37. The THC emissions shall not exceed 14.6 tons/year. [District NSR Rule] Federally Enforceable Through Title V Permit

38. The THC emissions (as CH4) from each combustion unit shall not exceed 70 ppmv, dry, corrected to 12% CO2 as measured by EPA Methods 1-4 and 25A. [District NSR Rule] Federally Enforceable Through Title V Permit

39. Ammonia (NH3) breakthrough of the exhaust shall not exceed 50 ppmv, dry, as measured by BAAQMD Method ST-1B. The facility shall be exempt from this condition for periods of start-up, shutdown, and malfunction as defined in 40 CFR 60.58b(a). [District Rule 4102]

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

40. The Antimony emissions from each combustion unit shall not exceed 0.0315 g/s as measured by CARB Method 436. [District Rule 4102]

41. The Arsenic emissions from each combustion unit shall not exceed 0.0005 g/s as measured by CARB Method 436. [District Rule 4102]

42. The Beryllium emissions from each combustion unit shall not exceed 0.00005 g/s as measured by CARB Method 436. [District Rule 4102]

43. The Cadmium emissions from each combustion unit shall not exceed either of the following: 0.0013 g/s; 0.040 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29 [40 CFR 60.33b and District Rule 4102] Federally Enforceable Through Title V Permit

44. The Chromium +6 emissions from each combustion unit shall not exceed 0.00005 g/s as measured by CARB Method 436 (5% of the total chromium shall be considered to be hexavalent chromium). [District Rule 4102]

45. The Copper emissions from each combustion unit shall not exceed 0.155 g/s as measured by CARB Method 436. [District Rule 4102]

46. The Dioxin/Furan emissions from each combustion unit shall not exceed 30 ng/dscm (total mass), corrected to 7% O2, as measured by EPA Method 23. [40 CFR 60.33b] Federally Enforceable Through Title V Permit

47. The Dioxin/Furan emissions from each combustion unit shall not exceed 50 ng/s, based on the Department of Health Services toxic equivalent calculation. [District Rule 4102]

48. The Hydrogen Fluoride (HF) emissions from each combustion unit shall not exceed 0.05 g/s as measured by EPA Method 26. [District Rule 4102]

49. The Hydrogen Chloride (HCl) emissions from each combustion unit shall not exceed either of the following: 1.4 g/s; 29 ppmv or the HCl removal efficiency shall be at least 95% (by weight or volume), whichever is less stringent, corrected to 7% O2; each as measured by EPA Method 26. [40 CFR 60.33b and District Rule 4102] Federally Enforceable Through Title V Permit

50. The Lead emissions from each combustion unit shall not exceed either of the following: 0.014 g/s; 0.44 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29. [40 CFR 60.33b and District Rule 4102] Federally Enforceable Through Title V Permit

51. The Manganese emissions from each combustion unit shall not exceed 0.055 g/s as measured by CARB Method 436. [District Rule 4102]

52. The Mercury emissions from each combustion unit shall not exceed 0.080 mg/dscm, corrected to 7% O2, or the mercury removal efficiency shall be at least 85% by weight, whichever is less stringent, as measured by EPA Methods 1, 3, and 29. [40 CFR 60.33b] Federally Enforceable Through Title V Permit

53. The Mercury emissions from each combustion unit shall not exceed 0.0025 g/s (3-hour average). [PSD ATC SJ 86-03 and District Rule 4102] Federally Enforceable Through Title V Permit

54. The Nickel emissions from each combustion unit shall not exceed 0.025 g/s as measured by CARB Method 436. [District Rule 4102]

55. The Selenium emissions from each combustion unit shall not exceed 0.055 g/s as measured by CARB Method 436. [District Rule 4102]

56. The Vanadium emissions from each combustion unit shall not exceed 0.15 g/s as measured by CARB Method 436. [District Rule 4102]

57. The Zinc emissions from each combustion unit shall not exceed 0.315 g/s as measured by CARB Method 436. [District Rule 4102]

58. The mass emission rates shall be calculated from the hourly stack concentrations and the volumetric flow rate using municipal solid waste Carbon Dioxide based F-factor of 1820 dscf/MMBtu (EPA Method 19, Table 19-2). [District NSR Rule & PSD SJ 86-03] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

59. The total steam generated from each boiler shall not exceed 110% of the maximum demonstrated combustion unit load achieved in the most recent Dioxin/Furan performance test, as defined in 40 CFR 60.51b. [40 CFR 60.34b(b)] Federally Enforceable Through Title V Permit

60. The maximum flue gas temperature, measured at the particulate matter control device inlet from each boiler, shall not be higher than 17 deg. C (31 deg. F) above the maximum demonstrated particulate matter control device temperature as defined in 40 CFR 60.51b. [40 CFR 60.34b(b)] Federally Enforceable Through Title V Permit

61. The steam load and particulate matter control device inlet flue gas temperature limitations shall apply at all times except during the annual Dioxin/Furan performance test, the two weeks preceding the annual Dioxin/Furan performance test, and when the facility obtains a waiver in accordance with permission granted by the Administrator or the Air Pollution Control Officer. [40 CFR 60.53b(b)] Federally Enforceable Through Title V Permit

62. The ammonia (NH3) injection rate shall be measured and recorded continuously. [District NSR Rule] Federally Enforceable Through Title V Permit

63. The facility shall install, calibrate, maintain, and operate a carbon dioxide CEM at the economizer and stack locations of each combustion unit, in accordance with 40 CFR 60.58b(b) and Appendices B and F. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

64. The facility shall install, calibrate, maintain, and operate a continuous opacity monitoring system in accordance with 40 CFR 60.13 and Appendix B. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

65. The facility shall install, calibrate, maintain, and operate a sulfur dioxide CEM at the stack locations in accordance with 40 CFR 60.58b(e) and Appendices B and F. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

66. The facility shall install, calibrate, maintain, and operate a nitrogen oxides CEM at the stack locations in accordance with 40 CFR 60.58b(h) and Appendices B and F. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

