Peter Pan Seafood Company, LLC (Peter Pan)
Comments on
Draft Renewal Air Quality Control Operating Permit No. AQ0243TVP05 (Draft Operating Permit) /
Draft Statement of Basis
for the
King Cove Facility
January 5, 2023

Peter Pan would like to thank Kathie Mulkey for her excellent work and attention to detail during the preparation of this Draft Operating Permit.

General Comments:

There were several typographical errors and inconsistent use of certain terms that have been identified and corrected in the attached MS Word redline/strikeout edited Draft Operating Permit. Those instances are only identified in the attached MS Word redline/strikeout document.

Specific Comments on the Draft Operating Permit:

Condition 6.2: Draft Operating Permit Condition 6.2 refers to "stack diameter" without specifying what stack diameter is being measured.

Peter Pan requests that reference to "stack diameter" at Condition 6.2 of the Draft Operating Permit be revised to "stack exit internal diameter" for clarity.

Condition 13.1.a(ii)(B): Draft Operating Permit Condition 13.1.a(ii)(B) contains an extraneous ";or" at the end of the Condition that could be interpreted to link Condition 13.1.b to Condition 13.1.a(ii)(B). Peter Pan believes this to be a typographical error that makes Condition 13.1 overly confusing.

If not, and if ADEC intends for monthly fuel sulfur content testing in all diesel storage tanks to be performed in addition to the other requirements of Condition 13.1.a, then Peter Pan strenuously objects to this requirement because it requires Peter Pan to "Test the sulfur content of the fuel in each diesel storage tank at least monthly." According to the Draft Statement of Basis (SOB), this Condition is in the Draft Operating Permit because "The King Cove Facility uses diesel fuel, fish oil, and/or used oil blends to run emissions units at the stationary source. Fuel sulfur testing will verify compliance with the SO_2 emission standard. Liquid fuel containing no more than 0.75 percent sulfur by weight will always comply with the emission standard."

Fish oil and used oil already have sulfur content monitoring requirements (Conditions 13.3 and 15.1, respectively) in the Draft Operating Permit because the sulfur content of these fuels can vary. However, the only diesel fuel available in the United States is Ultra-Low Sulfur Diesel (ULSD) with a sulfur content lower than 0.0015 percent, by weight. This is well below the threshold that would cause ADEC to be concerned with Peter Pan exceeding the Sulfur Compound Emissions Limit of 500 ppm averaged over three hours at Condition 12 of the Draft Operating Permit.

Peter Pan is already required to maintain documentation of the fuel grade and fuel sulfur content of each shipment of diesel fuel (Condition 13.1 of the Draft Operating Permit) received at the King Cove Facility. Because no shipment of diesel fuel to the King Cove Facility can have a fuel sulfur content greater than 0.0015 percent, by weight, it is impossible for Peter Pan to have a tank of diesel fuel that is greater than 0.0015 percent, by weight.

Peter Pan requests that either the ";or" at the end of Draft Operating Permit Condition 13.1.a(ii)(B) be removed because Condition 13.1.b is just another option under Condition 13.1, or Condition 13.1.b be removed because it is unnecessary to demonstrate compliance with the Sulfur Compound Emissions Limit of 500 ppm averaged over three hours at Condition 12 of the Draft Operating Permit if ADEC intends for Peter Pan to test the fuel sulfur content of each diesel storage tank on a monthly basis in addition to the other requirements of Condition 13.1.

Condition 39.5: Draft Operating Permit Condition 39.5 required Peter Pan to keep records of information identified in permit conditions, but does not specify what permit conditions. Peter Pan believes that the permit conditions in question are Conditions 39.5.a through f.

Peter Pan requests that Condition 39.5 be revised to "information identified in Conditions 39.5.a through f below."

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR QUALITY OPERATING PERMIT

Permit No. AQ0243TVP05 Issue Date: [Public Comment - December 7, 2022]
Expiration Date: [Five Years]

The Alaska Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, **Peter Pan Seafood Company, LLC**, for the operation of the **King Cove Facility**.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

Citations listed herein are contained within the effective version of 18 AAC 50 at permit issuance. All federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

All currently applicable stationary source-specific terms and conditions of Air Quality Control Minor Permit AQ0243MSS02 Rev 1 and AQ0243MSS03 Rev 1 have been incorporated into this operating permit.

Upon effective date of this permit, Operating Permit AQ0243TVP04 expires.

This Operating Permit becomes effective January 6, 2023.

James R. Plosay, Manager
Air Permits Program

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Abbreviations and Acronyms

AAC.....Alaska Administrative Code
ADEC .....Alaska Department of Environmental Conservation
Administrator.....EPA and the Department
AOS .....Air Online Services
AS .....Alaska Statutes
ASTM.....American Society for Testing and Materials
BACT .....best available control technology
CAA or The Act .Clean Air Act
CDX.....Central Data Exchange
CEDRI .....Compliance and Emissions Data Reporting Interface
CFR .....Code of Federal Regulations
CO .....carbon monoxide
CO_2e .....CO_2-equivalent
Department .....Alaska Department of Environmental Conservation
dscf .....dry standard cubic foot
EPA .....US Environmental Protection Agency
EU ID .....emissions unit identification number
GACT .....Generally Available Control Technology
GAPCP .....Good Air Pollution Control Practice
GHG .....Greenhouse Gas
gr/dscf.....grain per dry standard cubic foot (1 pound = 7000 grains)
HAP .....hazardous air pollutants [as defined in AS 46.14.990]
hp.....horsepower
kPa.....kiloPascals
LAER.....lowest achievable emission rate
MACT .....maximum achievable control technology [as defined in 40 CFR 63]
MMBtu/hr.....million British thermal units per hour
MMscf .....million standard cubic feet
MR&R.....monitoring, recordkeeping, and reporting
NAICS.....North American Industrial Classification System
NESHAP .....National Emission Standards for Hazardous Air Pollutants [as contained in 40 CFR 61 and 63]
NH_3.....ammonia
NO_x.....nitrogen oxides
NSPS .....New Source Performance Standards [as contained in 40 CFR 60]
O & M .....operation and maintenance
O_2 .....oxygen
Pb .....lead
PM.....particulate matter
PM_{10} .....particulate matter less than or equal to a nominal 10 microns in diameter
$PM_{2.5}$.....particulate matter less than or equal to a nominal 2.5 microns in diameter
ppm .....parts per million
ppmv, ppmvd .....parts per million by volume on a dry basis
psia .....pounds per square inch (absolute)
PSD .....prevention of significant deterioration
PTE .....potential to emit
SIC. .....Standard Industrial Classification
SIP.....State Implementation Plan
SPC .....Standard Permit Condition
SO_2 .....sulfur dioxide
tpy .....tons per year
VOC .....volatile organic compound [as defined in 40 CFR 51.100(s)]
VOL .....volatile organic liquid [as defined in 40 CFR 60.111b, Subpart Kb]
vol% .....volume percent
wt% .....weight percent
wt%S_{fuel} .....weight percent of sulfur in fuel

Section 1. Stationary Source Information

Identification

Permittee:		**Peter Pan Seafood Company, LLC** 3015 112th Avenue NE Suite 150 Bellevue, WA 98004
Stationary Source Name:		**King Cove Facility**
Location:		55.06 North; 162.32 West
Physical Address:		500 Cannery Row, P. O. Box 16 King Cove, AK 99612
Owner/Operator:		**Peter Pan Seafood Company, LLC** 3015 112th Avenue NE Suite 150 Bellevue, WA 98004
Permittee's Responsible Official:		Jon Hickman, Executive VP of Operations 3015 112th Avenue NE Suite 150 Bellevue, WA 98004 206-727-7247
Designated Agent:		Dale Schiffler, Director of Administration 3015 112th Avenue NE Suite 150 Bellevue, WA 98004 206-727-7240
Stationary Source and Building Contact:		Colby Boulton, Plant Manager 3015 112th Avenue NE Suite 150 Bellevue, WA 98004 206-727-7218
Fee Contact:		Dale Schiffler, Director of Administration 3015 112th Avenue NE Suite 150 Bellevue, WA 98004 206-727-7240 dales@ppsf.com
Permit Contact:		Colby Boulton, Plant Manager 3015 112th Avenue NE Suite 150 Bellevue, WA 98004 206-727-7218 colbyb@ppsf.com
Process Description:	SIC Code	2091 / 2092: Canned and Cured Fish / Prepared Fresh or Frozen Fish
	NAICS Code:	311710: Seafood Product Preparation and Packaging

[18 AAC 50.040(j)(3) & 50.326(a)]
[40 CFR 71.5(c)(1) & (2)]

Section 2. Emissions Unit Inventory and Description

Emissions units (EUs) listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. Emissions unit descriptions and ratings are given for identification purposes only.

Table A - Emissions Unit Inventory

EU ID	Emissions Unit Name/ Description	Fuel	Rating/Size	Construction/ Installation
1a	Boiler #1 /Johnston PFTA 500-4	Diesel	19.45 MMBtu/hr	2022
2	Boiler #2 /Seattle HS 1460	Diesel/Used Oil	9.575 MMBtu/hr	1993
3a	Boiler #3 /Seattle HPFWB-1650 w/IC D-145	Diesel/Used Oil	15.12 MMBtu/hr	2006
4a	Boiler #4 /Johnston PFTA 500-4	Diesel	19.45 MMBtu/hr	2022
5	Boiler #5 /Kewanee MBH 600	Diesel/Fish Oil	26.64 MMBtu/hr	1990
6	Diesel Drive Refrigeration Screw Compressor, Caterpillar 3412	Diesel	1.54 MMBtu/hr	1987
7	Powerhouse Generator #1, CAT 3606	Diesel	1,500 kW	1988
8	Powerhouse Generator #2, CAT 3516	Diesel	1,100 kW	1993
9	Powerhouse Generator #3, CAT 3512	Diesel	810 kW	1988
10a	Engine #2 /Caterpillar 3512TA	Diesel	1,135 kW	1987/2021
11	Atlas Stord LT 4.5 Dyno Jet Fish Meal Dryer, Ray Model BGE 500	Diesel/Fish Oil	19.67 MMBtu/hr	1998
28	Vapor Extraction System, Serial # AB1554477	Diesel	66 cfm	1993
35	Various Home Heating Units	Diesel	8.1 MMBtu/hr	Various
36	Various refrigeration equipment	NA	Greater than 10,000 pounds of anhydrous ammonia	NA

Notes:
1. EU ID 35 consists of various home heating equipment, each considered insignificant under 18 AAC 50.326(g)(7).
2. EU ID 36 is subject to the requirements of 40 CFR 68 (Condition 42) for anhydrous ammonia storage.
3. EU ID 28 is part of a soil remediation system that has not operated since 2004. Actual emissions are currently insignificant. The Permittee wants EU ID 28 to remain in the inventory.

[18 AAC 50.326(a)]
[40 CFR 71.5(c)(3)]

Section 3. State Requirements

Visible Emissions Standard

1. Industrial Process and Fuel-Burning Equipment Visible Emissions. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.040(j)(4), 50.055(a)(1), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(1)]

1.1. For EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 monitor, record, and report in accordance with Conditions 2 through 4.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)]

Visible Emissions Monitoring, Recordkeeping, and Reporting (MR&R)

Liquid Fuel-Burning Equipment

2. Visible Emissions Monitoring. When required by Condition 1.1, or in the event of replacement[1] during the permit term, the Permittee shall observe the exhaust of EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 for visible emissions using either the Method 9 Plan under Condition 2.3 or the Smoke/No-Smoke Plan under Condition 2.4.

2.1. The Permittee may change the visible emissions monitoring plan for an emissions unit at any time unless prohibited from doing so by Condition 2.5.

2.2. The Permittee may, for each unit, elect to continue the visible emissions monitoring schedule specified in Conditions 2.3.b through 2.3.e or Conditions 2.4.b through 2.5 that remains in effect from a previous permit.

2.3. **Method 9 Plan.** For all observations in this plan, observe emissions unit exhaust following 40 CFR 60, Appendix A-4, Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations.[2]

a. First Method 9 Observation. Except as provided in Condition 2.2 or Condition 2.5.c(ii), observe the exhausts of EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 according to the following criteria:

(i) For any unit, observe emissions unit exhaust within 14 calendar days after changing from the Smoke/No-Smoke Plan under Condition 2.4.

(ii) Except as provided in Condition 2.3.a(iii), for any of EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11, observe exhaust within six months after the effective date of this permit.

1 "*Replacement*," as defined in 40 CFR 51.166(b)(32).
2 Visible emissions observations are not required during emergency operations.

(iii) For any unit replaced, observe exhaust within 60 days of the newly installed emissions unit becoming fully operational.[3] Except as provided in Condition 2.3.e, after the First Method 9 observation:

(A) For EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11, continue with the monitoring schedule of the replaced emissions unit.

b. Monthly Method 9 Observations. After the first Method 9 observation conducted under Condition 2.3.a, perform observations at least once in each calendar month that the emissions unit operates.

c. Semiannual Method 9 Observations. After at least three monthly observations under Condition 2.3.b unless a six-consecutive-minute average opacity is greater than 15 percent and one or more individual observations are greater than 20 percent, perform semiannual observations

(i) no later than seven months, but not earlier than five months, after the preceding observation; or

(ii) for an emissions unit with intermittent operations, during the next scheduled operation immediately following seven months after the preceding observation.

d. Annual Method 9 Observations. After at least two semiannual observations under Condition 2.3.c, unless a six-consecutive-minute average opacity is greater than 15 percent and one or more individual observations are greater than 20 percent, perform annual observations

(i) no later than 12 months, but not earlier than 10 months, after the preceding observation; or

(ii) for an emissions unit with intermittent operations, during the next scheduled operation immediately following 14 months after the preceding observation.

e. Increased Method 9 Frequency. If a six-consecutive-minute average opacity is observed during the most recent set of observations to be greater than 15 percent and one or more individual observations are greater than 20 percent, then increase or maintain the observation frequency for that emissions unit to at least monthly intervals as described in Condition 2.3.b, and continue monitoring in accordance with the Method 9 Plan.

2.4. **Smoke/No Smoke Plan.** Observe the emissions unit exhaust for the presence or absence of visible emissions, excluding condensed water vapor.

a. Initial Monitoring Frequency. Observe the emissions unit exhaust during each calendar day that the emissions unit operates for a minimum of 30 days.

3 "*Fully operational*" means upon completion of all functionality checks and commissioning after unit installation. "*Installation*" is complete when the unit is ready for functionality checks to begin.

b. Reduced Monitoring Frequency. If the emissions unit operates without visible emissions for 30 consecutive operating days as required in Condition 2.4.a, observe the emissions unit exhaust at least once in every calendar month that the emissions unit operates.

c. Smoke Observed. If visible emissions are observed, comply with Condition 2.5.

2.5. **Corrective Actions Based on Smoke/No Smoke Observations.** If visible emissions are present in the emissions unit exhaust during an observation performed under the Smoke/No Smoke Plan under Condition 2.4, then the Permittee shall either begin the Method 9 Plan under Condition 2.3 or

a. initiate actions to eliminate visible emissions from the emissions unit within 24 hours of the observation;

b. keep a written record of the starting date, the completion date, and a description of the actions taken to reduce visible emissions; and

c. after completing the actions required under Condition 2.5.a,

(i) conduct smoke/no smoke observations in accordance with Condition 2.4

(A) at least once per day for the next seven operating days and, if applicable, until the initial 30-day observation period under Condition 2.4.a is completed; and

(B) continue as described in Condition 2.4.b; or

(ii) if the actions taken under Condition 2.5.a do not eliminate the visible emissions, or if subsequent visible emissions are observed under the schedule under Condition 2.5.c(i)(A), then observe the emissions unit exhaust using the Method 9 Plan unless the Department gives written approval to resume observations under the Smoke/No Smoke Plan. After observing visible emissions and making observations under the Method 9 Plan, the Permittee may at any time take corrective action that eliminates visible emissions and restart the Smoke/No Smoke Plan under Condition 2.4.a.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(i)]

3. Visible Emissions Recordkeeping. The Permittee shall keep records as follows:

3.1. For all Method 9 observations,

a. the observer shall record the following:

(i) the name of the stationary source, emissions unit and location, emissions unit type, observer's name and affiliation, and the date on the Visible Emissions Observation Form in Section 11;

(ii) the time, estimated distance to the emissions location, sun location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), plume background, and operating rate (load or fuel consumption rate or best estimate, if unknown) on the sheet at the time opacity observations are initiated and completed;

(iii) the presence or absence of an attached or detached plume and the approximate distance from the emissions outlet to the point in the plume at which the observations are made;

(iv) opacity observations to the nearest five percent at 15-second intervals on the Visible Emission Observation Form in Section 11; and

(v) the minimum number of observations required by the permit; each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

b. To determine the six-consecutive-minute average opacity,

(i) divide the observations recorded on the record sheet into sets of 24 consecutive observations;

(ii) sets need not be consecutive in time and in no case shall two sets overlap;

(iii) for each set of 24 observations, calculate the average by summing the opacity of the 24 observations and dividing this sum by 24; and

(iv) record the average opacity on the sheet.

c. Calculate and record the highest six-consecutive- and 18-consecutive-minute average opacities observed.

3.2. If using the Smoke/No Smoke Plan under Condition 2.4, record the following information in a written log for each observation and submit copies of the recorded information upon request of the Department:

a. the date and time of the observation;

b. the EU ID of the emissions unit observed;

c. whether visible emissions are present or absent in the emissions unit exhaust;

d. a description of the background to the exhaust during the observation;

e. if the emissions unit starts operation on the day of the observation, the startup time of the emissions unit;

f. name and title of the person making the observation; and

g. operating rate (load or fuel consumption rate or best estimate**,** if unknown).

