GACT 6J - Condition #3 – Liquid Fuel Category (NO CONTROLS) >=10 MMbtu/hr (NEW SOURCES – commenced construction after 6/4/10)

Note to permit engineer: Remove the appropriate portion of the sentences that indicate XXXXXX or "upon startup of the source, whichever is later" if it is clear which will be the triggering date. Also, if the boiler does not have gas capability, remove item d.vi.

Permit Condition (GACT 6J) for 40 CFR 63, Subpart JJJJJJ, "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers"

1. GENERALLY AVAILABLE CONTROL TECHNOLOGY - For the (EQUIPMENT SELECTED), the Permittee shall comply with all applicable provisions, including the notification, testing, and monitoring requirements contained in Environmental Management Commission Standard 15A NCAC 2D .1111, as promulgated in 40 CFR 63, Subpart JJJJJJ, "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers", including Subpart A "General Provisions." This permit condition contains requirements for new sources in the oil subcategory.

   Note to Permittee: 40 CFR 63 Subpart JJJJJJ is currently under reconsideration by the US Environmental Protection Agency. You are responsible for any changes to the rule that may be promulgated and you are encouraged to periodically check for updates.

   a. Compliance Dates (40 CFR 63.11196) - The owner or operator of a new source must achieve compliance by May 20, 2011 or upon startup of the source, whichever is later.

   b. Compliance Requirements - As required by 15A NCAC 2D .1111, the Permittee shall comply with the following requirements:

      i. The Permittee must achieve less than or equal to the following emission limits, except during periods of startup and shutdown:

Affected Facility	Pollutant	Emission Limit
(EQUIPMENT SELECTED)	Particulate matter	0.03 lb per MMBtu of heat input

      The Permittee shall maintain the operating load of each unit such that it does not exceed 110 percent of the average operating load recorded during the most recent performance stack test.

      ii. General Duty Clause (40 CFR 63.11205(a)) – At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner

consistent with safety and good air pollution control practices for minimizing emissions.

iii. Startup/Shutdown (40 CFR 63.11214(d)) – The Permittee shall minimize the boiler's startup and shutdown periods following the manufacturer's recommended procedures, if available. If manufacturer's recommended procedures are not available, the Permittee shall follow recommended procedures for a unit of similar design for which manufacturer's recommended procedures are available.

iv. Boiler Tune-up (40 CFR 63.11223) – An initial boiler tune-up is required by May 20, 2011 or upon startup of the source, whichever is later. A biennial tune-up is also required and shall be conducted no more than 25 months after the previous tune-up. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup. The tune-up shall include the following:

A. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the Permittee may delay the burner inspection until the next scheduled unit shutdown, but must inspect each burner at least once every 36 months).

B. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.

C. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly.

D. Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available.

E. Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).

F. Maintain onsite a biennial report (in addition to the annual report requirements of item d.iv. below) containing:

I. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler.

II. A description of any corrective actions taken as a part of the tune-up of the boiler.

III. The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler.

c. Performance Testing Requirements (Initial and Ongoing Triennial Testing) - As required by 15A NCAC 2D .1111, the following performance tests shall be conducted:

Affected Facility	Pollutant	Test Method
(EQUIPMENT SELECTED)	Particulate Matter	Method 5

i. All performance tests shall be conducted in accordance with EPA Reference Methods, contained in 40 CFR 60, Appendix A;

ii. The EPA Administrator retains the exclusive right to approve equivalent and alternative test methods, continuous monitoring procedures, and reporting requirements;

iii. Initial Performance Testing - The Permittee shall conduct the required initial performance test by September 17, 2011 or within 180 days of startup, whichever is later. The results of this test shall be submitted with the Notification of Compliance Status.

iv. Ongoing Triennial Performance Testing - The Permittee shall conduct all applicable performance tests according to 40 CFR 63.11212 on a triennial basis. Triennial performance tests must be completed no more than 37 months after the previous performance test. The results of this test shall be submitted with the Notification of Compliance Status.