67. The facility shall install, calibrate, maintain, and operate a carbon monoxide CEM at the stack locations in accordance with 40 CFR 60.58b(i) and Appendices B and F. [40 CFR 60.38b] Federally Enforceable Through Title V Permit

68. The facility shall install, calibrate, maintain, and operate a continuous steam flow monitoring and recording device and a device to measure temperature at the inlet of each particulate matter control device in accordance with 40 CFR 60.58b(i). [40 CFR 60.38b] Federally Enforceable Through Title V Permit

69. The permittee shall be responsible for providing the District access, via telemetry, to the stored computerized data associated with the continuous emission monitoring system. [District Rule 1080, 7.0] Federally Enforceable Through Title V Permit

70. Continuous monitoring and recording equipment shall be provided for the following: No. 2 fuel oil burning rate; and Temperature - each combustion unit shall have sufficient monitors to demonstrate combustion unit temperature profile as required in condition 12 and flue gas temperature into the particulate matter control device as required by condition 60. [District Rule 1080, 7.0] Federally Enforceable Through Title V Permit

71. In the event that monitoring or test data show that emissions from the facility exceed any emission limitation conditions of this Permit to Operate, the permittee shall take immediate corrective action to bring the plant's emissions within these limitations. [District NSR Rule] Federally Enforceable Through Title V Permit

72. Emissions in excess of those allowed by this permit shall be cause for the District to order an immediate reduction in fuel feed rate or to take other appropriate abatement action. [District Rule 2080] Federally Enforceable Through Title V Permit

73. The permittee shall notify the District of any emission violation by the next working day after such violation has occurred. [District Rule 2080] Federally Enforceable Through Title V Permit

74. Performance testing to demonstrate compliance with permit conditions shall be conducted annually (at least every calender year but no later than 12 months from previous performance testing). The main exhaust stack shall be equipped with permanent provisions to allow collection of stack gas samples using approved test methods. [District Rule 1081, 3.0, 4.0 & PSD SJ 86-03] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

75. Performance testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any performance test, and a test plan must be submitted for approval 15 days prior to testing. [District Rule 1081, 7.1] Federally Enforceable Through Title V Permit

76. The results of each performance test shall be submitted to the District within 60 days thereafter. [District Rule 1081, 7.3] Federally Enforceable Through Title V Permit

77. Performance tests shall include a test of both combustion unit exhausts following the baghouse for the following parameters, corrected to 12% CO2 on a dry basis: Oxides of nitrogen emissions; Total hydrocarbons, as methane; Carbon monoxide; Sulfur dioxide; Concentrations of gaseous ammonia (NH3); and Exhaust flow rate, wet and dry. [District Rule 1081, 4.0]

78. Performance tests shall include: Total particulate matter emission concentration corrected to 12% CO2 and shall be conducted including the condensable portion in the "back half"; and Filterable particulate matter emission concentration corrected to 12% CO2 and shall be conducted including only "front-half". If the measured Filterable particulate matter emission concentration is greater than 0.008 gr/dscf, corrected to 12% CO2, testing shall be conducted to verify compliance with condition 26. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

79. Performance tests shall include a test of both combustion unit exhausts following the baghouse for the following parameters, corrected to 12% CO2 on a dry basis: Polynuclear aromatic hydrocarbons (Benzo-A-Pyrene, Benzo-E-Pyrene, Benzo-A-Anthracene, and Coronene and PCB); and Dioxins and Furans. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

80. The following Dioxin isomers & homologues shall be measured in both the combustion unit exhausts: 2,3,7,8 tetra CDD; total tetra CDD; 1,2,3,7,8 penta CDD; total penta CDD; 1,2,3,4,7,8 hexa CDD; 1,2,3,6,7,8 hexa CDD; 1,2,3,7,8,9 hexa CDD; total hexa CDD; 1,2,3,4,6,7,8 hepta CDD; total hepta CDD; total octa CDD. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

81. The following Furan isomers & homologues shall be measured in both the combustion unit exhausts: 2,3,7,8 tetra CDF; total tetra CDF; 1,2,3,7,8 penta CDF; 2,3,4,7,8 penta CDF; total penta CDF; 1,2,3,4,7,8 hexa CDF; 1,2,3,6,7,8 hexa CDF; 1,2,3,7,8,9 hexa CDF; 2,3,4,6,7,8 hexa CDF; total hexa CDF; 1,2,3,4,6,7,8 hepta CDF; 1,2,3,4,7,8,9 hepta CDF; total hepta CDF; total octa CDF. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

82. The facility may elect to alternate Dioxin/Furan testing on each stack, if the previous two years indicate Dioxin/Furan emissions levels are less than or equal to 15 ng/dscm total mass, corrected to 12% CO2. [40 CFR 60.38b and District Rule 4102] Federally Enforceable Through Title V Permit

83. Performance tests of both combustion unit exhausts shall be performed for HCl, corrected to 12% CO2 on a dry basis, and for the following heavy metals, corrected to 12% CO2 on a dry basis: Antimony, Arsenic, Beryllium, Cadmium, Total Chromium (5% of the total chromium shall be considered to be hexavalent chromium), Copper, Lead, Manganese, Mercury, Nickel, Selenium, Vanadium, and Zinc. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

84. A performance test of both combustion unit exhausts shall be performed for HF, corrected to 12% CO2 on a dry basis. [District Rule 4102]

85. Cooling tower drift shall not exceed 0.005 percent of the circulating water flow or a maximum annual drift emission rate of 1,090,000 kg/year as demonstrated by design calculations. Chromium compounds shall not be used as an additive in the cooling tower water. [District Rule 4102]

86. Soot blowers or super heater rappers shall be operated in a mode consistent with normal cleaning requirements of the system during the performance tests. [District Rule 1081, 4.0] Federally Enforceable Through Title V Permit

87. The facility shall submit an annual report in accordance with 40 CFR 60.59b(g) by February 1 of each year following the calendar year in which the data were collected. [40 CFR 60.39b] Federally Enforceable Through Title V Permit

88. The facility shall submit semiannual reports within 31 days following the end of each 6 month period in accordance with 40 CFR 60.59b(h). [40 CFR 60.39b] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