3.3. The records required by Conditions 3.1 and 3.2 may be kept in electronic format.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(ii)]

4. Visible Emissions Reporting. The Permittee shall report as follows:

4.1. In the first operating report required in Condition 75 under this permit term, the Permittee shall state the intention to either continue the visible emissions monitoring schedule in effect from the previous permit or reset the visible emissions monitoring schedule.

4.2. Include in each operating report required under Condition 75 for the period covered by the report:

a. which visible emissions plan under Condition 2 was used for each emissions unit; if more than one plan was used, give the time periods covered by each plan;

b. for all Method 9 Plan observations:

(i) copies of the observation results (i.e., opacity observations) for each emissions unit, except for the observations the Permittee has already supplied to the Department; and

(ii) a summary to include:

(A) number of days observations were made;

(B) highest six-consecutive- and 18-consecutive-minute average opacities observed; and

(C) dates when one or more observed six-consecutive-minute average opacities were greater than 20 percent;

c. for each emissions unit under the Smoke/No Smoke Plan, the number of days that smoke/no smoke observations were made and which days, if any, that visible emissions were observed; and

d. a summary of any monitoring or recordkeeping required under Conditions 2 and 3 that was not done.

4.3. Report under Condition 74:

a. the results of Method 9 observations that exceed 20 percent average opacity for any six-consecutive-minute period; and

b. if any monitoring under Condition 2 was not performed when required, report within three days of the date that the monitoring was required.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

Particulate Matter (PM) Emissions Standard

5. Industrial Process and Fuel-Burning Equipment PM Emissions. The Permittee shall not cause or allow PM emitted from EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.040(j)(4), 50.055(b)(1), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(1)]

5.1. For EU IDs 6 through 10a, monitor, record and report in accordance with Conditions 6 through 8.

5.2. For EU IDs 1a, 2, 3a, 4a, 5, and 11 monitor, record and report in accordance with Conditions 9 through 11.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)]

Particulate Matter MR&R

Liquid Fuel-Burning Engines

6. Particulate Matter Monitoring. The Permittee shall conduct source tests on EU IDs 6 through 10a to determine the concentration of PM in the exhaust of each of the emissions units as follows:

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(i)]

6.1. If the result of any Method 9 observation conducted under Condition 2.3 for any of EU IDs 6 through 10a is greater than the criteria under Condition 6.2.a or Condition 6.2.b, the Permittee shall, within six months of that Method 9 observation, either:

a. take corrective action and observe the emissions unit exhaust under load conditions comparable to those when the criteria were exceeded, following 40 CFR 60, Appendix A-4 Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations, to show that emissions are no longer greater than the criteria under Condition 6.2; or

b. except as exempted in Condition 6.4, conduct a PM source test according to requirements set out in Section 6.

6.2. Take corrective action or conduct a PM source test, in accordance with Condition 6.1, if any Method 9 observation under Condition 2.3 results in an 18-minute average opacity greater than

a. 20 percent for an emissions unit with an exhaust stack exit internal diameter that is equal to or greater than 18 inches; or

b. 15 percent for an emissions unit with an exhaust stack exit internal diameter that is less than 18 inches, unless the Department has waived this requirement in writing.

6.3. During each one-hour PM source test run under Condition 6.1.b, observe the emissions unit exhaust for 60 minutes in accordance with Method 9 and calculate the highest 18-consecutive-minute average opacity measured during each one-hour test run. Submit a copy of these observations with the source test report.

6.4. The PM source test requirements in Condition 6.1.b are waived for an emissions unit if

a. a source test on that unit has shown compliance with the PM standard during this permit term; or

b. corrective action was taken to reduce visible emissions and two consecutive 18-minute Method 9 visible emissions observations (as described in Condition 2.3) conducted thereafter within a six-month period show visible emissions less than the threshold in Condition 6.2.

7. Particulate Matter Recordkeeping. The Permittee shall comply with the following:

7.1. Keep records of the results of any source test and visible emissions observations conducted under Condition 6.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(ii)]

8. Particulate Matter Reporting. The Permittee shall report as follows:

8.1. Notify the Department of any Method 9 observation results that are greater than the threshold of either Condition 6.2.a or 6.2.b within 30 days of the end of the month in which the observations occurred. Include the dates, EU ID(s), and results when an observed 18-minute average opacity was greater than an applicable threshold in Condition 6.2.

8.2. In each operating report under Condition 75, include:

a. a summary of the results of any PM source test and visible emissions observations conducted under Condition 6; and

b. copies of any visible emissions observation results greater than the thresholds under Condition 6.2, if they were not already submitted.

8.3. Report in accordance with Condition 74:

a. anytime the results of a PM source test exceed the PM emissions standard in Condition 5; or

b. if the requirements under Condition 6.1 were triggered and the Permittee did not comply on time with either Condition 6.1.a or 6.1.b. Report the deviation within 24 hours of the date compliance with Condition 6.1 was required.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

Liquid Fuel-Burning Boilers and Fish Meal Dryer

9. Particulate Matter Monitoring. The Permittee shall conduct source tests on EU IDs 1a, 2, 3a, 4a, 5, and 11 to determine the concentration of PM in the exhaust of each emissions unit as follows:

9.1. If the result of any Method 9 observation conducted under Condition 2.3 for any of EU IDs 1a, 2, 3a, 4a, 5, and 11 results in an 18-minute average opacity greater than 20 percent opacity, the Permittee shall, within six months of that Method 9 observation, either:

a. take corrective action and observe the emissions unit exhaust under load conditions comparable to those when the criteria were exceeded, following 40 CFR 60, Appendix A-4 Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations, to show that emissions are no longer greater than an 18-minute average opacity of 20 percent; or

b. except as exempted under Condition 9.3, conduct a PM source test according to the requirements in Section 6.

9.2. During each one-hour PM source test run under Condition 9.1, observe the emissions unit exhaust for 60 minutes in accordance with Method 9 and calculate the highest 18-consecutive-minute average opacity measured during each one-hour test run. Submit a copy of these observations with the source test report.

9.3. The PM source test requirement in Condition 9.1 is waived for an emissions unit if:

a. a source test on that unit has shown compliance with the PM standard during the permit term; or

b. corrective action was taken to reduce visible emissions and two consecutive 18-minute Method 9 visible emissions observations (as described in Condition 2.3) conducted thereafter within a six-month period show visible emissions less than the threshold in Condition 9.1.

9.4. When burning used oil blends, comply with Condition 13.3.

[18 AAC 50.040(j)(4), 50.326(j)(3), (j)(4) , & 50.346(c)]
[40 CFR 71.6(a)(3)(i) (& (c)(6)]

10. Particulate Matter Recordkeeping. The Permittee shall keep records of the results of any source test and visible emissions observations conducted under Condition 9.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(ii)]

11. Particulate Matter Reporting. The Permittee shall report as follows:

11.1. Notify the Department of any Method 9 observation results that are greater than the threshold under Condition 9.1 within 30 days of the end of the month in which the observations occurred. Include the dates, EU ID(s), and results when an observed 18-minute average opacity was greater than the threshold in Condition 9.1.

11.2. In each operating report required by Condition 75, include:

a. a summary of the results of any source test and visible emissions observations conducted under Condition 9; and

b. copies of any visible emissions observation results greater than the threshold in Condition 9.1, if they were not already submitted.

11.3. Report in accordance with Condition 74 any time the results of a source test exceed the PM emission standard in Condition 5.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

Sulfur Compound Emissions Standard

12. Sulfur Compound Emissions. The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 to exceed 500 ppm averaged over three hours.

[18 AAC 50.040(j)(4), 50.055(c), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(1)]

Sulfur Compound MR&R

Fuel Oil / Fish Oil / Used Oil

13. Sulfur Compound Monitoring and Recordkeeping. The Permittee shall monitor and keep records, as follows:

13.1. Comply with either Condition 13.1.a or Condition 13.1.b:

a. For each shipment of diesel fuel:

(i) If the fuel grade requires a sulfur content 0.5 percent by weight ($wt\%S_{fuel}$) or less, keep receipts that specify fuel grade and amount; or

(ii) If the fuel grade does not require a sulfur content 0.5 $wt\%S_{fuel}$ or less, keep receipts that specify fuel grade and amount and

(A) test the fuel for sulfur content; or

(B) obtain test results showing the sulfur content of the fuel from the supplier or refinery; the test results must include a statement signed by the supplier or refinery of what fuel they represent.

b. Test the sulfur content of the fuel in each diesel storage tank at least monthly.

13.2. Fuel testing under Condition 13.1.a or Condition 13.1.b must follow an appropriate method listed in 18 AAC 50.035(b)–(c) or 40 CFR 60.17 incorporated by reference in 18 AAC 50.040(a)(1).

13.3. For fish oil fuel, fish oil/diesel blends used as fuel[4], and used oil/diesel blends used as fuel, perform the following:

a. Analyze a representative sample of the fish oil or blended fuels as required by 40 CFR 60.46c(d) or an EPA-approved alternative monitoring schedule (in accordance with Condition 30.3) and no less than once each calendar year for all blended fuels used in EU IDs 1a and 3a. Ensure that the sample submitted for testing is representative of a blend ratio or tank in current actual use as fuel. For the representative sample, keep a record of the batch's constituents and blend ratios by volume. Ensure the test sample is submitted in accordance with an approved ASTM method such as ASTM D129, 1266, 1552, 2622, 4045, and 4294.

[18 AAC 50.040(j)(4), 50.326(j)(3) & (4), & 50.346(c)]
[40 CFR 71.6(a)(3)(i) & (ii) &71.6(c)(6)]

14. Sulfur Compound Reporting. The Permittee shall report as follows:

14.1. The Permittee shall include in the operating report required by Condition 75 for each month covered by the report:

a. a list of the fuel grades received at the stationary source;

b. a description of the representative sample(s) tested under Condition 13.3 and a copy of the analysis. For the description, list the sample date, each sample constituent, ratio of each constituent in the representative sample batch and % sulfur content by weight;

c. for any fuel received with a fuel sulfur content greater than 0.5 wt%S_{fuel}, the fuel sulfur content of the shipment; and

d. the results of all fuel sulfur analyses conducted under Conditions 13.1.a, 13.1.b, or 13.3.a and documentation of the method(s) used to complete the analyses.

[18 AAC 50.040(j)(4), 50.326(j)(3) & (4), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii) & 71.6(c)(6)]

Used Oil Authorization

15. Used Oil Boilers. The Permittee may burn used oil fuel blends in EU IDs 1a, 2, and 3a as follows:[5]

15.1. Analyze each batch of used oil to determine the sulfur content using an approved ASTM method such as ASTM D129, D1266, D1522, D2622, D4045, or D4294. Maintain records showing the results of each analysis in a semiannual statement from the fuel testing firm of the fuel total sulfur level in ppm; or

4 As certified by the Permittee, only EU IDs 1a, 2, and 3a burn blended fuels based on the configuration of the King Cove Facility.

5 CAUTION! Though this condition should ensure compliance with the emission standards of 18 AAC 50, the condition does NOT ensure compliance with other applicable state or federal laws concerning management, use, or disposal of used oil.

15.2. Blend the used oil with new unused fuel oil at a ratio that will ensure compliance with the sulfur limit under Condition 19.1. However, the used oil fuel blend shall be mixed at a ratio of no more than 1 part used oil with 3 parts new fuel oil, unless the Permittee provides the Department with an approved demonstration with sample results, that shows that a greater ratio will comply with the PM limit in Condition 5.

15.3. Monitor the consumption of the used oil fuel blends in accordance with Condition 16.1

15.4. Include in the Operating Report required by Condition 75:

a. Results of each analysis as set out by Condition 15.1; and

b. For each batch of used oil blended, the amounts of new unused fuel oil and used oil; the blend ratio; the final sulfur content, and date blended.

15.5. Report in accordance with Condition 74 any time the blend ratio or other requirements deviate from Conditions 15.1 and 15.2.

[18 AAC 50.110]
[40 CFR 71.2 & 71.6(a)(1) & (3)]

Preconstruction Permit [6] Requirements

Owner Requested Limit (ORL) to Avoid Classification as PSD-Major Source

16. Emissions Limit for Oxides of Nitrogen (NOx). The Permittee shall limit the NOx emissions from EU IDs 1a through 11 to 242.5 tons per rolling 12-month period.

[Condition 7, Minor Permit AQ0243MSS03 Rev 1, 12/31/2020]
[18 AAC 50.040(h)(20) & 50.326(j)]
[40 CFR 71.6(a)]

16.1. **Fuel Monitoring**. The Permittee shall monitor and record total monthly diesel fuel, used oil blend, and fish oil blend consumption by EU IDs 1a through 11 using dedicated fuel meters certified as accurate to within 5%.

[Condition 10, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

16.2. **Emissions Calculations for NOx**. Each month, calculate and record the previous month's NOx emissions as follows in Conditions 16.2.a through 16.2.e:

[Condition 11, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

a. For EU IDs 1a through 5 and 11, use Equation 1. As an alternative, for any specific EU, use its monthly PTE figure listed in Table B.

Equation 1 $$\mathbf{NOx} = \mathbf{UC} \times \mathbf{EF} \times \left(\frac{\mathbf{1}\ \boldsymbol{ton}}{\mathbf{2000}\ \boldsymbol{lb}}\right)$$

Where NOx = Emissions of NOx (tons per month)

6 Preconstruction Permit refers to federal PSD permits, state-issued permits-to-operate issued on or before January 17, 1997 (these permits cover both construction and operations), construction permits issued on or after January 18, 1997, and minor permits issued on or after October 1, 2004.

UC = Total monthly fuel consumption (gallons) for EU IDs 1a through 5 and 11
EF = Uncontrolled NOx emission factor (lb/gal) listed in Table B

[Condition 11.1, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

b. For EU IDs 6 through 10a, use Equation 2. As an alternative, for any specific EU, use its monthly PTE figure listed in Table B.

Equation 2 $$\mathbf{NOx} = \mathbf{UC} \times \mathbf{EF} \times \left(\frac{\mathbf{1}\ \boldsymbol{ton}}{\mathbf{2000}\ \boldsymbol{lb}}\right)$$

Where NOx = Emissions of NOx (tons per month)
UC = Total monthly fuel consumption (gallons) for EU IDs 6 through 10a.
EF = Uncontrolled NOx emission factor (lb/gal) listed in Table B

[Condition 11.2, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

c. Use the greatest of the Department approved load-specific NOx emission factors, developed in accordance with Conditions 17 and 18, in lieu of any other factors listed in Table B when available for a particular emissions unit. Factors shall be used in emissions calculations retroactively to the date of their originating source test.

[Condition 11.3, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

d. Sum the monthly NOx emissions calculated under Conditions 16.2.a, 16.2.b, and 16.2.c using the emission factors in Table B to obtain the monthly total for EU IDs 1a through 11.

[Condition 9, Minor Permit AQ0243MSS03 Rev 1, 12/31/2020]

e. Add the monthly total calculated under Condition 16.2.d to the previous 11 monthly totals to determine the rolling 12-month NOx emissions from EU IDs 1a through 11.

[Condition 10, Minor Permit AQ0243MSS03 Rev 1, 12/31/2020]

f. Report the rolling 12-month NOx emissions calculated in Condition 16.2.e in the operating report required by Condition 75.

g. Report in accordance with Condition 74 if the rolling 12-month NOx emissions calculated under Condition 16.2.e exceed the limit in Condition 16.

[40 CFR 71.6(a)(3) & (c)(6)]

17. Source Testing for NOx. The Permittee shall conduct a NOx emissions source test on each of EU IDs 6 through 10a every five years in accordance with the source testing requirements described in Section 6. Report as described in Section 7.

[18 AAC 50.040(j)(4) & 50.326(j)(3) & (4)]
[40 CFR 71.6(a)(3)(i) & (c)(6)]

17.1. The emissions units shall be tested at no less than three loads each spanning high, mid-range, and low, within their normal operational range.

17.2. Monitor and record during each test

a. the opacity of the emissions from the test emissions unit as described in Condition 2.3;

b. the engine load; and

c. the fuel consumption no less than once every five minutes.

17.3. Record the higher heating value of fuel used during each test or analyze a representative sample of the fuel to determine the higher heating value in accordance with ASTM D 204, 4809, or 2382.

17.4. Calculate the load-specific NO_x emission factors in lb/gal, expressed as NO_2, using exhaust properties determined by both Method 19 and exhaust gas measurements in accordance with the source testing requirements described in Section 6.

17.5. Report information obtained in Conditions 17.1 through 17.4 in the source test report required by Condition 68.

[Conditions 15.1 through 15.5, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

18. Load-Specific Emission Factors. The Permittee may calculate engine load-specific NOx emission factors for EU IDs 6 through 10a as follows:

18.1. Monitor and record the monthly operating hours at a consistent time each month.

18.2. Calculate the average monthly fuel consumption rate, in gallons per hour (gph), of an emissions unit as the quotient of its total monthly fuel use in gallons, recorded in Condition 16.1, and its total monthly operating hours.

18.3. Calculate the average monthly percent engine load of an emissions unit as the quotient of its average monthly fuel consumption rate, derived in Condition 18.2 and its design fuel consumption rate, listed in Table B, and multiplying by 100%.

18.4. Compare the average monthly percent engine load of an emissions unit, derived in Condition 18.3, to the percent engine loads at which source tests have been performed in accordance with Condition 17.

18.5. Use the greater of two NOx emission factors, empirically derived from the closest bounding engine loads at which source tests have been performed, in accordance with Condition 17.

18.6. Use the most recent empirically derived emission factor when multiple source tests have been performed at a given percent engine load.

18.7. Within 30 days after receiving Department approval of a source test, submit a revised Table B with updated NOx emission factors for each emissions unit tested.