v. The Permittee shall conduct performance stack tests at the representative operating load conditions while burning the type of fuel or mixture of fuels that have the highest emissions potential for each regulated pollutant.

vi. All associated testing costs are the responsibility of the Permittee;

vii. At least 60 days prior to performing any required emissions testing, the Permittee shall submit two copies of a testing protocol to the Regional Supervisor, DAQ for review and approval. All testing protocols must be approved by the DAQ prior to performing such tests; and

viii. To afford the Regional Supervisor, DAQ, the opportunity to have an observer present, the Permittee shall PROVIDE the Regional Office, in WRITING, at least 15 days notice of any required performance test.

ix. Electronic Stack Data Test Reporting to EPA – Per 40 CFR 63.11225(e), as of January 1, 2012 and within 60 days after the date of completing each

performance test, the facility must submit relative accuracy test audit (i.e., reference method) data and performance test (i.e., compliance test) data, except opacity data, electronically to EPA's Central Data Exchange (CDX).

d. Notification and Reporting Requirements – In addition to the notification and reporting requirements of the Environmental Protection Agency (EPA), the Permittee is required to NOTIFY the Regional Supervisor, DAQ, in WRITING, of the following:

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

ii. Initial Notification (per 40 CFR 63.9(b) and 40 CFR 63.11225(a)(2)) is required by September 17, 2011 or within 120 days after startup, whichever is later.

iii. Notification of Compliance Status (per 40 CFR 63.9(h) and 40 CFR 63.11225(a)(4)) is required within 60 days of conducting the initial performance test AND within 60 days of conducting subsequent performance tests. If this notification does not include the tune-up, you can re-submit a notification for the tune-up by September 17, 2011, or within 120 days of startup, whichever is later. The Permittee must submit a signed statement in the Notification of Compliance Status report that indicates that you conducted startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available.

iv. Annual Compliance Report must be prepared by March 1 of each year and submitted upon request, unless the source experiences any deviations from the applicable requirements then the report must be submitted by March 15. The report must meet the requirements of 40 CFR 63.11225(b)(1-4).

v. Notification of Excess Emissions During a Malfunction (per 40 CFR 63.11226)

A. Notify by telephone or facsimile (FAX) transmission as soon as possible, but no later than two business days after the initial occurrence of the malfunction, if the Permittee wishes to avail itself of an affirmative defense to civil penalties for that malfunction.

B. Submit a written report to the Regional Supervisor within 45 days of the initial occurrence of the exceedance of the standard in 40 CFR 63.11201 to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in (40 CFR 63.11226(a)).

vi. Fuel switching: If you intend to switch fuels, and this fuel switch may result in the applicability of a different subcategory or a switch out of Subpart JJJJJJ due to a switch to 100 percent natural gas, you must provide 30 days prior notice of the date upon which you will switch fuels (40 CFR 63.11225(g)). **If you switch to the gas-fired boiler category, the requirements of this permit condition (applicable to the oil subcategory) no longer apply.**

e. Recordkeeping Requirements – In addition to any other recordkeeping requirements of the EPA, the Permittee shall maintain the following records as defined under 40 CFR 63.11225(c):

i. Copies of all required notifications.

ii. Keep records to document conformance with the work practices, emission reduction measures, and management practices:

A. Tune-up records - records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.

B. Records documenting the fuel type(s) used monthly by each boiler, including, but not limited to, a description of the fuel, including whether the fuel has received a nonwaste determination by the Permittee or EPA, and the total fuel usage amount with units. If the Permittee combusts nonhazardous secondary materials that have been determined not to be solid waste pursuant to 40 CFR 241.3(b)(1), the Permittee must keep a record which documents how the secondary material meets each of the legitimacy criteria. The records may be annual, monthly, or periodic, depending on fuel delivery frequencies.

iii. Keep the following records of malfunctions:

A. Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.

B. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in 40 CFR 63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.

iv. Record Retention – The permittee shall keep each record for 5 years following the date of each recorded action.