89. A monthly report summarizing the quantity of pollutant emissions of SO2, NOx, and CO, based on data from the CEM system, shall be included in the information required by following condition. Copies of the monthly reports prepared pursuant to this condition shall be sent to the district office by the 15th day of the following month. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

90. Permittee shall maintain a complete file containing all measurements, records, required monitoring data and support information. Support information includes copies of all reports required by this permit and for continuous monitoring instrumentation, and all calibration and maintenance records. This file shall include, but not be limited to: (a) Data collected from in-stack monitoring instruments; (b) Input rate records for all fuels burned; (c) Purchase records that indicate the sulfur content, by weight, of all fuel oil #2 purchased; (d) Results of all source tests; (e) All other air pollution system performance evaluations and records of calibration checks, calibration gas cylinder changes, adjustments and maintenance performed on all equipment (including CEM adjustment or maintenance). [District Rule 1070, 4.0 & PSD SJ 86-03] Federally Enforceable Through Title V Permit

91. Records shall be kept for each unit with the following: (a) Specific time of operation of each combustion unit; (b) Specific time of operation of the auxiliary burners; (c) Equipment breakdowns or malfunctions; (d) Exceedances of emission standards. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

92. The permittee shall follow all written maintenance procedures and schedules for the following: all emissions control equipment, combustion units, and monitoring equipment for measuring emission levels. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

93. Operating and maintenance manuals, subject to District review, shall be provided for the equipment covered by this permit. The permittee's operators shall be trained in the operation and maintenance of both fuel burning and pollution control equipment. [District Rule 1070, 4.0] Federally Enforceable Through Title V Permit

94. If the Fuel Oil #2 is Air Resources Board regulated diesel fuel, with a supplier certified sulfur content less than 0.25% by weight, the operator shall maintain copies of all fuel invoices and supplier certifications. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

95. If the Fuel Oil #2 is non-certified for sulfur content of less than 0.25% by weight, then the owner or operator shall determine the sulfur content of each delivery of Fuel Oil being fired. The sulfur content shall be determined using ASTM method D 2880. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit

96. Permittee shall provide access to all sampling ports and platforms on boiler exhaust stacks in accordance with 40 CFR 60.8(e) and District Rule 1081 (as amended 12/16/93). [District Rule 1081, 3.3; & PSD SJ 86-03] Federally Enforceable Through Title V Permit

97. The SO2 emissions from both combustion units shall be more stringent of 35.6 lb/hr or 42 ppm, dry, corrected to 12% CO2, averaged over three hour period and more stringent of 33.3 lb/hr or 40 ppm, dry, corrected to 12% CO2, averaged over a 24 hour period. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

98. The NOx emissions from both combustion units shall be more stringent of 107 lb/hr or 175 ppm, dry, corrected to 12% CO2, averaged over three hour period and more stringent of 100 lb/hr or 165 ppm, dry, corrected to 12% CO2, averaged over a 24 hour period. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

99. The CO emissions from both combustion units shall be 33.3 lb/hr or 400 ppm, dry, corrected to 12% CO2 (3-hour average). [PSD SJ 86-03] Federally Enforceable Through Title V Permit

100. The Mercury emissions from both combustion units shall not exceed 0.083 lb/hr (3-hour average) as measured by EPA Method 101. Upon EPA approval of a change to the facility PSD permit allowing Method 29 to be used in place of Method 101, Method 29 may be used to measure Mercury emissions. (40 CFR Part 61, Appendix B). [PSD SJ 86-03] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

101. Permittee shall submit a written report of all excess emissions to EPA (Attn: A-3-3) for every calendar quarter. The report shall include the following: (a) the magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factors used, and the date and time of commencement and completion of each time period of excess emissions. (b) Specific identification of each time period of excess emissions that occurs during startups, shutdowns, and malfunctions of furnace/boiler system. The nature and cause of malfunction (if known) and corrective action taken or preventive measures adopted shall be reported. (c) The date and time identifying each period during which continuous monitoring system was inoperative except for zero and span checks, and the nature of the system repairs and adjustments. (d) When no excess emissions have occurred or the continuous monitoring system has not been inoperative, repaired, or adjusted, such information shall be stated in report. (e) Excess emissions shall be defined as any three-hour period during which the average emissions of NOx, SO2, and/or CO, as measured by continuous monitoring system exceeds the NOx, SO2, and/or CO emission limit set for each of the pollutants. (f) Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for purposes of PSD permit. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

102. The calculation of annual emissions shall commence with the submission of the first fourth-quarter report, and will continue to be calculated and submitted with each successive quarterly report. The annual emissions shall be computed on a daily (i.e. 24 hours) basis and shall be running total of the latest 8,760 hours. The quarterly reports shall contain highest annual emissions computed for each week in the quarter, as well as all excesses of the annual emissions limits. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

103. Permittee shall meet all applicable requirements of Subparts A, Db, and E of 40 CFR 60. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

104. Permittee shall comply with following activated carbon mass feed requirements: (1) During the initial performance test and each subsequent performance test for dioxins/furans and mercury, as applicable, the permittee shall calculate and record an average carbon mass feed rate in pounds per hour being employed based on load cell measurements of carbon feed during the test; (2) During operation of the facility, the carbon injection mass feed rate must be measured using load cells, calculated and recorded on an eight (8) hour block average basis, and must equal or exceed the level(s) documented during the most recent performance tests for dioxins/furans and mercury. When calculating the eight (8) hour block average, exclude the hours when the combustion unit is not operational and include the hours when the combustion unit is operating but the carbon feed system is not working properly. [40 CFR 60.38b & 40 CFR 60.58b(m)(1), (2)] Federally Enforceable Through Title V Permit

105. The permittee shall estimate the total carbon usage of the plant (kilograms or pounds) for each calendar quarter by two independent methods, according to the following procedures: (1) The weight of carbon delivered to the plant. (2) The permittee shall estimate the average carbon mass feed rate for each during the operation of each combustion unit, and sum the results for both units at the plant for the total number of hours of operation during the calendar quarter. [40 CFR 60.38b & 40 CFR 60.58b(m)] Federally Enforceable Through Title V Permit