[Condition 16, Minor Permit AQ0243MSS02 Rev 1, 11/13/2014]

Table B - Uncontrolled NOx Emission Factors (EF), Fuel Consumption, and Monthly PTE

EU ID	Uncontrolled NOx EF by Percent Load (lb/gal)							Design Fuel Consumption (gph)	NOx Monthly PTE (ton/mo)
	≤ 50	51–70	70	71–84	85	86–99	100		
1a	0.02	0.02	0.02	0.02	0.02	0.02	0.02	138.9	1.01
2	0.02	0.02	0.02	0.02	0.02	0.02	0.02	113.0	0.82
3a	0.02	0.02	0.02	0.02	0.02	0.02	0.02	113.0	0.82
4a	0.02	0.02	0.02	0.02	0.02	0.02	0.02	138.9	1.01
5	0.02	0.02	0.02	0.02	0.02	0.02	0.02	243.1	1.77
6	0.203	0.203	0.203	0.203	0.203	0.203	0.203	35.6	2.64
7	0.440	0.455	0.455	0.471	0.471	0.486	0.486	100.4	17.81
8	0.461	0.461	0.457	0.457	0.440	0.440	0.413	77.0	11.61
9	0.448	0.448	0.435	0.435	0.417	0.417	0.386	51.9	7.31
10a	0.465	0.465	0.465	0.465	0.465	0.465	0.465	84.9	14.41
11	0.02	0.02	0.02	0.02	0.02	0.02	0.02	179.5	1.31

Table Notes:

For EU IDs 1a – 5 & 11: lb/gal EFs obtained from AP-42, Table 1.3-1.
For EU IDs 6 – 9: lb/gal EFs obtained from July 2018 source testing.
For EU ID 10a: lb/gal EFs obtained from manufacturer's data.

[Table 1, Minor PermitAQ0243MSS03 Rev 1, 12/31/2020]

ORL to Avoid Classification Under 18 AAC 50.502(c)(3)

19. Emissions Limit for Sulfur Dioxide (SO_2). The Permittee shall limit the SO_2 emissions from EU IDs 1a through 11 to 91.7 tons per rolling 12-month period.

[Condition 14, Minor Permit AQ0243MSS03 Rev 1, 12/31/2020]

19.1. **Fuel Sulfur Limit.** The Permittee shall limit sulfur content of all fuel burned at the stationary source to no greater than 0.5 percent by weight (wt%).

[Condition 13, AQ0243MSS02 Revision 1, 11/13/2014]

a. Keep records of the sulfur content of each fuel shipment delivered to the stationary source.

b. Include the records in the operating report required by Condition 75.

c. Report in accordance with Condition 74 if the sulfur content of any fuel burned at the stationary source is greater than the limit in Condition 19.1.

[40 CFR 71.2 & 71.6(a)(1) & (3)]

19.2. **Emission Calculations for SO_2.** Each month, the Permittee shall calculate and record the previous month's SO_2 emissions as follows:

a. For EU IDs 1a through 11, use Equation 3

Equation 3 [7] $$\mathbf{SO_2 = TC \times EF \times \left(\frac{1\ ton}{2000\ lb}\right)}$$

Where SO_2 *= Emissions of* SO_2 *(ton/mo)*
TC = Fuel consumption (gal/mo) for each EU ID (from Condition 16.1)
$EF = SO_2$ *emission factor of 0.071 lb/gal*

b. Sum monthly SO_2 emissions calculated under Condition 19.2.a for EU IDs 1a through 11 to obtain the total for each month.

c. Add the monthly total SO_2 emissions calculated under Condition 19.2.b to the previous 11 monthly totals to determine the rolling 12 month SO_2 emissions for EU IDs 1a through 11.

d. Report the 12-month rolling SO_2 emissions for each month, calculated in Condition 19.2.c, in the operating report required in Condition 75.

e. Report in accordance with Condition 74 if the rolling 12-month SO_2 emissions calculated in Condition 19.2.c exceed the limit in Condition 19.

[Condition 16, AQ0243MSS03 Rev 1, 12/31/2020]

Insignificant Emissions Units

20. For EU IDs 28 and 35, and for emissions units at the stationary source that are insignificant as defined in 18 AAC 50.326(d) – (i), the following apply:

20.1. **Visible Emissions Standard**: The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from an industrial process or fuel-burning equipment, or an incinerator to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.050(a) & 50.055(a)(1)]

20.2. **Particulate Matter Standard**: The Permittee shall not cause or allow particulate matter emitted from an industrial process or fuel-burning equipment to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.055(b)(1)]

20.3. **Sulfur Compound Standard**: The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.

[18 AAC 50.055(c)]

20.4. **General MR&R for Insignificant Emissions Units:** The Permittee shall comply with the following:

a. Submit the compliance certifications under Condition 76 based on reasonable inquiry;

b. Comply with the requirements under Condition 57;

7 The calculations assume a fuel density of 7.1 lb/gal and a limiting fuel sulfur content of 0.5 percent by weight.

c. Report in the operating report required by Condition 75 if an emissions unit has historically been classified as insignificant because of actual emissions less than the thresholds of 18 AAC 50.326(e) and current actual emissions have become greater than any of those thresholds; and

d. No other monitoring, recordkeeping or reporting is required for insignificant emissions units to demonstrate compliance with the emissions standards under Conditions 20.1, 20.2, and 20.3.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(b)(4)]
[40 CFR 71.6(a)(1) & (a)(3)]

Section 4. Federal Requirements

40 CFR Part 60 New Source Performance Standards (NSPS)

NSPS Subpart A – General Provisions

21. NSPS Subpart A Notification. Unless exempted by a specific subpart, for any affected facility[8] or existing facility[9] regulated under NSPS requirements in 40 CFR 60, the Permittee shall furnish the Administrator[10] written notification or, if acceptable to both the EPA and the Permittee, electronic notification, as follows:

[18 AAC 50.035 & 50.040(a)(1)]
[40 CFR 60.7(a) & 60.15(d), Subpart A]

21.1. A notification of the date construction (or reconstruction as defined under 40 CFR 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form;

[40 CFR 60.7(a)(1), Subpart A]

21.2. A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date;

[40 CFR 60.7(a)(3), Subpart A]

21.3. A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include: [11]

a. information describing the precise nature of the change,

b. present and proposed emission control systems,

c. productive capacity of the facility before and after the change, and

d. the expected completion date of the change.

[40 CFR 60.7(a)(4), Subpart A]

[8] *Affected facility* means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 CFR 60.2.

[9] *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in 40 CFR Part 60, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 CFR 60.2.

[10] The Department defines "Administrator" in 18 AAC 50.990(2).

[11] The Department and EPA may request additional relevant information subsequent to this notice.

21.4. A notification of any proposed replacement of an existing facility, for which the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, postmarked as soon as practicable, but no less than 60 days before commencement of replacement, and including the following information:

[40 CFR 60.15(d), Subpart A]

a. the name and address of owner or operator,

b. the location of the existing facility,

c. a brief description of the existing facility and the components that are to be replaced,

d. a description of the existing and proposed air pollution control equipment,

e. an estimate of the fixed capital cost of the replacements, and of constructing a comparable entirely new facility,

f. the estimated life of the existing facility after the replacements, and

g. a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

22. NSPS Subpart A Startup, Shutdown, & Malfunction Requirements. The Permittee shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of EU ID(s) 1a, 3a, 4a, and 5, any malfunction of the air-pollution control equipment, or any periods during which a continuous monitoring system or monitoring device for EU ID(s) 1a, 3a, 4a, and 5 is inoperative.

[18 AAC 50.040(a)(1)]
[40 CFR 60.7(b), Subpart A]

23. NSPS Subpart A Good Air Pollution Control Practice (GAPCP). At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate EU IDs 1a, 3a, 4a, and 5 including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. The Administrator will determine whether acceptable operating and maintenance procedures are being used based on information available, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance records, and inspections of EU IDs 1a, 3a, 4a, and 5.

[18 AAC 50.040(a)(1)]
[40 CFR 60.11(d), Subpart A]

24. NSPS Subpart A Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of the standards set forth in Condition 27 nothing in 40 CFR Part 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether EU IDs 1a, 3a, 4a, and 5 would have been in compliance with applicable requirements of 40 CFR Part 60 if the appropriate performance or compliance test or procedure had been performed.

[18 AAC 50.040(a)(1)]
[40 CFR 60.11(g), Subpart A]

25. NSPS Subpart A Concealment of Emissions. The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of a standard set forth in Condition 27. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[18 AAC 50.040(a)(1)]
[40 CFR 60.12, Subpart A]

26. NSPS Subpart A Provisions for an Alternative Monitoring Protocol (AMP). The Permittee may use an AMP other than as required under 40 CFR 60.48c(e) & (f) after approval by the EPA Administrator, as provided for under 40 CFR 60.13(i). When submitting an AMP application, concurrently submit a copy of the application to the Department.

[18 AAC 50.040(a)(1)]
[40 CFR 60.13(i), Subpart A]

NSPS Subpart Dc – Small Industrial Steam Generating Units

27. NSPS Subpart Dc Applicability. The Permittee shall comply with the applicable requirements for each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 100 million British thermal units per hour (MMBtu/hr) or less, but greater than or equal to 10 MMBtu/hr.

[18 AAC 50.040(a)(2)(D), (j)(4), & 50.326(j)]
[40 CFR 60.40c(a), Subpart Dc]

28. NSPS Subpart Dc Notification Requirement. The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and actual startup, as provided by Conditions 21.1 and 21.2. This notification shall include:

28.1. The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

28.2. If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c or 60.43c.

28.3. The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

28.4. Notification if an emerging technology will be used for controlling SO_2 emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of 40 CFR 60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

[40 CFR 60.48c(a), Subpart Dc]

29. NSPS Subpart Dc Fuel Consumption. For each of EU IDs 1a, 3a, 4a, and 5, except as provided under Condition 29.1, the Permittee shall record and maintain records of the amount of each fuel combusted during each operating day or monitor according to an EPA approved custom fuel monitoring schedule.

[40 CFR 60.48c(g)(1), Subpart Dc]

29.1. As an alternative to meeting the requirements under Condition 29, the owner or operator of an affected facility that combusts only fuels using fuel certification in 40 CFR 60.48c(f) to demonstrate compliance with the SO_2 standard may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

[40 CFR 60.48c(g)(2), Subpart Dc]

30. NSPS Subpart Dc Standard for Sulfur Dioxide (SO_2). For EU IDs 1a, 3a, 4a, and 5, the Permittee shall not discharge into the atmosphere any gases that contain SO_2 in excess of 0.5 lb/MMBtu heat input from oil; or, as an alternative, the Permittee shall not combust oil that contains greater than 0.5 weight percent sulfur.

30.1. The SO_2 emission limits and fuel oil sulfur limits apply at all times, including periods of startup, shutdown, and malfunction.

[18 AAC 50.040(a)(2)(D), (j)(4), & 50.326(j)]
[40 CFR 60.42c(d) & (i), Subpart Dc]

30.2. **Monitoring**. Compliance with the emission limits or fuel oil sulfur limits shall be determined based on one of the following methods:

a. a certification from the fuel supplier if the fuel combusted is entirely from commercial supplies; or

b. if the fuel is generated on-location by blending distillate fuel oil with other components (processed fish oils, used oil, or lubricating oils) then the Permittee shall determine the average SO_2 emission rate by sampling the fuel prior to combustion as per 40 CFR 60.46c(d)(1) or (2) or according to an EPA-approved alternative monitoring schedule or waiver, as described in Condition 30.3.

[40 CFR 60.42c(h)(1) & (4), 60.44c(h), & 60.46c(d), Subpart Dc]

30.3. **Alternative Fuel Monitoring**. As allowed under the NSPS Subpart Dc Alternative Fuel Monitoring Schedule approved by EPA Region 10 on April 18, 2007, [12] the Permittee may elect to monitor fuel usage on a monthly basis and sample the sulfur content of the fish oil annually as stated in the conditions listed below:

a. The Permittee must analyze annually for sulfur content of pure fish oil rather than analyzing the sulfur content of each batch of blended fish oil. All batches of blended fish oil will be in compliance with 40 CFR 60.46c(d)(2), provided that annual sampling shows the fish oil to be below 0.5 weight percent sulfur.

b. The Permittee must report the amount of distillate and the amount of blended fish oil consumed monthly by boilers EU ID 3a and 5. The amount of fuel from fuel receipts must be apportioned to each boiler that uses that fuel according to the maximum heat input capacity of each boiler.

c. If a sample of pure fish oil ever shows a sulfur content above 0.5 weight percent sulfur for some reason, the Permittee must inform EPA and ADEC in writing within 10 days and revert to sampling every batch of blended fish oil as required under 40 CFR 60.46c(d)(2).

[USEPA Region 10 Alternative Monitoring Schedule, 4/18/2007]
[40 CFR 60.13(i), Subpart A]

30.4. **Recordkeeping and Reporting**. The Permittee shall keep records in accordance with Condition 70 and submit reports to the Administrator, as follows:

[40 CFR 60.48c(d), (e), & (i), Subpart Dc]

a. Include the following information, as applicable:

(i) Calendar dates covered in the reporting period.

(ii) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification and a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

[40 CFR 60.48c(e)(1) & (11), Subpart Dc]

(iii) **For Distillate Fuel Oil[13]**. Fuel supplier certification shall include the following information:

(A) the name of the oil supplier;

(B) a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; and

[12] The approval does not apply when EU IDs 3a and 5 are firing blended used oil.

[13] *Oil* means crude oil or petroleum, or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil, as defined in 40 CFR 60.41b.

(C) the sulfur content or maximum sulfur content of the oil.

[40 CFR 60.48c(f)(1), Subpart Dc]

(iv) **For Generated Fuel Oil Blends**. Except as approved by EPA through an AMP or waiver, include in the semiannual report, records and reports as specified in 40 CFR 60.48c(e). Include copies of these reports with the operating report required by Condition 75.

[40 CFR 60.48c(f)(4), Subpart Dc]

b. The reporting period for the reports required under Condition 30.4 is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

[40 CFR 60.48c(j), Subpart Dc]

40 CFR Part 63 National Emission Standards for Hazardous Air Pollutants (NESHAP)

NESHAP Subpart A – General Provisions

31. NESHAP Subpart A Applicability. The Permittee shall comply with the applicable requirements of 40 CFR 63 Subpart A in accordance with the provisions for applicability of Subpart A in

31.1. Table 8 to NESHAP Subpart ZZZZ for EU IDs 6 through 10a; and

31.2. Table 8 to Subpart JJJJJJ for EU IDs 1a through 5.

[18 AAC 50.040(c)(1), (23) & (39), 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(1) & (a)(3)]
[40 CFR 63.1-63.15, Subpart A]
[40 CFR 63.6665 & Table 8, Subpart ZZZZ]
[40 CFR 63.11235 & Table 8, Subpart JJJJJJ]

NESHAP Subpart ZZZZ[14] – Stationary Reciprocating Internal Combustion Engines

32. NESHAP Subpart ZZZZ Applicability. The Permittee shall comply with the applicable requirements for existing[15] stationary reciprocating internal combustion engines (RICE) located at an area source of hazardous air pollutant (HAP) emissions.

[18 AAC 50.040(c)(23), (j)(4) & 50.326(j)]
40 CFR 71.6((a)(1)
[40 CFR 63.6585(c) & 63.6605(a), Subpart ZZZZ]

33. NESHAP Subpart ZZZZ Operation and Maintenance Requirements. For EU IDs 6 through 10a, the Permittee shall comply with the following:

[18 AAC 50.040(c)(23) & (j)(4) & 50.326(j)]
[40 CFR 71.6(a)(1) & (3)(i)]

[14] The provisions of NESHAP Subpart ZZZZ listed in Conditions 32 through 35 are current as amended through August 10, 2022. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

[15] In accordance with 40 CFR 63.6590(a)(1)(iii), a stationary RICE located at an area source of HAP emissions is *existing* if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

33.1. You must be in compliance with the operating limitations and other requirements in 40 CFR 63 subpart ZZZZ that apply to you at all times.

33.2. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.6605(a) & (b), Subpart ZZZZ]

33.3. 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(s) in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 63.6625(e), 63.6640(a), & Table 6 (Item 9), Subpart ZZZZ]

33.4. 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.

[40 CFR 63.6625(h) & Table 2d, Subpart ZZZZ]

34. NESHAP Subpart ZZZZ Work and Management Practices Standards and Monitoring. For EU IDs 6 through 10a, the Permittee shall comply with the following work and management practices and monitoring requirements:

[18 AAC 50.040(c)(23), (j)(4), & 50.326(j)]
[40 CFR 71.6(a)(1) & (3)(i)]
[40 CFR 63.6603(a) & (b)(1), 63.6640(a), and 63.6625(i), Subpart ZZZZ]
[Table 2d and Table 6, Subpart ZZZZ]

34.1. You must meet the following requirements, except during periods of startup:

a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first, except as allowed by Condition 34.2;

b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and

c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

[40 CFR 63.6603(a), Table 2d (Item 1 & Footnote 1), Subpart ZZZZ]

34.2. You have the option of utilizing an oil analysis program in order to extend the specified oil change requirements in Condition 34.1.a, as described below:

a. The oil analysis must be performed at the same frequency specified for changing the oil in Conditions 34.1.a.

b. The analysis program must, at a minimum, analyze the following three parameters: Total Base Number (for CI engines), viscosity, and percent water content. The condemning limits for these parameters are as follows:

(i) Total Base Number is less than 30 percent of the Total Base Number of the oil when new;

(ii) viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or

(iii) percent water content (by volume) is greater than 0.5.

c. If all of the condemning limits in Conditions 34.2.b(i) through 34.2.b(iii) are not exceeded, the Permittee is not required to change the oil.

d. If any of the limits in Conditions 34.2.b(i) through 34.2.b(iii) is exceeded, the Permittee must change the oil within 2 business days of receiving the results of the analysis.