106. Should additional guidance related to the June 3, 1986 PSD remand, applicable to PSD permit action, be developed, the Permittee shall provide to EPA any such analysis, data, or demonstration of compliance with the other requirements within the time required by the guidance. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

107. The Regional Administrator shall be notified by telephone within 48 hours following any failure of air pollution control equipment, process equipment, or of a process to operate in a normal manner which results in an increase in emissions above any allowable emissions limit stated in Section VIII of these conditions. In addition, the Regional Administrator shall be notified in writing within fifteen (15) days of any such failure. This notification shall include a description of the malfunctioning equipment or abnormal operation, the date of the initial failure, the period of time over which emissions were increased due to the failure, the cause of the failure, the estimated resultant emissions in excess of those allowed under Section IX of these conditions, and the methods utilized to restore normal operations. Compliance with this malfunction notification provision shall not excuse or otherwise constitute a defense to any violations of this permit or of any law or regulations which such malfunction may cause. [PSD SJ 86-03] Federally Enforceable Through Title V Permit

San Joaquin Valley
Air Pollution Control District

PERMIT UNIT: N-2073-2-1 **EXPIRATION DATE:** 10/31/2007

EQUIPMENT DESCRIPTION:
187 HP DIESEL EMERGENCY IC ENGINE SERVING THE MAIN FIRE PUMP.

PERMIT UNIT REQUIREMENTS

1. Particulate matter emissions shall not exceed 0.1 grains/dscf in concentration. Compliance shall be demonstrated by compliance with the other terms and conditions of this permit and by proper operation of the equipment. [District Rule 4201, 3.0] Federally Enforceable Through Title V Permit
2. Operation of the engine, for other than maintenance purposes, shall be limited to emergency use. [District Rule 4701, 3.19] Federally Enforceable Through Title V Permit
3. Operation of the engine for maintenance and testing purposes shall not exceed 200 hours per year. [District Rule 4701, 3.19] Federally Enforceable Through Title V Permit
4. A log of the engine operating hours shall be kept on the premises at all times and shall be made available for District inspection upon request. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
5. Sulfur compound emissions shall not exceed 0.2% by volume, 2000 ppmv, on a dry basis averaged over 15 consecutive minutes. [Stanislaus County Rule 407 and District Rule 4801, 3.0] Federally Enforceable Through Title V Permit
6. Compliance with Stanislaus County Rule 407 and District Rule 4801 may be demonstrated by either using Air Resources Board regulated diesel fuel or by testing the sulfur content of each load of fuel and showing the sulfur content to be less than 3.0% by weight. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
7. If the IC engine is fired on Air Resources Board regulated diesel fuel, with a supplier certified sulfur content less than 3.0% by weight, the operator shall maintain copies of all fuel invoices and supplier certifications. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
8. If the IC engine is not fired on ARB regulated diesel fuel, with a supplier certified sulfur content less than 3.0% by weight, then the owner or operator shall determine the sulfur content of each delivery of diesel fuel being fired in the IC engine using ASTM method D 2880-71. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
9. If the unit is used more than 200 hours per year, operator shall perform a source test for particulate emissions within 6 months of the initial Title V permit issuance. A source test for particulate emissions conducted within the 24 months prior to permit issuance shall be considered compliance with this testing requirement. Source testing for particulate matter shall be performed according to EPA Method 5, stack gas velocity by EPA Method 2, and the stack gas moisture content by EPA Method 4. If the initial PM test result is less than or equal to 0.06 grain/dscf, then testing shall occur not less than once every 5 years. Otherwise testing shall occur not less than once every 24 months. [District Rule 2520, 9.3.2 and District Rule 1081] Federally Enforceable Through Title V Permit
10. Compliance with the conditions in the permit requirements for this unit shall be deemed compliance with District Rule 4201 and Stanislaus County Rule 404 and District Rule 4801 and Stanislaus County Rule 407. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

ATTACHMENT C

Detailed Facility List

Detailed Facility Report

For Facility=2073 and excluding Deleted Permits
Sorted by Facility Name and Permit Number

COVANTA STANISLAUS, INC
4040 FINK RD
CROWS LANDING, CA 95313

FAC # **N 2073**
STATUS: **A**
TELEPHONE: **2098374423**

TYPE: **TitleV**
TOXIC ID: **10746**
EXPIRE ON: 10/31/2007
AREA: 6 /
INSP. DATE: 08/12

PERMIT NUMBER	FEE DESCRIPTION	FEE RULE	QTY	FEE AMOUNT	FEE TOTAL	PERMIT STATUS	EQUIPMENT DESCRIPTION
N-2073-1-3	21.5 MW	3020-07 E	1	54,648.00	54,648.00	A	POWER GENERATION SYSTEM: TWO 400 TON/DAY MUNICIPAL SOLID WASTE COMBUSTOR/BOILERS PRODUCING 21.5 MW OF ELECTRICITY EQUIPPED WITH DRY LIME SCRUBBERS, FLY ASH BAGHOUSE, AMMONIA INJECTION SYSTEM, LIME SLURRY INJECTION, ACTIVATED CARBON INJECTION SYSTEM, LIME AND SODA AND CARBON SILOS WITH FILTER VENTS, WASTE RECEIVING, ASH CONVEYING, AND ASH RESIDUE ENCLOSURE
N-2073-2-1	187 HP	3020-10 B	1	117.00	117.00	A	187 HP DIESEL EMERGENCY IC ENGINE SERVING THE MAIN FIRE PUMP.

Number of Facilities Reported: 1

ATTACHMENT D

EPA Comments / District Responses

EPA Comments / District Responses

Below are the District's responses to the comments from EPA regarding the District's analysis and preliminary decision to renew the Title V permit for Covanta Stanislaus, Inc (District Facility# N-2073).