(i) If the engine is not in operation when the results of the analysis are received, the Permittee must change the oil within 2 business days or before commencing operation, whichever is later.

e. The analysis program must be part of the maintenance plan for the engine.

[40 CFR 63.6625(i) & Table 2d (Footnote 1), Subpart ZZZZ]

35. NESHAP Subpart ZZZZ Recordkeeping Requirements. The Permittee shall keep records, as follows:

[18 AAC 50.040(c)(23), (j)(4), & 50.326(j)]
[40 CFR 71.6(a) (3)(ii)]

35.1. If electing to operate and maintain EU IDs 6 through 10a according to a maintenance plan developed by the Permittee, as allowed under Condition 33.3, 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.

[40 CFR 63.6655(e), Subpart ZZZZ]

35.2. If electing to utilize the oil analysis program described in Condition 34.2, keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine.

[40 CFR 63.6625(i), Subpart ZZZZ]

35.3. Your records must be in a form suitable and readily available for expeditious review. You must keep each record 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 40 CFR 63.10(b)(1)., except that all records may be retained off site.

[40 CFR 63.6660 & Table 8, Subpart ZZZZ]
[40 CFR 63.10(b)(1), Subpart A]

36. NESHAP Subpart ZZZZ Reporting Requirements. The Permittee shall report as follows:

[18 AAC 50.040(c)(23), (j)(4), & 50.326(j)]
[40 CFR 71.6(c)(3)(iii) & (c)(6)]

36.1. Include in the operating report required by Condition 75 a report of all deviations as defined in 40 CFR 63.6675 and of each instance in which an applicable requirement in 40 CFR 63, Subpart A (Table 8 to Subpart ZZZZ) was not met.

[40 CFR 63.6640(e) & 63.6650(f), Subpart ZZZZ]

36.2. Notify the Department in accordance with Condition 74 if any of the requirements in Conditions 32 through 36 were not met.

[18 AAC 50.040(c)(23), (j)(4), & 50.326(j)(4)]
[40 CFR 71.6(a)(3)(iii) & (c)(6)]

NESHAP Subpart JJJJJJ[16] - Industrial, Commercial, and Institutional Boilers

37. NESHAP Subpart JJJJJJ Applicability. For EU IDs 1a through 5, the Permittee shall comply with applicable requirements of NESHAP Subpart JJJJJJ for existing[17] oil fired boilers located at an area source of HAP emissions.

[18 AAC 50.040(c)(39), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.11193, 63.11194(a)(1) & (b), 63.11200(c) & 63.11237, Subpart JJJJJJ]

37.1. At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[40 CFR 63.11205(a), Subpart JJJJJJ]

[16] The provisions of NESHAP Subpart JJJJJJ listed in Conditions 31.2 and 37 through 40 are current as amended through July 2, 2018. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

[17] In accordance with 40 CFR 63.11194(b), an affected source is an existing source if construction or reconstruction of the affected source commenced on or before June 4, 2010.

38. NESHAP Subpart JJJJJJ Work and Management Practices. You must comply with each work practice standard, emission reduction measure, and management practice specified in Table 2 to 40 CFR 63 Subpart JJJJJJ that applies to your boiler at all times and demonstrate continuous compliance, as follows:

[18 AAC 50.040(c)(39), (j), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.11201(b), (d), 63.11223(a), (b), & Table 2; Subpart JJJJJJ]

38.1. For EU IDs 1a, 3a, 4a, and 5, with heat input capacity greater than 10 MMBtu/hr, the Permittee must have a one-time energy assessment performed by a qualified energy assessor. A facility that operates under an energy management program compatible with ISO 50001, that includes the affected units, also satisfies the energy assessment requirement. The energy assessment must include the following:

[Table 2 (Item 16), Subpart JJJJJJ]
[40 CFR 63.11201(b) & 63.11237, Subpart JJJJJJ]

a. A visual inspection of the boiler system,

b. An evaluation of operating characteristics of the affected boiler systems, specifications of energy use systems, operating and maintenance procedures, and unusual operating constraints,

c. An inventory of major energy use systems consuming energy from affected boiler(s) and which are under control of the boiler owner or operator,

d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage,

e. A list of major energy conservation measures that are within the facility's control,

f. list of the energy savings potential of the energy conservation measures identified, and

g. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

[Table 2 (Item 16), Subpart JJJJJJ]

38.2. For EU IDs 1a through 5, you must conduct a performance tune-up according to Condition 38.3 to demonstrate continuous compliance. You must conduct the tune-up while burning the type of fuel that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.

[40 CFR 63.11223(a), Subpart JJJJJJ]

38.3. For EU IDs 1a through 5, you must conduct a tune-up of the boiler(s) biennially to demonstrate continuous compliance as specified in Conditions 38.3.a through 38.3.f. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up.

[Table 2 (Item 4), Subpart JJJJJJ]

[40 CFR 63.11223(b), Subpart JJJJJJ]

a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled shut down, not to exceed 36 months from the previous inspection).

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 (you may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection).

d. Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.

e. Measure the concentrations in the effluent stream of CO 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). Measurements may be taken using a portable CO analyzer.

f. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

[40 CFR 63.11223(b)(1) – (5) & (7), Subpart JJJJJJ]

39. NESHAP Subpart JJJJJJ Recordkeeping Requirements. For EU IDs 1a through 5, the Permittee shall keep records as follows:

[18 AAC 50.040(c)(39) & (j) & 50.326(j)]
[40 CFR 71.6(c)(3)(iii)]
[40 CFR 63.11225, Subpart JJJJJJ]

39.1. As required in 40 CFR 63.10(b)(2)(xiv), you must keep a copy of each notification and report submitted to comply with NESHAP Subpart JJJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted.

[40 CFR 63.11225(c)(1), Subpart JJJJJJ]

39.2. You must keep records to document conformance with the work practices and management practices as specified in Conditions 39.2.a and 39.2.b below.

a. 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. For each boiler required to conduct an energy assessment, you must keep a copy of the energy assessment report.

[40 CFR 63.11225(c)(2), (c)(2)(i) & (iii), Subpart JJJJJJ]

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

39.4. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in Condition 37.1, including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.

[40 CFR 63.11225(c)(4) & (5), Subpart JJJJJJ]

39.5. You must keep the records of all inspection and monitoring data required by 40 CFR 63.11221 and 63.11222, and the information identified in Conditions ?? for each required inspection or monitoring.

a. The date, place and time of the monitoring event.

b. Person conducting the monitoring.

c. Technique or method used.

d. Operating conditions during the activity.

e. Results, including the date, time and duration of the period from the time the monitoring indicated a problem to the time that monitoring indicated proper operation.

f. Maintenance or corrective action taken (if applicable).

[40 CFR 63.11225(c)(6), Subpart JJJJJJ]

39.6. Maintain on-site and submit, if requested by EPA or the Department, a report containing the information in Conditions 39.6.a through 39.6.c.

[40 CFR 63.11223(b)(6), Subpart JJJJJJ]

a. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler.

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

c. The type and amount of fuel used over the 12 months prior to the tune-up of the boiler. Units sharing a fuel meter may estimate the fuel use by each unit.

[40 CFR 63.11223(b)(6)(i) –(iii), Subpart JJJJJJ]

39.7. Your records must be in a form suitable and readily available for expeditious review. You must keep each record for 5 years following the date of each recorded action. You must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. You may keep the records off site for the remaining 3 years.

[40 CFR 63.11225(d), Subpart JJJJJJ]

40. NESHAP Subpart JJJJJJ Reporting Requirements. For EU IDs 1a through 5, the Permittee shall report, as follows:

[18 AAC 50.040(c)(39) & (j) & 50.326(j)]
[40 CFR 71.6(c)(3)(iii)]

40.1. You must prepare, by March 1, and submit to EPA and the Department upon request, a compliance certification report. For boilers that are subject only to the energy assessment requirement and/or a requirement to conduct a biennial tune-up according to Condition 38.2 and not subject to emission limits or operating limits, you may prepare only a biennial compliance report as specified in Conditions 40.1.a and 40.1.b.

[40 CFR 63.11225(b), Subpart JJJJJJ]

a. Company name and address.

b. Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of NESHAP Subpart JJJJJJ. Your notification must include the following certification(s) of compliance, as applicable, and be signed by a responsible official:

(i) "This facility complies with the requirements in 40 CFR 63.11223 to conduct a biennial tune-up of each boiler."

(ii) For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."

(iii) "This facility complies with the requirement in 40 CFR 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct 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."

[40 CFR 63.11225(b)(1) through (2)(iii), Subpart JJJJJJ]

40.2. If you have switched fuels or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within NESHAP Subpart JJJJJJ, in the boiler becoming subject to this subpart, or in the boiler switching out of this subpart due to a fuel change that results in the boiler meeting the definition of gas-fired boiler, as defined in 40 CFR 63.11237, or you have taken a permit limit that resulted in you becoming subject to, or no longer being subject to NESHAP Subpart JJJJJJ, you must provide notice of the date upon which you switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify:

a. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice.

b. The date upon which the fuel switch, physical change, or permit limit occurred.

[40 CFR 63.11225(g), Subpart JJJJJJ]

40 CFR Part 61 National Emission Standards for Hazardous Air Pollutants (NESHAP)

Subpart A – General Provisions & Subpart M – Asbestos

41. The Permittee shall comply with the applicable requirements set forth in 40 CFR 61.145, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 CFR 61, Subpart A and Appendix A.

[18 AAC 50.040(b)(1) & (2)(F), & 50.326(j)]
[40 CFR 61, Subparts A & M, and Appendix A]

40 CFR 68 Chemical Accident Prevention Provisions

42. Risk Management Plan (RMP) Requirements. For EU ID 36 (refrigeration equipment), the Permittee shall comply with the applicable requirements of 40 CFR 68 as follows:

[18 AAC 50.040(j)(4) & 50.326(j)(4)]
[40 CFR 71.6(a)(3) & (c)(6)]
[40 CFR 68.150 – 68.195, Subpart G]
[40 CFR 68.215(a)(2), Subpart H]

42.1. The Permittee shall submit a single RMP that includes the information required by 40 CFR 68.155 through 68.185 for all covered processes. The RMP shall be submitted in the method and format to the central point specified by EPA as of the date of submission.

42.2. RMPs submitted under Condition 42.1 shall be updated and corrected in accordance with 40 CFR 68.190 and 195.

[40 CFR 68.150(a) & (d), Subpart G]

42.3. The Permittee shall revise and update the RMP submitted under Condition 42.1 in accordance with 40 CFR 68.190(b)(1) through (b)(7).

[40 CFR 68.190(b), Subpart G]

42.4. As part of the annual compliance certification required by Condition 76, the Permittee shall certify compliance with all requirements of 40 CFR 68, including the registration and submission of the RMP.

[40 CFR 68.215(a)(2)(ii), Subpart H]

42.1. Following any updates of the RMP, the Permittee shall provide the Department with copies of the RMP with the operating report required in Condition 75.

[40 CFR 71.6(a)(3)(iii) & (c)(6)]

40 CFR Part 82 Protection of Stratospheric Ozone

43. Subpart F – Recycling and Emissions Reduction. The Permittee shall comply with the applicable standards for recycling and emission reduction of refrigerants set forth in 40 CFR 82, Subpart F.

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82, Subpart F]

44. Subpart G – Significant New Alternatives. The Permittee shall comply with the applicable prohibitions set out in 40 CFR 82.174 (Protection of Stratospheric Ozone Subpart G – Significant New Alternatives Policy Program).

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82.174(b) through (d), Subpart G]

45. Subpart H – Halons Emissions Reduction. The Permittee shall comply with the applicable prohibitions set out in 40 CFR 82.270 (Protection of Stratospheric Ozone Subpart H – Halon Emission Reduction).

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82.270(b) through (f), Subpart H]

NESHAP Applicability Determination Requirements

46. The Permittee shall determine rule applicability and designation of affected sources under National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories (40 CFR 63) in accordance with the procedures described in 40 CFR 63.1(b).

46.1. If an owner or operator of a stationary source who is in the relevant source category determines that the source is not subject to a relevant standard or other requirement established under 40 CFR 63, the owner or operator must keep a record as specified in 40 CFR 63.10(b)(3).

46.2. If a source becomes affected by an applicable subpart of 40 CFR 63, the owner or operator shall comply with such standard by the compliance date established by the Administrator in the applicable subpart, in accordance with 40 CFR 63.6(c).

46.3. After the effective date of any relevant standard promulgated by the Administrator under this part, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator and the Department of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in 40 CFR 63.9(b).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(3)(ii)]
[40 CFR 63.1(b), 63.5(b)(4), 63.6(c)(1), 63.9(b), & 63.10(b)(3), Subpart A]

Section 5. General Conditions

Standard Terms and Conditions

47. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3) & 50.345(a) & (e)]

48. The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3) & 50.345(a) & (f)]

49. The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3) & 50.345(a) & (g)]

50. Administration Fees. The Permittee shall pay to the Department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400-403.

[18 AAC 50.326(j)(1), 50.400, & 50.403]
[AS 37.10.052(b) and AS 46.14.240]

51. Assessable Emissions. For each period from July 1 through the following June 30, the Permittee shall pay to the Department an annual emission fee based on the stationary source's assessable emissions, as determined by the Department under 18 AAC 50.410. The Department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit. The quantity for which fees will be assessed is the lesser of the stationary source's:

51.1. potential to emit of **581.21 tpy**; or

51.2. projected annual rate of emissions, in tpy, based upon actual annual emissions for the most recent calendar year, or another 12-month period approved in writing by the Department, when demonstrated by credible evidence of actual emissions, based upon the most representative information available from one or more of the following methods:

a. an enforceable test method described in 18 AAC 50.220;

b. material balance calculations;

c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or

d. other methods and calculations approved by the Department, including appropriate vendor-provided emissions factors when sufficient documentation is provided.

[18 AAC 50.040(j)(4), 50.035, 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

52. Assessable Emission Estimates. The Permittee shall comply as follows:

52.1. No later than March 31 of each year, the Permittee may submit an estimate of the stationary source's assessable emissions as determined in Condition 51.2. Submit actual emissions estimates in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-condition-i-submission-instructions/.

52.2. The Permittee shall include with the assessable emissions report all of the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the Department can verify the estimates.

52.3. If no estimate or waiver letter is submitted on or before March 31 of each year, emission fees for the next fiscal year will be based on the potential to emit in Condition 51.1.

[18 AAC 50.040(j)(4), 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

53. Good Air Pollution Control Practice (GAPCP). The Permittee shall do the following for EU ID 11:

53.1. Perform regular maintenance considering the manufacturer's or the operator's maintenance procedures;

53.2. Keep records of any maintenance that would have a significant effect on emissions; the records may be kept in electronic format; and

53.3. Keep a copy of either the manufacturer's or the operator's maintenance procedures.

[18 AAC 50.326(j)(3) & 50.346(b)(5)]

54. Dilution. The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a)]

55. Reasonable Precautions to Prevent Fugitive Dust. A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air.

55.1. The Permittee shall keep records of:

a. complaints received by the Permittee and complaints received by the Department and conveyed to the Permittee; and

b. any additional precautions that are taken

(i) to address complaints described in Condition 55.1.a or to address the results of Department inspections that found potential problems; and

(ii) to prevent future dust problems.

55.2. The Permittee shall report according to Condition 57.3.

[18 AAC 50.045(d), 50. 326(j)(3), & 50.346(c)]

56. Stack Injection. The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a stationary source constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g)]

57. Air Pollution Prohibited. No person may permit any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property.

[18 AAC 50.040(j)(4), 50.110, 50.326(j)(3), & 50.346(a)]
[40 CFR 71.6(a)(3)]

57.1. **Monitoring.** The Permittee shall monitor as follows:

a. As soon as practicable after becoming aware of a complaint that is attributable to emissions from the stationary source, the Permittee shall investigate the complaint to identify emissions that the Permittee believes have caused or are causing a violation of Condition 57.

b. The Permittee shall initiate and complete corrective action necessary to eliminate any violation identified by a complaint or investigation as soon as practicable if

(i) after an investigation because of a complaint or other reason, the Permittee believes that emissions from the stationary source have caused or are causing a violation of Condition 57; or

(ii) the Department notifies the Permittee that it has found a violation of Condition 57.

57.2. **Recordkeeping.** The Permittee shall keep records of

a. the date, time, and nature of all emissions complaints received;

b. the name of the person or persons that complained, if known;

c. a summary of any investigation, including reasons the Permittee does or does not believe the emissions have caused a violation of Condition 57; and

d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.

57.3. **Reporting.** The Permittee shall report as follows:

a. With each stationary source operating report under Condition 75, the Permittee shall include a brief summary report which must include the following for the period covered by the report:

(i) the number of complaints received;

(ii) the number of times the Permittee or the Department found corrective action necessary;

(iii) the number of times action was taken on a complaint within 24 hours; and

(iv) the status of corrective actions the Permittee or Department found necessary that were not taken within 24 hours.

b. The Permittee shall notify the Department of a complaint that is attributable to emissions from the stationary source within 24 hours after receiving the complaint, unless the Permittee has initiated corrective action within 24 hours of receiving the complaint.

c. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to Condition 74.

58. Technology-Based Emission Standard. If an unavoidable emergency, malfunction (as defined in 18 AAC 50.235(d)), or non-routine repair (as defined in 18 AAC 50.990(64)), causes emissions in excess of a technology-based emission standard[18] listed in Condition(s) 27 and 43 (refrigerants), the Permittee shall

58.1. take all reasonable steps to minimize levels of emissions that exceed the standard; and

58.2. report in accordance with Condition 74.1.b; the report must include information on the steps taken to mitigate emissions and corrective measures taken or to be taken.

[18 AAC 50.235(a), 50.326(j)(4), & 50.040(j)(4)]
[40 CFR 71.6(c)(6)]

Open Burning Requirements

59. Open Burning. If the Permittee conducts open burning at this stationary source, the Permittee shall comply with the requirements of 18 AAC 50.065. The Permittee shall comply as follows:

59.1. Keep written records to demonstrate that the Permittee complies with the limitations in this condition and the requirements of 18 AAC 50.065. Upon request by the Department, submit copies of the records; and

59.2. Include this condition in the annual certification required under Condition 76.

[18 AAC 50.065, 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(3)]

[18] As defined in 18 AAC 50.990(106), the term "*technology-based emission standard*" means a best available control technology (BACT) standard; a lowest achievable emission rate (LAER) standard; a maximum achievable control technology (MACT) standard established under 40 CFR 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Section 6. General Source Testing and Monitoring Requirements

60. Requested Source Tests. In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the Department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) & 50.345(a) & (k)]

61. Operating Conditions. Unless otherwise specified by an applicable requirement or test method, the Permittee shall conduct source testing

[18 AAC 50.220(b)]

61.1. at a point or points that characterize the actual discharge into the ambient air; and

61.2. at the maximum rated burning or operating capacity of the emissions unit or another rate determined by the Department to characterize the actual discharge into the ambient air.

62. Reference Test Methods. The Permittee shall use the following test methods when conducting source testing for compliance with this permit:

62.1. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(a) must be conducted in accordance with the methods and procedures specified in 40 CFR 60.

[18 AAC 50.220(c)(1)(A) & 50.040(a)]
[40 CFR 60]

62.2. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(b) must be conducted in accordance with the methods and procedures specified in 40 CFR 61.

[18 AAC 50.040(b) & 50.220(c)(1)(B)]
[40 CFR 61]

62.3. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 CFR 63.

[18 AAC 50.040(c) & 50.220(c)(1)(C)]
[40 CFR 63]

62.4. Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures set out in Reference Method 9. The Permittee may use the form in Section 11 to record data.

[18 AAC 50.030 & 50.220(c)(1)(D)]

62.5. Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 CFR 60, Appendix A.

[18 AAC 50.040(a)(3) & 50.220(c)(1)(E)]
[40 CFR 60, Appendix A]

62.6. Source testing for emissions of PM_{10} and $PM_{2.5}$ must be conducted in accordance with the procedures specified in 40 CFR 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2) & 50.220(c)(1)(F)]
[40 CFR 51, Appendix M]

62.7. Source testing for emissions of any pollutant may be determined using an alternative method approved by the Department in accordance with 40 CFR 63 Appendix A, Method 301.

[18 AAC 50.040(c)(32) & 50.220(c)(2)]
[40 CFR 63, Appendix A, Method 301]

63. Excess Air Requirements. To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emissions unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3) & 50.990(102)]

64. Test Exemption. The Permittee is not required to comply with Conditions 66, 67 and 68 when the exhaust is observed for visible emissions by Method 9 Plan (Condition 2.3) or Smoke/No Smoke Plan (Condition 2.4).

[18 AAC 50.345(a)]

65. Test Deadline Extension. The Permittee may request an extension to a source test deadline established by the Department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the Department's appropriate division director or designee.

[18 AAC 50.345(a) & (l)]

66. Test Plans. Except as provided in Condition 64, before conducting any source tests, the Permittee shall submit a plan to the Department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emissions unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under Condition 60 and at least 30 days before the scheduled date of any test unless the Department agrees in writing to some other time period. Retesting may be done without resubmitting the plan.

[18 AAC 50.345(a) & (m)]

67. Test Notification. Except as provided in Condition 64, at least 10 days before conducting a source test, the Permittee shall give the Department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n)]

68. Test Reports. Except as provided in Condition 64, within 60 days after completing a source test, the Permittee shall submit one certified copy of the results in the format set out in the *Source Test Report Outline*, adopted by reference in 18 AAC 50.030. The Permittee shall certify the results in the manner set out in Condition 71. If requested in writing by the Department, the Permittee must provide preliminary results in a shorter period of time specified by the Department.

[18 AAC 50.345(a) & (o)]

69. Particulate Matter Calculations. In source testing for compliance with the particulate matter standards in Conditions 5 and 20.2, the three-hour average is determined using the average of three one-hour test runs.

[18 AAC 50.220(f)]

Section 7. General Recordkeeping and Reporting Requirements

Recordkeeping Requirements

70. The Permittee shall keep all records required by this permit for at least five years after the date of collection, including:

70.1. Copies of all reports and certifications submitted pursuant to this section of the permit; and

70.2. Records of all monitoring required by this permit, and information about the monitoring including

a. the date, place, and time of sampling or measurements;

b. the date(s) analyses were performed;

c. the company or entity that performed the analyses;

d. the analytical techniques or methods used;

e. the results of such analyses; and,

f. the operating conditions as existing at the time of sampling or measurement.

[18 AAC 50.040(a)(1) & (j)(4) & 50.326(j)]
[40 CFR 60.7(f), Subpart A, 40 CFR 71.6(a)(3)(ii)(A) & (B)]

Reporting Requirements

71. Certification. The Permittee shall certify any permit application, report, affirmation, or compliance certification submitted to the Department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: *"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete."* Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

71.1. The Department may accept an electronic signature on an electronic application or other electronic record required by the Department if the person providing the electronic signature

a. uses a security procedure, as defined in AS 09.80.190, that the Department has approved; and

b. accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.205, 50.326(j)(3), 50.345(a) & (j), & 50.346(b)(10)]

72. Submittals. Unless otherwise directed by the Department or this permit, the Permittee shall submit to the Department one certified copy of reports, compliance certifications, and/or other submittals required by this permit. The Permittee may submit the documents electronically or by hard copy.

72.1. Submit the certified copy of reports, compliance certifications, and/or other submittals in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-condition-xvii-submission-instructions/.

[18 AAC 50.326(j)(3) & 50.346(b)(10)]

73. Information Requests. The Permittee shall furnish to the Department, within a reasonable time, any information the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require the Permittee to furnish copies of those records directly to the Federal Administrator.

[18 AAC 50.345(a) & (i), 50.200, & 50.326(a) & (j)]
[40 CFR 71.5(a)(2) & 71.6(a)(3)]

74. Excess Emissions and Permit Deviation Reports. The Permittee shall report excess emissions and permit deviations as follows:

74.1. **Excess Emissions Reporting.** Except as provided in Condition 57, the Permittee shall report all emissions or operations that exceed emissions standards or limits of this permit as follows:

a. In accordance with 18 AAC 50.240(c), as soon as possible, report

(i) excess emissions that present a potential threat to human health or safety; and

(ii) excess emissions that the Permittee believes to be unavoidable.

b. In accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology-based emission standard.

c. If a continuous or recurring excess emissions is not corrected within 48 hours of discovery, report within 72 hours of discovery unless the Department provides written permission to report under Condition 74.1.d.

d. Report all other excess emissions not described in Conditions 74.1.a, 74.1.b, and 74.1.c within 30 days after the end of the month during which the excess emissions occurred or as part of the next routine operating report in Condition 75 for excess emissions that occurred during the period covered by the report, whichever is sooner.

e. If requested by the Department, the Permittee shall provide a more detailed written report to follow up on an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2)]

74.2. **Permit Deviations Reporting.** For permit deviations that are not "excess emissions," as defined under 18 AAC 50.990:

a. Report according to the required deadline for failure to monitor, as specified in other applicable conditions of this permit (Conditions 4.3.b and 8.3.b).

b. Report all other permit deviations within 30 days after the end of the month during which the deviation occurred or as part of the next routine operating report in Condition 75 for permit deviations that occurred during the period covered by the report, whichever is sooner.

[18 AAC 50.326(j)(3) & 50.346(b)(2)]

74.3. **Notification Form.** When reporting either excess emissions or permit deviations, the Permittee shall report using either the Department's online form, which can be found at the Division of Air Quality's Air Online Services (AOS) system webpage http://dec.alaska.gov/applications/air/airtoolsweb using the Permittee Portal option, or, if the Permittee prefers, the form contained in Section 12 of this permit. The Permittee must provide all information called for by the form that is used. Submit the report in accordance with the submission instructions on the Department's Standard Permit Conditions webpage found at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-iii-and-iv-submission-instructions/.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]

75. Operating Reports. During the life of this permit[19], the Permittee shall submit to the Department an operating report in accordance with Conditions 71 and 72 by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year.

75.1. The operating report must include all information required to be in operating reports by other conditions of this permit, for the period covered by the report.

75.2. When excess emissions or permit deviations that occurred during the reporting period are not included with the operating report under Condition 75.1, the Permittee shall identify

a. the date of the excess emissions or permit deviation;

b. the equipment involved;

c. the permit condition affected;

d. a description of the excess emissions or permit deviation; and

[19] *Life of this permit* is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example, if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

e. any corrective action or preventive measures taken and the date(s) of such actions; or

75.3. when excess emissions or permit deviation reports have already been reported under Condition 74 during the period covered by the operating report, the Permittee shall either

a. include a copy of those excess emissions or permit deviation reports with the operating report; or

b. cite the date(s) of those reports.

75.4. The operating report must include, for the period covered by the report, a listing of emissions monitored under Conditions 2.3.e, 2.4.c, 6.2, and 9.1, which trigger additional testing or monitoring, whether or not the emissions monitored exceed an emission standard. The Permittee shall include in the report

a. the date of the emissions;

b. the equipment involved;

c. the permit condition affected; and

d. the monitoring result which triggered the additional monitoring.

75.5. **Transition from expired to renewed permit**. For the first period of this renewed operating permit, also provide the previous permit's operating report elements covering that partial period immediately preceding the effective date of this renewed permit.

[18 AAC 50.346(b)(6) & 50.326(j)]
[40 CFR 71.6(a)(3)(iii)(A)]

76. Annual Compliance Certification. Each year by March 31, the Permittee shall compile and submit to the Department an annual compliance certification report according to Condition 72.

76.1. Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

a. identify each term or condition set forth in Section 3 through Section 9, that is the basis of the certification;

b. briefly describe each method used to determine the compliance status;

c. state whether compliance is intermittent or continuous; and

d. identify each deviation and take it into account in the compliance certification.

76.2. **Transition from expired to renewed permit**. For the first period of this renewed operating permit, also provide the previous permit's annual compliance certification report elements covering that partial period immediately preceding the effective date of this renewed permit.

76.3. In addition, submit a copy of the report directly to the Clean Air Act Compliance Manager, US EPA Region 10, ATTN: Air Toxics and Enforcement Section, Mail Stop: 20-C04, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101-3188.

[18 AAC 50.205, 50.345(a) & (j), & 50.326(j)]
[40 CFR 71.6(c)(5)]

77. Emission Inventory Reporting. The Permittee shall submit to the Department reports of actual emissions for the previous calendar year, by emissions unit, of CO, NH_3, NO_x, PM_{10}, $PM_{2.5}$, SO_2, VOC and lead (Pb) and lead compounds, as follows:

77.1. **Annual inventory.** Each year by April 30, if the stationary source's potential to emit for the previous calendar year equals or exceeds:

a. 250 tpy of NH_3, PM_{10}, $PM_{2.5}$ or VOC; or

b. 2,500 tpy of CO, NO_x, or SO_2.

77.2. **Triennial inventory.** Every third year by April 30, if the stationary source's potential to emit (except actual emissions for Pb) for the previous calendar year equals or exceeds:

a. For stationary sources located in Attainment and Unclassifiable Areas:

(i) 0.5 tpy of actual Pb; or

(ii) 1,000 tpy of CO; or

(iii) 100 tpy of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NO_x or VOC.

b. For stationary sources located in Nonattainment Areas:

(i) 0.5 tpy of actual Pb; or

(ii) 1,000 tpy of CO or, when located in a CO nonattainment area, 100 tpy of CO; or

(iii) 100 tpy of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NO_x, or VOC; or as specified in Conditions 77.2.b(iv) through 77.2.b(viii);

(iv) 70 tpy of SO_2, NH_3, $PM_{2.5}$, NO_x, or VOC in $PM_{2.5}$ serious nonattainment areas; or

(v) 70 tpy of PM_{10} in PM_{10} serious nonattainment areas; or

(vi) 50 tpy of NO_x or VOC in O_3 serious nonattainment areas; or

(vii) 25 tpy of NO_x or VOC in O_3 severe nonattainment areas; or

(viii) 10 tpy of NO_x or VOC in O_3 extreme nonattainment areas.

77.3. For reporting under Condition 77.2, the Permittee shall report the annual emissions and the required data elements under Condition 77.4 every third year for the previous calendar year as scheduled by the EPA.[20].

77.4. For each emissions unit and the stationary source, include in the report the required data elements[21] contained within the form included in the Emission Inventory Instructions available at the Department's AOS system on the Point Source Emission Inventory webpage at http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory.

77.5. Submit the report in accordance with the submission instructions on the Department's Standard Permit Conditions webpage at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-xv-and-xvi-submission-instructions/.

[18 AAC 50.040(j)(4), 50.200, 50.326(j)(3), & 50.346(b)(8)]
[40 CFR 51.15, 51.30(a)(1) & (b)(1), and Appendix A to 40 CFR 51 Subpart A]

78. NSPS and NESHAP Reports. The Permittee shall comply with the following:

78.1. **Reports:** Except for previously submitted reports and federal reports and notices submitted through EPA's Central Data Exchange (CDX) and Compliance and Emissions Data Reporting Interface (CEDRI) online reporting system, attach to the operating report required by Condition 75 for the period covered by the report, a copy of any NSPS and NESHAP reports submitted to the U.S. Environmental Protection Agency (EPA) Region 10. For reports previously submitted to ADEC or submitted through CDX/CEDRI, state in the operating report the date and a brief description of each of the online reports submitted during the reporting period.

78.2. **Waivers**: Upon request by the Department, provide a written copy of any EPA-granted alternative monitoring requirement, custom monitoring schedule or waiver of the federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements. The Permittee shall keep a copy of each U.S. EPA-issued monitoring waiver or custom monitoring schedule with the permit.

[18 AAC 50.040(j)(4) & 50.326(j)(4)]
[40 CFR 60.13, 63.10(d) & (f) and 40 CFR 71.6(c)(6)]

[20] The calendar years for which reports are required are based on the triennial reporting schedule in 40 CFR 51.30(b)(1), which requires states to report emissions data to the EPA for inventory years 2011, 2014, 2017, 2020, and every 3rd year thereafter. Therefore, the Department requires Permittees to report emissions data for the same inventory years by April 30 of the following year (e.g., triennial emission inventory report for 2020 is due April 30, 2021, triennial emission inventory report for 2023 is due April 30, 2024, etc.).

[21] The required data elements to be reported to the EPA are outlined in 40 CFR 51.15 and Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A.

Section 8. Permit Changes and Renewal

79. Permit Applications and Submittals. The Permittee shall comply with the following requirements for submitting application information to the EPA:

79.1. The Permittee shall provide a copy of each application for modification or renewal of this permit, including any compliance plan, or application addenda, at the time the application or addendum is submitted to the Department;

79.2. The information shall be submitted to the Part 70 Operating Permit Program, US EPA Region 10, Air Permits and Toxics Branch, Mail Stop: 15-H13, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101-3188;

79.3. To the extent practicable, the Permittee shall provide to EPA applications in portable document format (pdf), MS Word format (.doc), or other computer-readable format compatible with EPA's national database management system; and

79.4. The Permittee shall maintain records as necessary to demonstrate compliance with this condition.

[18 AAC 50.040(j)(7), 50.326(a) & (j)(3), & 50.346(b)(7)]
[40 CFR 71.10(d)(1)]

80. Emissions Trading. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.

[18 AAC 50.040(j)(4) & 50.326(j)(4)]
[40 CFR 71.6(a)(8)]

81. Off Permit Changes. The Permittee may make changes that are not addressed or prohibited by this permit other than those subject to the requirements of 40 CFR Parts 72 through 78 or those that are modifications under any provision of Title I of the Act to be made without a permit revision, provided that the following requirements are met:

81.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;

81.2. Provide contemporaneous written notice to EPA and the Department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;

81.3. The change shall not qualify for the shield under 40 CFR 71.6(f);

81.4. The Permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[18 AAC 50.040(j)(4) & 50.326(j)(4)]
[40 CFR 71.6(a)(12)]

82. Operational Flexibility. The Permittee may make CAA Section 502(b)(10)[22] changes within the permitted stationary source without requiring a permit revision if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions).

82.1. The Permittee shall provide EPA and the Department with a written notification no less than seven days in advance of the proposed change.

82.2. For each such change, the notification required by Condition 82.1 shall include a brief description of the change within the permitted stationary source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

82.3. The permit shield described in 40 CFR 71.6(f) shall not apply to any change made pursuant to Condition 82.

[18 AAC 50.040(j)(4) & 50.326(j)(4)]
[40 CFR 71.6(a)(13)]

83. Permit Renewal. To renew this permit, the Permittee shall submit to the Department[23] an application under 18 AAC 50.326 no sooner than **<18 months before the expiration date of this permit>** and no later than **<6 months before the expiration date of this permit>**. The renewal application shall be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the stationary source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 CFR 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3) & 50.326(c) & (j)(2)]
[40 CFR 71.5(a)(1)(iii) and 71.7(b) & (c)(1)(ii)]

[22] As defined in 40 CFR 71.2, CAA Section 502(b)(10) changes are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[23] Submit permit applications to the Department's Anchorage office. The current address is: Air Permit Intake Clerk, ADEC, 555 Cordova Street, Anchorage, AK 99501.

Section 9. Compliance Requirements

General Compliance Requirements

84. Compliance with permit terms and conditions is considered to be compliance with those requirements that are

84.1. included and specifically identified in the permit; or

84.2. determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3) & 50.345(a) & (b)]

85. The Permittee must comply with each permit term and condition. Noncompliance with a permit term or condition constitutes a violation of AS 46.14, 18 AAC 50, and, except for those terms or conditions designated in the permit as not federally enforceable, the Clean Air Act, and is grounds for

85.1. an enforcement action;

85.2. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

85.3. denial of an operating permit renewal application.