Comment 1:

Pages 23-24 of the Districts evaluation states that unit N-2073-2-2 is exempt from 40 CFR part 63 subpart ZZZZ because it is an existing CI RICE located at an area source of HAP. The District cites 64.6590(b)(3) to justify the exemption. It appears the District used an outdated version of Subpart ZZZZ, as the requirements summarized are not those currently found in Subpart ZZZZ. Existing industrial CI RICE located at an area source of HAP are subject to the requirements of in Table 2d and the operating limitations in Table 1b and Table 2b (all tables listed in Subpart ZZZZ) that apply. Please review these requirements and reevaluate the engines compliance with 40 CFR part 63 subpart ZZZZ.

District's Response:

The evaluation and permit has been updated to address the latest Subpart ZZZZ requirements.

Comment 2:

Pages 25-26 of the Districts evaluation states that unit N-2073-1 is exempt from CAM for CO, NOx, and SO2 because the unit is equipped with CEMS for these pollutants. CAM does not apply to any of the CO limits because there are no add on-controls for CO. There are add-on controls for NOx and SO2. The NOx limits in Conditions 21, 30, and 31 and the SO2 limits in Conditions 22, 23, 32, and 33 take several forms including ppm @ 12% CO2, pounds per hour, and tons per year. In addition, there are alternative control efficiency (percent reduction) standards for SO2. NOx and SO2 CEMS only measure concentrations in ppm. The TSD should explain how the CO2 CEMS and exhaust gas flow monitors are used to demonstrate compliance with all NOx and SO2 limits and whether the alternative control efficiency standard for SO2 can be monitored and if they need to be monitored.

If the alternative control efficiency standards for SO2 may be necessary to demonstrate compliance with SO2 limits, the CAM plan would need to address operational parameters of the lime injection system or a second SO2 monitor (and flow meter) should be installed upstream of the injection point.

District's Response:

The District concurs that CAM does not apply to CO; the evaluation has been revised to clarify this.

The daily and annual mass emission limits for NOx and SOx in conditions 30 through 33 are addressed by the CEMS using the hourly stack concentrations and volumetric flow rate as specified in condition 59 of permit N-2073-1.

The SO2 concentration limit and control efficiency requirements in condition 23 are NSPS requirements established after November 15, 1990 and are therefore exempt from CAM. Pursuant to 40 CFR 62.2(b)(1)(i), emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to Section 111 or 112 of the Clean Air Act Amendments of 1990 are exempt from CAM.

The concentration limits for NOx and SOx in conditions 21 and 22 are exempt from CAM due to the use of CEMS. The control efficiency requirement in condition 22 is optional and need only be demonstrated if SO2 emissions exceed 30 ppmv. The following condition will be added to ensure compliance:

- *Each time SO2 emissions from each combustion unit exceeds 30 ppmv, dry, corrected to 12% CO2, based on an eight-hour rolling average, facility shall demonstrate that SO2 removal efficiency is at least 80% as measured by EPA Methods 1-4 and 6C, based on the measurement of the inlet and outlet SO2 concentrations. [40 CFR 64] Y*

Comment 3:

Page 26 of the Districts evaluation states that for unit N-2073-1 the only HAPs that could be subject to CAM are particulate HAPs because the baghouse is the only control device that controls HAPs. However, Conditions 49 and 50 subject the unit to acid gas (HF and HCl) standards and the unit is equipped with a lime slurry injection system to control these emissions. Please revise the evaluation to address the applicability of CAM to HF and HCl.

District's Response:

The HAP limit in condition 49 is based on District Rule 4102, which is not federally enforceable and therefore not a part of the Title V permit; therefore, CAM is not applicable. Condition 50 contains two limits. One is a NSPS requirement and is therefore exempt from CAM as explained in Comment 2, and the other is based on District Rule 4102 and therefore not subject to CAM.

Comment 4:

Pages 26-31 of the Districts evaluation states that unit N-2073-1 is subject to CAM for particulate matter and that the unit, which is controlled by a baghouse has a post-control PTE for PM10 above the major source threshold. The

proposed CAM plan consists of a COMS and a pressure differential gauge. This is not acceptable for a source with post control emissions greater than the major source threshold, which requires monitoring every 15 minutes. EPA has determined for similar baghouses that CAM is an air leak detection system or a continuous PM10 emission monitor. A bag leak detection system is the preferred monitoring system for a major source baghouse because opacity and pressure differential monitoring can only detect catastrophic failure of the baghouse. In addition, the permit does not contain parameter monitoring ranges as required by the CAM rule (40 CFR 64.4(a)). See Conditions 112-116.

Since this unit is not currently equipped with either of these devices, the equipment does not satisfy the Part 64 CAM requirements. The Title V permit must be revised to include a compliance schedule for the source to install, calibrate and operate either of the two monitoring devices. The correlation range or conditions would then need to also be incorporated into the Title V permit.

District's Response:

Since the post-control annual emissions exceed the Major Source threshold for PM10, a bag leak detection system or a continuous PM10 emissions monitor would be required to comply with CAM. However, the applicant has stated that they intend to submit an Authority to Construct application to modify the post-control PM10 emissions rate to not exceed the Major Source threshold of 70 tons/yr. The following condition ensures that the facility submits an ATC application to modify the permit and to implement the ATC within six months of the renewed Title V permit being issued.

- *By September 22, 2012, permittee shall apply for an Authority to Construct (ATC) and fully implement one of the following: 1) modify post-control PM10 emissions rate to less than 70 tons/yr or 2) install on the baghouse an air leak detection system or continuous PM10 emissions monitor. [40 CFR 64] Y*

Currently, the baghouse is equipped with a pressure differential gauge, and the exhaust stack is equipped with a continuous opacity monitoring system. The manufacturer recommended pressure differential operating range will be added to the permit to ensure compliance. If the PM10 limit is less than the Major Source threshold of 70 tons/yr, using both the pressure differential gauge with the continuous opacity monitoring system complies with CAM. The following conditions ensure compliance:

- *Opacity exhibited by the gases discharged to the atmosphere from each combustion unit, other than water vapor, shall not exceed 10 percent based on a six minute average as measured by EPA Method 9. [40 CFR 60.33b and 40 CFR Part 64] Y*

- *Upon detecting any excursion from the 10% opacity limit, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as*

expeditiously as practicable. Corrective action shall include the following: inspecting the dust collector system for any tears, abrasions, or holes in the filters; inspecting closed duct systems for damage; and repairing or replacing any defective or damaged material. [40 CFR 64]

- *The facility shall install, calibrate, maintain, and operate a continuous opacity monitoring system in accordance with 40 CFR 60.13 and Appendix B. [40 CFR 60.38b and 40 CFR Part 64] Y*

- *The baghouse shall be equipped with a pressure differential gauge to indicate the pressure drop across the bags. The gauge shall be maintained in good working condition at all times and shall be located in an easily accessible location. [District NSR Rule and 40 CFR Part 64] Y*

- *The baghouse shall operate at all times with a minimum differential pressure of 2 inches water column and a maximum differential pressure of 10 inches water column. [40 CFR Part 64] Y*

- *The baghouse differential operating pressure shall be monitored and recorded on each day the solid waste combustors/boilers operate. The permittee shall compare the readings with the acceptable range. Upon detecting any excursion from the acceptable range pressure readings, the permittee shall investigate the excursion and take corrective action to minimize excessive emissions and prevent recurrence of the excursion as expeditiously as practicable. Corrective action shall include the following: inspecting the dust collector system for any tears, abrasions, or holes in the filters; inspecting closed duct systems for damage; and repairing or replacing any defective or damaged material. [40 CFR Part 64] Y*

ATTACHMENT E

Green Action & Grayson Neighborhood Council Comments / District Responses

Green Action & Grayson Neighborhood Council
Comments / District Responses

Below are the District's responses to the comments from Green Action (letter dated December 5, 2011) and Grayson Neighborhood Council (letter dated December 5, 2011) regarding the District's analysis and preliminary decision to renew the Title V permit for Covanta Stanislaus, Inc (District Facility# N-2073). Comments from Green Action and Grayson Neighborhood Council are identical and will be addressed concurrently below.

Comment #1:

Defective and Vague Notice and Public Comment Period:

The cover letter for the package including the notice sent to Greenaction by the San Joaquin Valley Air Pollution Control District ("Air District") was dated November 3, 2011.

The Air District's cover letter states that "The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of the publication of the public notice."
The "Notice" itself had no date whatsoever on it, the date of publication was not stated, and the starting and ending date of the public comment period were never stated.

As a result of the District's failure to state the specific start or end date of the public comment period, members of the public could not reasonably know the time period within which comments must be submitted.

In addition, as the Air District states that the publication of the notice would be "approximately" three days later, if the comment period began on November 6, 2011, that would mean that the comment period ends prior to the public hearing. If the comment period ends prior to the public hearing, then the public is being misled by being told that their comments would be considered at the public hearing. A legitimate comment period includes the date of the public hearing, but it is unclear if the December 6, 2011 hearing date set by the Air District on this proposed permit renewal is in fact still within the comment period.

The failure of the Air District to provide notice of the dates of the notice, the publication or the comment period is vague and improper and undermines the ability of the public to participate in the permit process. The Air District's failure to provide clear notice and to allow for the required public participation violates the public participation mandate under the Clean Air Act and under the agency's civil rights and environmental justice mandates.

District's Response:

The District complied with all applicable regulatory public noticing requirements with respect to the Notice of Preliminary Decision For the Proposed Renewal of the Federally Mandated Operating Permit and in fact took considerable actions that went far beyond statutory requirements. The District properly published notice of the proposed preliminary decision for the renewal of the Federally Mandated Operating Permit in a newspaper of general circulation, in this case, the Modesto Bee whose distribution covers the area in question. This notice was published according to the federally approved District Rule 2520, which defines the timing and process of such notices. There is no additional direction on public noticing in the District's Environmental Justice Strategy document, contrary to the commenter's claims.

However, the District went far beyond its required notification processes for this project by publishing this notice, as it does all public notices, on the District's website, valleyair.org. This is not required by any rule or regulation, but is part of the District's continuing effort to make information available and accessible. In addition, a summary of the project in English and Spanish was posted on the District's website, with specific contact information for Spanish speakers.

Furthermore, the notice period was extended to December 21, 2011, fifteen days after the hearing. This deadline would have been known to Green Action if they had attended the public hearing that they requested or reviewed the revised project summary or public hearing presentation, both of which were posted on the District's website.

Comment #2:

Air District Failed to Provide Notice of Spanish-Language Translation:

The Air District failed to notify monolingual Spanish-speaking residents that a Spanish-language summary of the proposed project was available. The so-called "notice," which was not sent to any monolingual Spanish-speakers, is entirely in English, making it impossible for monolingual Spanish speakers to read or understand the "notice" even if they happened to see it.

This makes a mockery and farce out of the Air District's claim that they made the process and information accessible to the many Spanish-speakers living in the heavily Latino communities near the incinerator.

District's Response:

The District provided Green Action and Grayson Neighborhood Council with copies of the notice and the Spanish-language summary of the project. The District naturally assumed that both community groups would pass the

information along to the residents they represent who live in Stanislaus County, including the communities of Grayson, Westley, and Patterson on the west side of the county that is closest to the incinerator.

In addition, the District made the Spanish-language summary available via the District's website, and provided this summary to the attendees at the public hearing in Patterson, California on December 6, 2011. During the hearing, the District provided simultaneous Spanish-language interpretation of the proceedings and confirmed the District's commitment to address any comments received in Spanish.

Comment #3:

Air District Demonstrated Pro-Covanta Bias By Allowing the Company to Operate for Four Years Beyond the Expiration Date of the Title V Permit:

According to the Air District's "Title V Permit Renewal Evaluation," Covanta Stanislaus was issued a Title V permit on December 31, 2002 with an expiration date of October 31, 2007.

The so-called public hearing will be held on December 6, 2011, resulting in the five year Title V permit becoming more than a nine year permit due to the Air District's knowing and intentional failure to enforce the five year permit period.