[18 AAC 50.040(j), 50.326(j) & 50.345(a) & (c)]

86. For applicable requirements with which the stationary source is in compliance, the Permittee shall continue to comply with such requirements.

[18 AAC 50.040(j)(3) & (4) & 50.326(j)]
[40 CFR 71.6(c)(3) and 71.5(c)(8)(iii)(A)]

87. It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3) & 50.345(a) & (d)]

88. The Permittee shall allow the Department or an inspector authorized by the Department, upon presentation of credentials and at reasonable times with the consent of the owner or operator, to

88.1. enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

88.2. have access to and copy any records required by the permit;

88.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

88.4. sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3) & 50.345(a) & (h)]

89. For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(c)(3) and 71.5(c)(8)(iii)(B)]

Section 10. Permit As Shield from Inapplicable Requirements

In accordance with AS 46.14.290, and based on information supplied in the permit application, this section of the permit contains the requirements determined by the Department not to be applicable to the stationary source.

90. Nothing in this permit shall alter or affect the following:

90.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

90.2. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(f)(3)(i) & (ii)]

91. Table C identifies the emissions units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Table C becomes applicable during the permit term, the Permittee shall comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(f)(1)(ii)]

Table C - Permit Shields Granted

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
11	40 CFR 63 Subpart JJJJJJ	EU ID 11 is not a boiler as defined in 40 CFR 63.11237
35	40 CFR 63 Subpart JJJJJJ	EU ID 35 is composed of residential units and exempt according to 40 CFR 63.11195(i).

[18 AAC 50.326(j)]
[40 CFR 71.6(f)(1)(ii)]

Section 11. Visible Emissions Forms

VISIBLE EMISSIONS OBSERVATION FORM

This form is designed to be used in conjunction with EPA Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources." Temporal changes in emission color, plume water droplet content, background color, sky conditions, observer position, etc. should be noted in the comments section adjacent to each minute of readings. Any information not dealt with elsewhere on the form should be noted under Additional Information. Following are brief descriptions of the type of information that needs to be entered on the form. For a more detailed discussion of each part of the form, refer to "Instructions for Use of Visible Emission Observation Form" (a copy is available in https://www3.epa.gov/ttnemc01/methods/webinar8.pdf).

- Source Name: full company name, parent company or division or subsidiary information, if necessary.
- Address: street (not mailing or home office) address of facility where visible emissions observation is being made.
- Phone (Key Contact): number for appropriate contact.
- Stationary Source ID Number: number from NEDS, agency file, etc.
- Process Equipment, Operating Mode: brief description of process equipment (include type of facility) and operating rate, % capacity, and/or mode (e.g., charging, tapping, shutdown).
- Control Equipment, Operating Mode: specify type of control device(s) and % utilization, control efficiency.
- Describe Emission Point: for identification purposes, stack or emission point appearance, location, and geometry; and whether emissions are confined (have a specifically designed outlet) or unconfined (fugitive).
- Height Above Ground Level: stack or emission point height relative to ground level; can use engineering drawings, Abney level, or clinometer.
- Height Relative to Observer: indicate height of emission point relative to the observation point.
- Distance from Observer: distance to emission point; can use rangefinder or map.
- Direction from Observer: direction plume is traveling from observer.
- Describe Emissions and Color: include physical characteristics, plume behavior (e.g., looping, lacy, condensing, fumigating, secondary particle formation, distance plume visible, etc.), and color of emissions (gray, brown, white, red, black, etc.). Note color changes in comments section.
- Visible Water Vapor Present?: check "yes" if visible water vapor is present.
- If Present, note in the Comments column whether the Plume is "attached" if water droplet plume forms prior to exiting stack, and "detached" if water droplet plume forms after exiting stack.
- Point in Plume at Which Opacity was Determined: describe physical location in plume where readings were made (e.g., 1 ft above stack exit or 10 ft. after dissipation of water plume).
- Describe Plume Background: object plume is read against, include texture and atmospheric conditions (e.g., hazy).
- Background Color: sky blue, gray-white, new leaf green, etc.
- Sky Conditions: indicate color of clouds and cloud cover by percentage or by description (clear, scattered, broken, overcast).
- Wind Speed: record wind speed; can use Beaufort wind scale or hand-held anemometer to estimate.
- Wind Direction From: direction from which wind is blowing; can use compass to estimate to eight points.
- Ambient Temperature: in degrees Fahrenheit or Celsius.
- Wet Bulb Temperature: can be measured using a sling psychrometer
- RH Percent: relative humidity measured using a sling psychrometer; use local US Weather Bureau measurements only if nearby.
- Source Layout Sketch: include wind direction, sun position, associated stacks, roads, and other landmarks to fully identify location of emission point and observer position.
- Draw North Arrow: to determine, point line of sight in direction of emission point, place compass beside circle, and draw in arrow parallel to compass needle.
- Sun's Location: point line of sight in direction of emission point, move pen upright along sun location line, mark location of sun when pen's shadow crosses the observer's position.
- Observation Date: date observations conducted.
- Start Time, End Time: beginning and end times of observation period (e.g., 1635 or 4:35 p.m.).
- Data Set: percent opacity to nearest 5%; enter from left to right starting in left column. Use a second (third, etc.) form, if readings continue beyond 30 minutes. Use dash (-) for readings not made; explain in adjacent comments section.
- Comments: note changing observation conditions, plume characteristics, and/or reasons for missed readings.
- Range of Opacity: note highest and lowest opacity number.
- Observer's Name: print in full.
- Observer's Signature, Date: sign and date after performing VE observation.
- Observer's Affiliation: observer's employer.
- Certifying Organization, Certified By, Date: name of "smoke school," certifying observer, and date of most recent certification.

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR PERMITS PROGRAM - VISIBLE EMISSIONS OBSERVATION FORM

Page No.

Stationary Source Name	Type of Emission Unit			Observation Date		Start Time		End Time		
				Sec / Min	0	15	30	45	Comments	
Emission Unit Location				1						
City	State	Zip		2						
Phone # (Key Contact)	Stationary Source ID Number			3						
Process Equipment	Operating Mode			4						
Control Equipment	Operating Mode			5						
Describe Emission Point/Location				6						
Height above ground level	Height relative to observer	Clinometer Reading		7						
Distance From Observer Start / End	Direction From Observer Start / End			8						
Describe Emissions & Color Start	End			9						
Visible Water Vapor Present? If yes, determine approximate distance from the stack exit to where the plume was read: No / Yes				10						
Point in Plume at Which Opacity Was Determined				11						
Describe Plume Background Start / End	Background Color Start / End			12						
Sky Conditions: Start / End				13						
Wind Speed Start / End	Wind Direction From Start / End			14						
Ambient Temperature	Wet Bulb Temp	RH percent		15						
SOURCE LAYOUT SKETCH: 1 Stack or Point Being Read 2 Wind Direction From 3 Observer Location 4 Sun Location 5 North Arrow 6 Other Stacks				16						
				17						
				18						
				19						
				20						
				21						
				22						
				23						
				24						
				25						
				26						
				27						
				28						
				29						
Additional Information:				30						

Range of Opacity:	
Minimum	Maximum
I have received a copy of these opacity observations	Print Observer's Name
Print Name:	
Signature:	Observer's Signature / Date
	Observer's Affiliation:
Title / Date	Certifying Organization:
	Certified By: / Date

Data Reduction:

Duration of Observation Period (minutes):	Duration Required by Permit (minutes):
Number of Observations:	Highest Six–Minute Average Opacity (%):
Number of Observations exceeding 20%:	
In compliance with six-minute opacity limit? (Yes or No)	Highest 18-Consecutive –Minute Average Opacity (%)(engines and turbines only)

Average Opacity Summary:

Set Number	Time			Opacity		
	Start	End		Sum	Average	Comments

Section 12. Notification Form[24]

King Cove Facility	**AQ0243TVP05**
Stationary Source Name	**Air Quality Permit Number.**

Peter Pan Seafood Company, LLC

Company Name

When did you discover the Excess Emissions/Permit Deviation?

Date: ____/____/____ Time: ____:____

When did the event/deviation occur?

Begin: Date: ____/____/____ Time: ____:____ (please use 24-hr clock)

End: Date: ____/____/____ Time: ____:____ (please use 24-hr clock)

What was the duration of the event/deviation? ____:____ (hrs:min) or ____days

(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

Reason for Notification (Please check only 1 box and go to the corresponding section.):

☐ Excess Emissions - Complete Section 1 and Certify

Note: All "excess emissions" are also "permit deviations." However, use only Section 1 for events that involve excess emissions.

☐ Deviation from Permit Conditions - Complete Section 2 and Certify

Note: Use only Section 2 for permit deviations that do not involve excess emissions.

☐ Deviation from COBC[25], CO[26], or Settlement Agreement - Complete Section 2 and Certify

[24] Revised as of July 22, 2020.

[25] Compliance Order By Consent

[26] Compliance Order

Section 1. Excess Emissions

(a) **Was the exceedance** ☐Intermittent or ☐Continuous

(b) **Cause of Event** (Check one that applies. Complete a separate form for each event, as applicable.):

☐Start Up/Shut Down ☐Natural Cause (weather/earthquake/flood)

☐Control Equipment Failure ☐Scheduled Maintenance/Equipment Adjustments

☐Bad fuel/coal/gas ☐Upset Condition

☐Other _____

(c) **Description**

Describe briefly what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance. Attach supporting information if necessary.

(d) **Emissions Units (EU) Involved:**

Identify the emissions units involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

EU ID	EU Name	Permit Condition Exceeded/Limit/Potential Exceedance

(e) **Type of Incident:** (Please check all that apply and provide the value requested, if any):

- ☐ Opacity _____%
- ☐ Control Equipment Down
- ☐ Emission Limit Exceeded
- ☐ Flaring
- ☐ Other**:** _____
- ☐ Venting _____(gas/scf)
- ☐ Fugitive Emissions
- ☐ Marine Vessel Opacity

(f) **Corrective Actions:**

Describe actions taken to restore the system to normal operation and to minimize or eliminate chances of a recurrence. Attach supporting information if necessary.

(g) **Unavoidable Emissions:**

Do you intend to assert that these excess emissions were unavoidable? ☐YES ☐NO

Do you intend to assert the affirmative defense of 18 AAC 50.235? ☐YES ☐NO

Certify Report (<u>go to end of form</u>)

Section 2. Permit Deviations

(a) **Permit Deviation Type:** (Check all boxes that apply per event. Complete a separate form for each event, as applicable.)

- ☐ Emissions Unit-Specific Requirements
- ☐ Stationary Source-Wide Specific Requirements
- ☐ Monitoring/Recordkeeping/Reporting Requirements
- ☐ General Source Test Requirements
- ☐ Compliance Certification Requirements
- ☐ Standard/Generally Applicable Requirements
- ☐ Insignificant Emissions Unit Requirements
- ☐ Other: _____

(b) **Emissions Units (EU) Involved:**

Identify the emissions units involved in the event, using the same identification number and name as in the permit. List the corresponding permit condition and the deviation.

EU ID	EU Name	Permit Condition /Potential Deviation

(c) **Description of Potential Deviation:**

Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation. Attach supporting information if necessary.

(d) **Corrective Actions:**

Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence. Attach supporting information if necessary.

Certification:

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.

Printed Name:_____Title_____Date _____

Signature:_____ Phone number_____

NOTE: *This document must be certified in accordance with 18 AAC 50.345(j). Read and sign the certification in the bottom of the form above. (See Condition 71.)*

Submit this report in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-iii-and-iv-submission-instructions/.

If submitted online, report must be submitted by an authorized E-signer for the stationary source (according to Condition 71).

[18 AAC 50.346(b)(3)]

Alaska Department of Environmental Conservation
Air Permits Program

[Public Comment - December 7, 2022]
Peter Pan Seafood Company, LLC
King Cove Facility

STATEMENT OF BASIS
for the terms and conditions of
Permit No. AQ0243TVP05

Prepared by Kathie Mulkey
ADEC AQ/APP (Anchorage)

INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit AQ0243TVP05.

STATIONARY SOURCE IDENTIFICATION

Section **1** of Operating Permit AQ0243TVP05 contains information on the stationary source as provided in the Title V permit application.

The King Cove Facility is owned and operated by the Permittee, Peter Pan Seafood Company, LLC. The SIC code for this stationary source is 2091 / 2092: Canned and Cured Fish / Prepared Fresh or Frozen Fish.

The King Cove Facility has been in operation at this location since 1911. The facility processes marine species including salmon, king crab, herring, opilio crab, pollock, pacific cod, halibut, and black cod harvested off the coast of Alaska. The production process involves removing bones and cleaning marine species, fresh-freezing or canning the resulting products for distribution and sale. The facility operates year-round and produces its own heat and electric power.

A fish meal plant enables Peter Pan to further process un-merchantable byproducts generated from initial fish processing. Some of the products made at the fish meal plant include fish oil that can be sold or used for combustion, dried fish protein, and bone meal.

The Permittee maintains anhydrous ammonia on-site in quantities that subject it to the chemical accident prevention provisions of 40 CFR 68. Facility personnel have completed a hazard analysis for compliance with the process safety management regulation and incorporated these data elements into the Risk Management Plan (RMP) was last updated on January 21, 2020.

EMISSIONS UNIT INVENTORY AND DESCRIPTION

Under 18 AAC 50.326(a), the Department requires operating permit applications to include identification of all emissions-related information, as described under 40 CFR 71.5(c)(3).

The emissions units at the King Cove Facility that have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of Operating Permit AQ0243TVP05.

Table A of Operating Permit AQ0243TVP05 contains information on the emissions units regulated by this permit as provided in the application. The table is provided for informational and identification purposes only. Specifically, the emissions unit rating/size provided in the table is not intended to create an enforceable limit.

The King Cove Facility operates four diesel-fired generators, a diesel-fired compressor for an ammonia refrigeration plant, a fishmeal dryer, five process heat boilers, a fish meal plant with a wet scrubber for odor control, a vapor extraction system, an assortment of small heaters and home heating units, and various tanks to store fuels and oils.

EMISSIONS

A summary of the potential to emit (PTE)[1] and assessable PTE as indicated in the application and verified by the Department from the King Cove Facility is shown in the table below.

Table D - Emissions Summary, in Tons Per Year (tpy)

Pollutant	NOx	CO	$PM_{2.5}$	PM_{10}	PM	SO_2	VOC	CO_2e	HAP	Total
PTE	248.33	164.08	32.79	35.83	40.77	114.68	13.35	108,938	0.69	581.21
Assessable PTE	248.33	164.08	Included in PM		40.77	114.68	13.35	0	0	581.21

Notes:

1. CO_2e emissions are defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential. CO_2e emissions are excluded from the total PTE and total assessable PTE as they are not regulated under 18 AAC 50.
2. HAP emissions are a subset of either VOC emissions or PM emissions and are excluded from the total PTE and total assessable PTE to avoid double counting.

The assessable PTE listed under Condition 51.1 is the sum of the PTE of each individual air pollutant, other than greenhouse gases (GHGs), for which the stationary source has the potential to emit. The emissions listed in Table Dare estimates that are for informational use only. The listing of the emissions does not create an enforceable limit for the stationary source.

NOx and SO_2 emissions for EU IDs 1a through 11 are restricted to 242.5 tpy and 91.7 tpy, respectively. The Department incorporated these limits as Conditions 16 and 19, respectively in Operating Permit AQ0243TVP05. The values shown in Table D are for the entire stationary source and include emissions from insignificant EUs.

The NOx and SO_2 limits in Conditions 16 and 19 also restrict emissions of CO, PM, VOC, CO_2e, and hazardous air pollutants (HAP) from EU IDs 1a through 11. The facility is an area source of HAP emissions.

BASIS FOR REQUIRING AN OPERATING PERMIT

In accordance with AS 46.14.130(b), an owner or operator of a Title V source[2] must obtain a Title V permit consistent with 40 CFR Part 71, as adopted by reference in 18 AAC 50.040.

Except for sources exempted or deferred by AS 46.14.120(e) or (f), AS 46.14.130(b) lists the following categories of sources that require an operating permit:

- A major source;
- A stationary source, including an area source, subject to federal New Source Performance Standards (NSPS) under Section 111 of the Clean Air Act or National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the CAA;

[1] *Potential to Emit* or *PTE* means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source, as defined in AS 46.14.990(22).

[2] *Title V source* means a stationary source classified as needing a permit under AS 46.14.130(b) [ref. 18 AAC 50.990(111)].

- Another stationary source designated by the Federal Administrator by regulation.

The Permittee is required to obtain an operating permit for the King Cove Facility as specified under 18 AAC 50.326(a) and 40 CFR 71.3(a), because the stationary source is:

- A major source, as defined in Section 302 of the CAA, that directly emits, or has the potential to emit, 100 tpy or more of any air pollutant subject to regulation;
- A source, including an area source, subject to a standard or other requirement under Section 111 of the Act (NSPS) not exempted or deferred under AS 46.14.120(e) or (f);

AIR QUALITY PERMITS

Permits to Operate

The most recent permit to operate issued for this stationary source is Permit to Operate No. 9425-AA013. The permit to operate included all construction authorizations issued through November 9, 1994 and was issued before January 18, 1997 (the effective date of the new divided Title I/Title V permitting program). All stationary source-specific requirements established in Permit to Operate No. 9425-AA013 were included in the original operating permit (Permit No. 243TVP01) as described in the Legal and Factual Basis for Permit No. 243TVP01.