During the last four years since the permit expired and the plant should have stopped burning waste, the Air District ignored repeated requests from Greenaction and the Grayson Neighborhood Council to adhere to the expiration date and begin the permit process for a proposed renewal sought by Covanta. This failure to enforce the Title V permit period misled the public who was told that a Title V permit was a five year permit with an expiration date of October 31, 2007.

This failure to enforce the five year period results in a community being exposed to hazardous and criteria air pollutants for over nine years, almost twice the permit period they were told would exist.

The failure to enforce the expiration date also highlights a discriminatory double standard experienced by low-income people of color in the area. If you are a low-income Latino who continues to drive your car past the expiration date of your driver's license, you will go to jail.

If you are Covanta that emits pollutants into the air past the expiration date of your permit, you get to keep polluting with the blessing of the Air District and US EPA.

The Air District is thus unable or unwilling to enforce the law when it comes to permit conditions, and thus we call on the US EPA to remove the Air District's authority to administer Title V permits.

District's Response:

Covanta Stanislaus, Inc was issued a Title V permit on December 31, 2002 with an expiration date of October 31, 2007. The permit renewal application, received on April 26, 2007, complies with the District Rule 2520 requirement that a renewal application be submitted 6 to 18 months prior to permit expiration. Therefore, the application for renewal is considered timely and complies with the provisions of Section 5.2 of District Rule 2520.

Furthermore, pursuant to Section 8.3 of District Rule 2520, all terms and conditions of the existing permits remain in effect until the renewed permits are issued or denied. Therefore, the permit did not expire and the conditions remained in full force throughout the permitting process.

Comment #4:

Air District's Permit Decision Was Improperly Pre-Determined Before the Public Comment Period Began and the Language Used in the Evaluation Document Demonstrates Bias:

The purpose of this Title V permit process is supposed to be to determine whether or not the permit should be renewed. It is not automatically renewed, as there must be a proper application, a proper evaluation by the regulatory agencies, a proper public comment period with proper public notice, and there must be the ability of the company to assure compliance. In addition, the permit process and permit must comply with applicable civil rights laws in an area such as where the Covanta incinerator is located.

However, the Air District's "Title V Permit Renewal Evaluation" was biased and the decision to approve the renewal application was clearly made even before the notice was published. While it is appropriate for the agency to put out their proposed decision for comment, they are not supposed to tell the public the permit will be approved until all public comments are considered and evaluated.

On page 2 of the "Title V Permit Renewal Evaluation" document, the agency writes that "The existing Title V permit shall be reviewed and modified to reflect all applicable District and federal rules updated, removed, or added since the issuance of the initial Title V permit".

This language used by the Air District clearly implies that the permit will be modified to update it with applicable current laws.

District's Response:

The District is required by law to analyze a Title V permit renewal application for compliance with the applicable regulations, and then arrive at a preliminary determination of compliance or non-compliance, and to provide the public with that preliminary determination and the basis for that preliminary determination. The commenter is incorrect in his statement that this process is improper – on the contrary, it's required by law.

The District complied with all applicable regulatory requirements with respect to the Notice of Preliminary Decision for the Proposed Renewal of the Federally Mandated Operating Permit. Per Section 11.1.4.1 of District Rule 2520, the District is required to provide written notice of the proposed permit and, upon request, copies of the District analysis to interested parties. It should be noted that the notice was for the "proposed" renewal, as required by the federal Clean Air Act and by the District's rules that implement that law.

Comment #5:

Scope of EPA and Public Review:

We do not agree that it is proper for the public to be prohibited from commenting on conditions 1-40 of the "renewed facility wide requirements" as the Air District claims on page 3 of their evaluation documents. A proper review of the applicant's ability to assure compliance with a new Title V permit requires that the public and EPA be able to comment on all proposed permit conditions.

District's Response:

Conditions 1-40 of the "renewed facility wide requirements" are model general template conditions (http://www.valleyair.org/busind/pto/ptoforms/TitleV-templates/UM-00-3.pdf) that have already been reviewed and approved by EPA. Per District Rule 2520, 11.1.7, for permit applications utilizing model general permit templates, public and agency comments on District's proposed actions are limited to the applicant's eligibility for the model general permit template, applicable requirements not covered by the model general permit template, and the applicable procedural requirements of District Rule 2520. Therefore, the template conditions are not subject to any further review.

Comment #6:

Emissions Limits Should Be Based on Analysis of Cumulative impacts:

The Air District fails to consider the impact of emissions from Covanta in combination with the many existing and major proposed pollution sources in the vicinity. Residents living on the west side of Stanislaus County near the

incinerator are exposed to pesticide spraying, massive diesel truck traffic and emissions, poor air quality in the Valley in addition to the incinerator.

The Air District must also evaluate the major Crow's Landing West Park business park development that would cover several thousand acres and include a major rail and freight transportation center. As the construction and operation of this business park and freight transportation center would result in major and ongoing pollution, these impacts need to be considered in evaluating the safety of the Covanta operation in this new environment.

District's Response:

There is no basis in law to base a Title V permit renewal decision on an analysis of cumulative impacts.

Comment #7:

Emissions From Startup, Shutdown and Malfunctions Exempted from Permit Limits:

Permit Unit Requirement 18 says that "During any 3-hour periods of startup, shutdown, and malfunction, the facility shall be exempt from emissions limits..." The proposed permit thus improperly exempts the facility from emissions limits that occur during startup, shutdown and most malfunctions. Emissions from startup, shutdown and malfunctions can be significant and should be considered as part of emissions limits established in a permit. Therefore, this exemption puts residents and the environment at risk of exposure to vast and unknown quantities of toxic and criteria pollutants that are not monitored and are not evaluated in any health analysis.

This permit condition also allows unlimited emissions for up to three hour periods on an unlimited amount of days as long as they are considered part of startup, shutdown or most malfunctions. This permit condition thus would make legal the unanticipated and excess (and potentially very dangerous) emissions for a virtually unlimited amount of time. For example, under this condition, those excess emissions could take place from 9 am to noon, resume at 12:15 pm for another three hours, and continue that pattern apparently for years. This is totally unacceptable and a true threat to public health and the environment.