Title I (Construction and Minor) Permits

Permit AQ0243CPT01. The Department issued Construction Permit No. 9725-AC013 to this stationary source on July 13, 1999 to authorize installation of a fish meal plant. The Department established stationary source-specific requirements in Permit No. 9725-AC013. The Department revised and renamed the permit as Permit No. AQ0243CPT01 Rev 1 on May 12, 2006. Permit No. AQ0243CPT01 Rev 1 limited the combined fuel consumption in the boilers (EU IDs 1a – 5) and the Dyno-Jet Fish Dryer to 1,052,000 gallons in any consecutive 12 months period. Permit No. AQ0243CPT01 Rev 1 limited combined fuel consumption in all the diesel electric generators at the stationary source to 925,000 gallons in any consecutive 12 months period. This construction permit was rescinded by Minor Permit AQ0243MSS02.

Minor Permit AQ0243MSS01. The Department issued Minor Permit AQ0243MSS01 on February 24, 2006 to authorize the installation of EU ID 35 and establish a NOx emission limit for EU ID 6 (Diesel Drive Refrigeration Screw Compressor). The permit limited NOx emissions from EU ID 6 to 26.1 tpy to avoid PSD review of the project and limited emissions from EU ID 35 to 0.54 tons NOx per month and 1.6 tons SO_2 per month. EU ID 35 consists of various residential heating units with a cumulative total rating of 8.1 MMBtu/hr. This minor permit was rescinded by Minor Permit AQ0243MSS02.

Minor Permit AQ0243MSS02. The Department issued Minor Permit AQ0243MSS02 on March 8, 2012. The permit rescinded Minor Permit AQ0243MSS01 and Construction Permit AQ0243CPT01 Rev 1. Minor Permit AQ0243MSS02 limited NOx emissions from the entire stationary source to 249 tpy to avoid classification as a PSD-major source and limited SO_2 emissions from the entire stationary source 110.9 tpy to avoid permitting requirements under 18 AAC 50.502(c)(3).

- Revision No. 1: The Department issued Minor Permit AQ0243MSS02 Revision 1 on November 13, 2014 to transfer ownership to Maruha-Nichiro Holdings Inc. All

applicable stationary source-specific requirements established in this permit are included in Operating Permit AQ0243TVP05 as described in Table E.

Minor Permit AQ0243MSS03. The Permittee submitted an application on January 10, 2017 after several discussions with the Department regarding inconsistent treatment of the fuel-burning emissions units that directly support worker housing units at the stationary source. The Department agreed that it had imposed more stringent requirements in Minor Permit AQ0243MSS02 Revision 1 than it had in similar permits issued to other applicants. The requirements included a cumulative capacity cap on EU ID 35 and inclusion of the associated potential emissions in the ORLs for EU IDs 1a through 11. The Department researched the issue and concluded that worker housing units are support activities and that it was therefore proper to include the PTE for EU ID 35 in the PTE for the entire stationary source. However, the Department concluded that the cumulative capacity cap on EU 35 seemed unwarranted and further stated that Peter Pan could request revisions to Minor Permit AQ0243MSS02 Revision 1 through a minor permit application submitted under 18 AAC 50.508(6). The Department processed the application for Minor Permit AQ0243MSS03 concurrently with the renewal Operating Permit AQ0243TVP04 and issued the permits on May 2, 2017. All stationary source-specific requirements established in this permit are included in Operating Permit AQ0243TVP05 as described in Table F.

- Revision No. 1: The Department issued Minor Permit AQ0243MSS03 Revision 1 on December 31, 2020 to transfer ownership to Peter Pan Seafood Company, LLC.

Title V Operating Permits

AQ0243TVP01. The Department issued the initial operating permit for the stationary source on November 22, 2000.

- Revision Nos. 1 and 2: The Department administratively revised it on March 19, 2001 to correct minor errors and on April 18, 2001 to correct identification errors.
- Revision No. 3: The Department issued a significant revision, labeled as "Significant Revision 3" on July 11, 2001.
- Revision No. 4: The Department issued a subsequent significant revision, labeled as "Significant Revision 4," on November 1, 2002 to revise the NOx emission limits for the boilers and engines.

AQ0243TVP02. The operator submitted a renewal application, on May 13, 2005. The applicant submitted an addendum on March 31, 2006 to include the replacement of EU ID 3 with EU ID 3a. All stationary source-specific requirements established in Permit 243TVP01 Significant Revision 4 were included in Operating Permit AQ0243TVP02.

AQ0243TVP03. The operator submitted the next renewal application on May 20, 2011. The Department received additional GHG information on July 7, 2011. The Department issued Operating Permit AQ0243TVP03 on December 2, 2011.

- Revision No. 1: The Department revised AQ0243TVP03 on July 25, 2012 to include the requirements of Minor Permit AQ0243MSS02.
- Revision No. 2: The Department revised Operating Permit AQ0243TVP03 Revision 1 on November 13, 2014 as Revision 2 to change the name of the owner.

AQ0243TVP04. The operator submitted the renewal application on December 11, 2015. They submitted more detailed information on the emissions units on May 9, 2016 upon the Department's request, a revised Appendix F (Insignificant Heaters and Boilers, EU ID 35) on August 24, 2016, and a revised emissions unit inventory on September 15, 2016.

Maruha-Nichiro Holding, Inc submitted an application on January 10, 2017 requesting the removal of EU ID 35 from the ORL for NOx and SO_2 emissions while maintaining the stationary source as a synthetic minor under PSD. The application revised the renewal application for Operating Permit AQ0243TVP04 and requested an integrated review of the applications for the minor permit and the renewal operating permit, removal of the rating limit on EU ID 35 in Condition 2 of Minor Permit AQ0243MSS02 Revision 1, and other changes as necessary. Operating Permit AQ0243TVP04 was issued on May 2, 2017.

- Revision No. 1: Maruha-Nichiro Holding, Inc submitted a Transfer of Ownership request on December 23, 2020, to transfer ownership of the stationary source from Maruha-Nichiro Holding Inc. (Peter Pan Seafoods) to Peter Pan Seafood Company LLC. The Department revised AQ0243TV04 adding an Administrative Amendment to change the name of the owner, as requested, becoming effective January 1, 2021.

AQ0243TVP05. The operator submitted a renewal application under a June 24, 2021 cover letter.

COMPLIANCE HISTORY

The stationary source has operated at its current location since 1994. Review of the permit files for this stationary source, which includes the past inspection reports and compliance evaluations, indicates a stationary source generally operating in compliance with its operating permit. However, in the full compliance evaluation report dated July 19, 2018, the Permittee was found to be out of compliance with Conditions 17 and 33 of Operating Permit AQ0243TVP04. In the full compliance evaluation reports dated May 11, 2020 and February 4, 2022, the Permittee was found to be in compliance with Minor Permits AQ0243MSS02, AQ0243MSS03, Operating Permit AQ0243TVP04, and the Alaska Air Quality Control Regulations.

APPLICABLE REQUIREMENTS FROM PRECONSTRUCTION PERMITS

Incorporated by reference at 18 AAC 50.326(j), 40 CFR Part 71.2 defines "applicable requirement" to include the terms and conditions of any preconstruction permit issued under rules approved in Alaska's State Implementation Plan (SIP).

Alaska's SIP includes the following types of preconstruction permits:

- Permit to Operate issued on or before January 17, 1997 (these permits cover both construction and operations);
- Construction permits issued on or after January 18, 1997; and
- Minor permits issued on or after October 1, 2004.

Preconstruction permit terms and conditions include both source-specific conditions and conditions derived from regulatory applicable requirements such as standard conditions, generally applicable conditions, and conditions that quote or paraphrase requirements in regulation. These requirements include, but are not limited to, each emissions unit- or source-

specific requirement established in these permits issued under 18 AAC 50 that are still in effect at the time of issuance of Operating Permit AQ0243TVP05.

Table E and Table F below list the requirements carried into Operating Permit AQ0243TVP05 to ensure compliance with the preconstruction permit requirements.

Table E - Comparison of Minor Permit AQ0243MSS02 Rev 1 Conditions to Operating Permit AQ0243TVP05 Conditions[1]

AQ0243MSS02 Revision 1 Condition No.	Description of Requirement	AQ0243TVP05 Condition No.	How Condition was Revised
10	Fuel Monitoring	16.1	Not revised
11	NOx Emissions Calculations	16.2	Not revised
11.1 – 11.3	NOx Emissions Calculations	16.2.a – 16.2.c	Not revised
13	Fuel Sulfur Limit	19.1	Not revised
15.1 – 15.5	Source Test Requirements	17.1 – 17.5	Condition 15.1.a is not applicable and therefore was not carried forward.
16	Emission Factors	0	Not revised

Note:

1. This table does not include all standard and general conditions.

Table F - Comparison of Minor Permit AQ0243MSS03 Rev 1 Conditions to Operating Permit AQ0243TVP05 Conditions[1]

AQ0243MSS03 Revision 1 Condition No.	Description of Requirement	AQ0243TVP05 Condition No.	How Condition was Revised
7	ORL to avoid PSD for NOx	16	Not revised
9	Total monthly NOx	16.2.d	Not revised
10	Calculate 12-month rolling NOx emissions	16.2.e	Not revised
Table 1	NOx Emission Factors	Table B	Reworded table notes only
14	Emissions Limit for SO_2	19	Not revised
16	SO_2 Emissions Calculations	19.2	Not revised

Note:

1. This table does not include all standard and general conditions.

NON-APPLICABLE REQUIREMENTS

This section discusses standard conditions that have not been included in the permit and other requirements that are not included for specific reasons.

- **40 CFR 64 Compliance Assurance Monitoring (CAM):** The requirements of CAM apply to an emissions unit at a stationary source if the emissions unit is subject to an

emission limitation or standard; uses a control device to comply with the emission limitation or standard; and has potential pre-control device emissions of the regulated air pollutant equal to or greater than the major source thresholds for the regulated air pollutant. None of the emissions units at the stationary source use a control device to achieve compliance with emission limits or standards. Therefore, CAM requirements are not applicable.

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The Department adopted regulations from 40 CFR 71, as specified in 18 AAC 50.040(j), to establish operating permit regulations. The EPA fully approved the Alaska Operating Permit Program on November 30, 2001, as noted in Appendix A to 40 CFR 70. This Statement of Basis, required under 40 CFR 71.11(b), provides the legal and factual basis for each condition of Operating Permit AQ0243TVP05. Additionally, and as required by 40 CFR 71.6(a)(1)(i), the state and federal regulations for each permit condition are cited in the permit.

Conditions 1 through 4, Visible Emissions Standard and MR&R

Legal Basis: These conditions require compliance with the applicable requirements in 18 AAC 50.055(a).

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU ID(s) 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 are fuel-burning equipment.

U.S. EPA approved the addition of these standards to the SIP, as noted in 40 CFR 52.70. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

Factual Basis: Condition 1 prohibits the Permittee from causing or allowing visible emissions in excess of the applicable standard in 18 AAC 50.055(a)(1). MR&R requirements are listed in Conditions 2 through 4 (for liquid fuel-burning equipment). These conditions have been adopted into regulation as Standard Permit Condition (SPC) IX – Visible Emissions and Particulate Matter Monitoring Plan for Liquid Fuel-Burning Equipment and Flares. . The Department has modified these conditions, as follows:

- Although the fish meal dryer (EU ID 11) vent is not covered under the SPC, the Department chose to use the standard language and apply it to the vent.

Beyond as noted above, the Department has determined that the standard conditions adequately meet the requirements of 40 CFR 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions meet the requirements of 40 CFR 71.6(a)(3).

The Permittee must establish by visual observations of emissions unit exhaust, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state emission standards for visible emissions.

These conditions detail a stepwise process for monitoring to determine compliance with the state's visible emissions standard for liquid fuel-burning equipment. Equipment types

covered by these conditions are stationary internal combustion engines, turbines, heaters, boilers, and flares. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

Reasonable action thresholds are established in these conditions that require the Permittee to progressively address potential visible emission problems from emissions units either through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

Liquid Fuel- Burning Equipment:

Monitoring – The emissions unit exhaust must be observed by either the Method 9 Plan or the Smoke/No Smoke Plan as detailed in Condition 2. Corrective actions such as maintenance procedures or more frequent observations may be required depending on the results of the observations.

Recordkeeping - The Permittee is required to record the results of all observations of emissions unit exhaust and record any actions taken to reduce visible emissions.

Reporting - The Permittee is required to report emissions in excess of the state visible emissions standard and deviations from permit conditions. The Permittee is also required to include in the operating report a statement of which visible emissions plan was used for each emissions unit and copies of the results of all visible emission observations.

Conditions 5 through 11, PM Standard and MR&R

Legal Basis: These conditions require compliance with the applicable requirement in 18 AAC 50.055(b).

- 18 AAC 50.055(b)(1) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 are fuel-burning equipment.

This PM standard applies because it is contained in the federally approved SIP. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

Factual Basis: Condition 5 prohibits emissions in excess of the applicable state PM standard. MR&R requirements for liquid fuel-fired engines are listed in Conditions 6 through 8 of the permit. MR&R requirements for liquid fuel-fired heaters are listed in Conditions 9 through 11 of the permit. These conditions have been adopted into regulation as SPC IX. The Department has modified these conditions as follows:

- Added Condition 9.4 to address instances when used oil blends are burned in EU IDs 1a, 2, and 3a, to establish relevance with the oil blend ratio requirements in Condition 13.3.

Beyond as noted above, the Department has determined that the standard conditions adequately meet the requirements of 40 CFR 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions meet the requirements of 40 CFR 71.6(a)(3).

The Permittee must establish by visual observations, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state's emission standards for PM.

Liquid Fuel-Burning Equipment:

Monitoring – The Permittee is required to either take corrective action or conduct PM source testing, if opacity threshold values are exceeded. For liquid fuel-burning engines and turbines, the Department set opacity threshold values of 15 percent for exhaust stack exit internal diameters less than 18 inches and 20 percent for exhaust stack exit internal diameters equal to or greater than 18 inches. These opacity thresholds are based on a study conducted by the Department in an effort to establish a correlation between opacity and PM. The data was collected from diesel engines of various stack sizes.

The results of the correlation study predict that 20% opacity corresponds to a little less than the PM limit for an 18-inch stack. There may be engines that exceed the thresholds, but the intent of the standard condition is not to guarantee that each engine that might exceed the PM standard will be tested. The Department expects few, if any, engines to actually be tested under this condition. What the Department does expect is that with the adopted condition in place, operators that find an opacity above or near the testing threshold will take corrective action necessary to reduce PM emissions. This would achieve the desired environmental outcome without the added cost of testing. The Department expects this to be the case with both thresholds.

The method is premised on the fact that a five percent difference in opacity is distinguishable. The conditions mean that if opacity readings as measured using Method 9 – with all of its limitations – exceed the threshold, the Permittee must either take corrective action or conduct a PM source test. The compliance conditions for PM do not draw a legal conclusion about whether the method shows compliance with the visible emissions standard.

Recordkeeping - The Permittee is required to record the results of PM source tests and visible emissions observations conducted during the source tests.

Reporting - The Permittee is required to report incidents when emissions in excess of the opacity threshold are observed and the results of PM source tests. The Permittee is also required to include copies of the results of all visible emission observations taken during PM source testing in the operating report.

Condition 12 through 15, Sulfur Compound Emissions Standard and MR&R

Legal Basis: This condition requires compliance with the sulfur compound emissions standard under 18 AAC 50.055(c).

- 18 AAC 50.055(c) applies to the operation of fuel-burning equipment and industrial processes. EU ID(s) 1a, 2, 3a, 4a, 5 – 9, 10a, and 11 are fuel-burning equipment.

The sulfur compound standard applies because it is contained in the federally approved SIP. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The Permittee may not cause or allow the affected equipment to violate the applicable sulfur compound standard. Sulfur dioxide comes from the sulfur in the fuel (e.g., diesel, fish oil, used oil).

The King Cove Facility uses diesel fuel, fish oil, and/or used oil blends to run the emissions units at the stationary source. Fuel sulfur testing will verify compliance with the SO_2 emission standard. Liquid fuel containing no more than 0.75 percent sulfur by weight will always comply with the emission standard.

Liquid Fuels:

For the liquid fuel-burning equipment, EU IDs 1a, 2, 3a, 4a, 5 – 9, 10a, and 11, the MR&R conditions are SPCs XI and XII adopted into regulation pursuant to AS 46.14.010(e). Fuel sulfur testing will verify compliance.

The Department has determined that the standard permit conditions adequately meet the requirements of 40 CFR 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate the unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions meet the requirements of 40 CFR 71.6(a)(3).

Used Oil Boilers:

Condition 15 allows the Permittee to burn used oil fuel blends in EU IDs 1a through 3a after sampling and analyzing the used oil, as long as certain parameters are not exceeded. The condition specifies allowable limits and blend ratios to be used to comply with the sulfur and the PM standards and provides MR&R for burning used oil blends.

Conditions 16 through 19, Preconstruction Permit Requirements

Legal Basis: The Permittee is required to comply with all stationary source-specific requirements that were carried forward from previous SIP-approved Permits to Operate (PTO) issued on or before January 17, 1997 and operating permits issued between January 18, 1997 and September 30, 2004, and with all stationary source-specific requirements in EPA PSD permits, SIP-approved construction permits, SIP-approved minor permits, and owner requested limits (ORLs) established under 18 AAC 50.225. These requirements include Best Available Control Technology (BACT), limits to ensure compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, and owner requested limits. Requirements from the permits listed above apply because they were originally developed through case-by-case action under a federally approved SIP or approved operating permit program.

Factual Basis: Conditions 16 through 18 incorporate requirements that are in effect from Minor Permits AQ0243MSS02 Rev 1 and AQ0243MSS03 Rev 1 and reflect an owner requested limit (ORL) to avoid classification as a PSD major source for NOx emissions. EU IDs 1a through 11 have a combined NOx limit of 242.5 tpy. The Permittee may develop and use empirically derived load specific emission factors through source testing.