District's Response:

These specific exemptions are provided by federal requirements in 40 CFR 60 Subpart Cb and Subpart Eb.

Comment #8:

Plumes During Night Operations:

We are concerned that based on our frequent observations during the last nine years of the current (and expired) Title V permit, the plume from the incinerator often appears to be much larger at night than during daytime operations. As inspectors from the county or Air District are not on site in the evenings (or barely anytime), and as a local regulatory official made the outrageous and totally incorrect claim that the Covanta incinerator had no plume at any time, we are very concerned about emissions during the evening hours.

District's Response:

The facility is required to monitor the opacity on a continuous basis. In addition, the District has not made any claims regarding plumes at night and is unaware of the "local regulatory official" who made the claim.

Comment #9:

Inadequate Air Monitoring:

Air toxics should be monitored constantly. Unfortunately the Title V permit allows a company to emit hazardous air pollutants 365 days per year but only requires testing once a year on a day the company knows they are being tested. Without ongoing, daily monitoring of hazardous air pollutants the company cannot truly assure compliance with permit conditions as is required under Title V.

District's Response:

The facility is required to monitor on a continuous basis for NOx, SOx, CO, CO2, opacity, and steam rate to assure proper operation. In addition, the facility is restricted from burning hazardous materials. These combined with the annual source tests reasonably assures compliance with the hazardous air pollutant limits.

Comment #10:

Inadequate Ash Handling Requirements:

Permit Unit Requirement 8 says that "The ash shall be handled in such a manner as to mitigate fugitive emissions to the maximum extent possible." That requirement is vague and inadequate, as it allows emissions that could be harmful to the environment or health. The permit only requires an annual inspection of the enclosure for the ash, and we do not believe that is the

"maximum extent possible" as it could allow excess emissions for an extended time period.

District's Response:

The facility is required to maintain visible emissions to no more than 5% opacity, as required by 40 CFR 60.36b and 40 CFR 60.55b. There are no ash handling requirements that this facility does not comply with.

Comment #11:

Violation of the Civil Rights of Low-Income, Latino and Spanish-speaking residents:

As a recipient of state and federal funds, the Air District is subject to state and federal civil rights laws that prohibit a recipient of funds to take actions that have a discriminatory and disproportionate impact on protected classes of people.

As the Covanta incinerator is located on the west side of Stanislaus County which is an area heavily populated by low-income Latinos and Spanish-speakers, the Air District's actions must not violate the civil rights of these residents.

As detailed in these comments, the Air District's failure to enforce the five year time period for a Title V permit, their failure to notify most residents of the permit process, the vague and defective notice, the failure to provide meaningful or effective notice of the availability of a Spanish-language project summary, the defects in the permit including bias and inadequate analysis will result in a discriminatory and disproportionate impact on these residents.

In addition, all three garbage incinerators in the State of California are located in areas primarily populated by low-income people of color. This discriminatory siting cannot be condoned or continued by government agencies that must protect the civil rights of all residents, not just the 1% like Covanta who profit from pollution. For these reasons, the proposed Title V permit renewal application must be denied.

District's Response:

The District categorically denies the violation of the civil rights of anyone as explained in the above responses.

ATTACHMENT F

Public Hearing Comments / District Responses

Public Hearing Comments / District Responses

Below are the District's responses to the public hearing comments regarding the District's analysis and preliminary decision to renew the Title V permit for Covanta Stanislaus, Inc (District Facility# N-2073). This was held on December 6, 2011 at the Patterson Library on 46 North Salado Avenue in Patterson, CA.

The purpose of the hearing was to address the District's analysis of the Title V renewal. However, no comments pertained to the District's analysis.

Comment #1:

One individual stated that he represented both the Grayson Neighborhood Council and Green Action. He stated that he opposes the renewal of this facility and read written comments that had already been submitted to the District.

District's Response:

Comments are addressed in Attachment E of this evaluation.

Comment #2:

One individual expressed opposition to the renewal, stating that the west side where the facility is located has become a "dumping ground" and that the late renewal is not acceptable.

District's Response:

The facility is in compliance with all federal, state, and local air pollution regulations.

Comment #3:

One individual questioned whether dioxin is monitored and if there are any other hazardous metals. She expressed concern regarding the impact of the transportation of ash on groundwater. She also asked why the notice was not published in the "Patterson Irrigator" and why only in English.

District's Response:

The facility is currently required to source test for dioxins annually. Proper operation is ensured by continuous monitors for opacity, NOx, CO, CO2, SOx, and the steam generation rate. The District does not have jurisdiction over groundwater. The notice was published as required by District Rule 2520 and also submitted with Spanish summaries to the Grayson Neighborhood Council and Green Action, the two groups representing the communities nearby Covanta.

Comment #4:

One individual stated that based on his research, he believes the asthma and breathing problems in the area are due to emissions from Covanta.

District's Response:

A Health risk assessment was previously prepared by the District in accordance with Health Risk Assessment guidelines provided by the California Office of Environmental Health Hazard Assessment and Air Quality Modeling Guidelines provided by U.S. EPA. It was concluded that the facility's contribution to cumulative risk was determined not to be significant.

Comment #5:

A consultant for Covanta responded to the public's comments, explaining that the facility employs parametric monitoring (steam rate, opacity, etc.) for hazardous air pollutants and that ash is transferred to an onsite ash landfill to ensure safe and proper disposal.

District's Response:

Comments noted.

Comment #6:

One individual does not believe the risk assessments are accurate since it does not account for those who are unhealthy.

District's Response:

Health risk assessments prepared by the District are performed in accordance with Health Risk Assessment guidelines provided by the California Office of Environmental Health Hazard Assessment and Air Quality Modeling Guidelines provided by U.S. EPA. In addition, a health risk assessment is not required as part of the Title V renewal process.

Comment #7:

One individual asked for assistance from the District to find out what is being burned and where it is coming from.

District's Response:

Potential sources for this information include CalRecycle (http://www.calrecycle.ca.gov/) and the County Of Stanislaus (http://www.stancounty.com/). The District will work with commenter.