Condition 19 is an ORL to avoid minor permitting under 18 AAC 50.502(c)(3) for SO_2. The condition requires limiting SO_2 emissions from EU IDs 1a through 11 to 91.7 tons per rolling 12-month period. The sulfur content of the fuel is also limited to no greater than 0.5 percent by weight. MR&R requirements are included in the condition.

Background information for these requirements may be found in the corresponding Technical Analysis Report for the Title I permits.

Condition 20, Insignificant Emissions Units

Legal Basis: The Permittee is required to meet the state emission standards in 18 AAC 50.055 for all industrial processes and fuel-burning equipment regardless of size. 18 AAC 50.050(a) and 50.055 are contained in the federally approved SIP. The Department also added permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The condition requires insignificant emissions units to comply with the state emission standards for visible emissions, particulate matter emissions, and sulfur-compound emissions. Insignificant emissions units are not generally listed in operating permits unless specific monitoring, recordkeeping, and reporting are necessary to ensure compliance with the state emission standards. However, the Permittee may not cause or allow insignificant emissions units at the stationary source to violate these standards whether or not they are listed in the operating permit. The EU inventory listed in Table A includes insignificant EU IDs 28 and 35 because they were included in the previous operating permit. The Table Notes explain that they are insignificant.

The Department finds that the insignificant emissions units at this stationary source do not require specific monitoring, recordkeeping and reporting to ensure compliance under these conditions.

Condition 20.4.a requires certification that the insignificant emissions units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution, based on reasonable inquiry.

The Department used the language in SPC V, adopted by reference under 18 AAC 50.346(b)(4), for the permit condition.

Conditions 21 through 25, NSPS Subpart A Requirements

Legal Basis: The EPA approved Alaska's Part 70 Program granted on November 30, 2001 (40 CFR 70 Appendix A). The Department is the permitting authority for the Part 70 program. As the permitting authority, the Department requires compliance with all permit conditions. Although the EPA has not delegated to the Department the authority to administer the New Source Performance Standard (NSPS) program, NSPS requirements are included in the definition for "applicable requirement" under 40 CFR 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

The NSPS provisions under Subpart Dc apply to the stationary source. Therefore, the Department requires compliance with those standards in a Part 70 permit issued under the approved program. However, the Department is unable to change the actual wording of the relevant standard to substitute "the Department" for "the Administrator" in those standards. Since the Department expects access to any permit-related information provided by the Permittee to the EPA, the Department will act on its responsibility as the permitting authority to determine compliance with the standard.

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, EU ID(s) 1a, 3a, and 5 are subject to NSPS Subpart Dc and therefore subject to Subpart A.

Conditions 21.1 through 21.3 - The Permittee has already complied with the notification requirements in 40 CFR 60.7 (a)(1)–(4) for EU ID(s) 1a, 3a, and 5. However, the Permittee is

still subject to these requirements in the event of a new NSPS affected facility[3] or in the event of a modification or reconstruction of an existing facility[4] into an affected facility.

Condition 21.4 - The requirements to notify the EPA and the Department of any proposed replacement of components of an existing facility (40 CFR 60.15) apply in the event that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

Condition 22 - The requirements in 40 CFR 60.7(b) to maintain start-up, shutdown, or malfunction records are applicable to EU IDs 1a, 3a, and 5.

Condition 23 - Good air pollution control practices in 40 CFR 60.11 are applicable to EU IDs 1a, 3a, and 5.

Condition 24 - The condition states that any credible evidence may be used to demonstrate compliance or to establish violations of relevant NSPS standards for EU IDs 1a, 3a, and 5.

Condition 25 - Concealment of emissions prohibitions in 40 CFR 60.12 are applicable to EU ID(s) 1a, 3a, and 5.

Condition 26 – Alternative monitoring protocol (AMP) provisions in 40 CFR 60.13(i) may become applicable to EU IDs 3a and 5 during the life of the permit. The Permittee may implement an approved AMP without requiring a permit modification.

Factual Basis: Subpart A contains general requirements applicable to all affected facilities (emissions units) subject to NSPS. In general, the intent of NSPS is to provide technology-based emission control standards for new, modified, and reconstructed affected facilities.

Conditions 27 through 30, NSPS Subpart Dc Requirements

Legal Basis: The NSPS applies to steam generating units for which construction, modification, or reconstruction commenced after June 9, 1989, and have maximum design heat input capacities of 29 MW (100 MMBtu/hr) or less, but greater than or equal to 2.9 MW (10 MMBtu/hr). EU ID 3a was installed in 2006 and has a maximum design heat input capacity of 15.12 MMBtu/hr; EU ID 5 was constructed in 1990 and has a maximum design heat input capacity of 26.64 MMBtu/hr. Therefore, both units are subject to Subpart Dc.

EU IDs 1a, 3a, and 5, when burning distillate fuel oil, are subject to the standard for SO_2 in 40 CFR 60.42c(d). EU IDs 1a, 3a, and 5 are not subject to the PM standard in 40 CFR 60.43c because the units' maximum design heat input is less than 30 MMBtu/hr. In accordance with 40 CFR 60.42c(h)(1), compliance with the emission limit or oil sulfur content limit for EU IDs 1a, 3a, and 5 may be demonstrated by certification from the fuel supplier.

Factual Basis: The conditions require the Permittee to comply with the Subpart Dc sulfur dioxide standard in Condition 30. The Permittee may not cause or allow EU IDs 1a, 3a, and 5 to violate this standard. The Permittee has two options for complying with SO_2 emissions:

[3] *Affected facility* means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 CFR 60.2.

[4] *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 CFR 60.2.

one is to comply with a sulfur emission limit and the other is to comply with a fuel sulfur limit.

Monitoring - Condition 29 contains monitoring and recording requirements for fuel consumption. Condition 30.2 describes required monitoring to demonstrate compliance with the emission limits or fuel oil sulfur limits. Condition 30.3 contains requirements that are applicable under an EPA Region 10 approved alternative monitoring schedule.

Condition 31, NESHAP Subpart A Requirements

Legal Basis: Most sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements are subject to NESHAP Subpart A. This stationary source is subject to 40 CFR 63 Subparts ZZZZ and JJJJJJ, and therefore is subject to the general provisions of Subpart A as specified in the provisions for the applicability of NESHAP Subpart A in Table 8 to NESHAP Subpart ZZZZ and in Table 8 to NESHAP Subpart JJJJJJ.

Factual Basis: Subpart A contains the general requirements applicable to all affected sources subject to NESHAP. In general, the intent of NESHAP is to regulate specific categories of stationary sources that emit or have the potential to emit one or more hazardous air pollutants.

Conditions 32 through 36, NESHAP Subpart ZZZZ Requirements

Legal Basis: The Department has incorporated by reference the NESHAP requirements for specific industrial activities, as listed in 18 AAC 50.040(c). NESHAP Subpart ZZZZ applies to owners and operators of any existing, new, or reconstructed stationary reciprocating internal combustion engines (RICE), whose construction commenced before June 12, 2006, located at major and area sources of HAP emissions, excluding stationary RICE units being tested at a stationary RICE test cell/stand. King Cove Facility is an area source that owns and operates RICE units, EU IDs 6 through 10, subject to NESHAP Subpart ZZZZ.

Factual Basis: These conditions incorporate the current (as amended through August 10, 2022), NESHAP Subpart ZZZZ requirements applicable to the existing stationary RICE, EU IDs 6 through 10. King Cove Facility is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS). Per 40 CFR 63.6603(b)(1), existing non-emergency compression ignition (CI) RICE rated greater than 300 hp (as in the case of EU IDs 6 through 10) located at area sources that are not accessible by the FAHS do not have to meet the numerical CO emission limitations under Subpart ZZZZ but must meet the work and management practices for stationary non-emergency CI RICE with a rating of less than or equal to 300 hp as specified in Table 2d Item 1.

For EU IDs 1a, 2, 3a, 5, and 6, the Permittee is required to perform inspections and maintenance at intervals specified by the subpart (see Conditions 34.1 through 34.2); as well as, comply with the NESHAP GAPCP requirements, as reflected in Condition 33, which suffices the State GAPCP requirement under 18 AAC 50.346(b)(5).

The Permittee must comply with the recordkeeping requirements of 40 CFR 63.6655(e), 63.6625(i), and 63.6660, as set out in Condition 35. The reporting requirements are provided in Condition 36. The Permittee is required to include reports of deviations from NESHAP Subparts A and ZZZZ requirements with the semiannual operating reports, per 40 CFR

63.6650(f). The Department also added an excess emissions and permit deviation gap-fill reporting requirement in Condition 36.2.

The Permittee is exempt from the subpart's fuel requirements per 40 CFR 63.6604(d), and from the notification requirements per 40 CFR 63.6645(a)(5), since none of the affected emissions units are subject to numerical emission standards.

The provisions of NESHAP Subpart ZZZZ listed in Conditions 31 through 35 are current as amended through August 10, 2022. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Conditions 37 through 40, NESHAP Subpart JJJJJJ Requirements

Legal Basis: NESHAP Subpart JJJJJJ is a federal rule that took effect on May 20, 2011. This subpart applies to owners and operators of industrial, commercial, or institutional boilers as defined in 40 CFR 63.11237 that are located at, or are part of, an area source of HAP emissions. The King Cove Facility is an area source of HAP emissions that operates boilers (EU IDs 1a through 5) subject to the provisions of NESHAP Subpart JJJJJJ under 40 CFR 63.11194(a)(1) and (b) for existing industrial boilers whose construction or reconstruction commenced on or before June 4, 2010.

Factual Basis: These conditions incorporate the Subpart JJJJJJ work or management practices applicable to EU IDs 1a through 5. The Permittee is required to operate and maintain the emissions units according to the manufacturer's emission-related operation and maintenance instructions which provides for the maintenance and operation in a manner consistent with good air pollution control practice for minimizing emissions. The Generally Available Control Technology work or management practice standard applicable to EU IDs 1a through 5 are those of existing oil-fired units with a heat input capacity of greater than 5 MMBtu/hr and 10 MMBtu/hr, as set forth in Condition 38. As such, biennial tune-ups for EU IDs 1a through 5 (greater than 5 MMBtu/hr) and a one-time energy assessment for EU IDs 1a, 3a, 4a, and 5 (greater than 10 MMBtu/hr) are required. The Permittee submitted a permit deviation report on April 28, 2022, for noncompliance with NESHAP Subpart JJJJJJ. The deviation report indicates that boiler tune-ups were conducted annually (except in 2020 and 2021) but the tune-ups may not have conformed with NESHAP Subpart JJJJJJ requirements, and the tune-ups were not documented properly in a NESHAP Subpart JJJJJJ Report. Additionally, the one-time energy assessments required by 40 CFR 63 Subpart JJJJJJ were not performed.

Recordkeeping and reporting requirements that apply to EU IDs 1a through 5 are provided in Conditions 39 and 40.

The provisions of NESHAP Subpart JJJJJJ listed in Conditions 31.2 and 37 through 40 are current as amended through July 2, 2018. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 41, Asbestos NESHAP

Legal Basis: The requirements of 40 CFR 61 are applicable requirements for Title V permitting purposes, as stated in item 4 of the "applicable requirement" definition under 40 CFR 71.2. The condition requires the Permittee to comply with asbestos demolition or

renovation requirements in 40 CFR 61, Subpart M and associated general provisions under Subpart A, as adopted by reference under 18 AAC 50.040(b)(1) and (2)(F). The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation. ADEC received delegation for 40 CFR 61.145 and 61.154 of Subpart M (Asbestos), along with other sections and appendices which are referenced in 40 CFR 61.145, as 61.145 applies to sources required to obtain an operating permit under Alaska's regulations. ADEC has not received delegation for Subpart M for sources not required to obtain an operating permit under Alaska's regulations.

Factual Basis: Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with these federal regulations.

Condition 42, Chemical Accident Prevention Provisions

Legal Basis: The stationary source is subject to the Risk Management Plan (RMP) requirements of 40 CFR 68 because it meets the applicability criteria in 40 CFR 68.10. It contains a regulated substance in a process that has more than a threshold quantity, as determined under 40 CFR 68.115. The RMP rule implements Section 112(r) of the 1990 Clean Air Act Amendments and requires facilities that use extremely hazardous substances to develop a plan for risk management. The Permittee must revise and submit the RMP to EPA as described in 40 CFR 68.190.

Factual Basis: This condition incorporates applicable 40 CFR 68 requirements. The Permittee must comply with RMP provisions of 40 CFR 68.190 during the permit term. The current RMP was last revised on January 21, 2020.

Conditions 43 through 45, Protection of Stratospheric Ozone, 40 CFR 82

Legal Basis: The requirements of 40 CFR 82 are applicable requirements for Title V permitting purposes, as stated in item 12 of the "applicable requirement" definition under 40 CFR 71.2.

Condition 43 requires compliance with the applicable requirements in 40 CFR 82, as adopted by reference under 18 AAC 50.040(d). The requirements apply if the Permittee engages in the recycling or disposal of certain refrigerants. The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants in 40 CFR 82, Subpart F.

Conditions 44 and 45 also require compliance with the applicable requirement adopted under 18 AAC 50.040(d). Condition 44 prohibitions apply to all stationary sources that use substitutes for ozone-depleting compounds. Condition 45 prohibitions apply to all stationary sources that use halon for extinguishing fires and inert gas to reduce explosion risk. These conditions prohibit the Permittee from causing or allowing violations of these requirements. The King Cove Facility uses halon and is therefore subject to the federal regulations contained in 40 CFR 82.

Factual Basis: These conditions incorporate applicable 40 CFR 82 requirements. Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to require compliance with this federal regulation.

Condition 46, NESHAP Applicability Determinations

Legal Basis: This condition requires the Permittee to determine rule applicability of NESHAP and requires record keeping for those determinations if required by the source classification.

Factual Basis: The Permittee has conducted an analysis of the stationary source and determined that it is not a major HAP stationary source based on emissions. This condition requires the Permittee to notify the Department and EPA if the stationary source becomes an affected source subject to a standard promulgated by EPA under 40 CFR 63 and to keep records of applicability determinations and make those records available to the Department.

Conditions 47 through 49, Standard Terms and Conditions

Legal Basis: These are standard conditions required for all operating permits under 18 AAC 50.345(a) and (e)-(g). As stated in 18 AAC 50.326(j)(3), the standard permit conditions of 18 AAC 50.345 replace the provisions of 40 CFR 71.6(a)(5) – (7).

Factual Basis: These are standard conditions that apply to all permits.

Condition 50, Administration Fees

Legal Basis: This condition requires compliance with the applicable fee requirements in 18 AAC 50.400-403. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 CFR 71.9 is not applicable.

Factual Basis: Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action. The regulations in 18 AAC 50.400-403 specify the amount, payment period, and the frequency of fees applicable to a permit action.

Conditions 51 and 52, Emission Fees

Legal Basis: These conditions require compliance with the applicable fee requirements in 18 AAC 50.410-420. The regulations specify the time period for the assessable emissions and the methods the Permittee may use to calculate assessable emissions. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 CFR 71.9 is not applicable.

Factual Basis: The Department used the language in SPC I, adopted by reference under 18 AAC 50.346(b), for the permit. SPC I requires the Permittee to pay fees in accordance with the Department's billing regulations. The billing regulations set the due dates for payment of fees based on the billing date. The assessable emissions are the lesser of the stationary source’s potential or projected emissions of each air pollutant (AS 46.14.250(h)(1)).

SPC I allows the Permittee to recalculate the stationary source’s assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1), assessable emissions are based on each air pollutant. Therefore, fees shall be paid on any pollutant emitted whether or not the permit contains any limitation for that pollutant.

This standard condition specifies that, unless otherwise approved by the Department, calculations of assessable emissions must be based on actual emissions for the previous calendar year. Since each current year's assessable emissions are based on the previous year,

the Department will not give refunds or make additional billings at the end of the current year if the estimated emissions and current year actual emissions do not match.

Condition 53, Good Air Pollution Control Practice

Legal Basis: This condition requires compliance with the requirements in 18 AAC 50.346(b)(5) and applies to all emissions units, **except** those subject to an emission standard in 40 CFR 60, 61, or 63, those subject to continuous emission or parametric monitoring requirements, and insignificant emissions units. EU ID 11 is subject to this condition.

Factual Basis: The condition requires the Permittee to comply with good air pollution control practices for all units.

The Department adopted this condition under 18 AAC 50.346(b) as SPC VI pursuant to AS 46.14.010(e). Records kept in accordance with Condition 53.2 for units subject to GAPCP need to be maintained for 5 years in accordance with Condition 70 even if a unit is no longer subject to this condition.

Maintaining and operating equipment in good working order is fundamental to preventing unnecessary or excess emissions. Standard conditions for monitoring compliance with emission standards are based on the assumption that good maintenance is performed. Without appropriate maintenance, equipment can deteriorate more quickly than with appropriate maintenance. If appropriate maintenance is not applied to the equipment, the Department may have to apply more frequent periodic monitoring requirements (unless the monitoring is already continuous) to ensure that the monitoring results are representative of actual emissions.

The Permittee is required to keep maintenance records to show that proper maintenance procedures were followed, and to make the records available to the Department. The Department may use these records as a trigger for requesting source testing if the records show that an adequate maintenance schedule is not maintained.

Condition 54, Dilution

Legal Basis: This condition reiterates 18 AAC 50.045(a), which prohibits the Permittee from using dilution as an emission control strategy. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 CFR 71.2.

Factual Basis: The condition prohibits the Permittee from diluting emissions as a means of compliance with any standard in 18 AAC 50.

Condition 55, Reasonable Precautions to Prevent Fugitive Dust

Legal Basis: This condition reiterates 18 AAC 50.045(d), which requires a person to use reasonable precautions when handling, storing or transporting bulk materials or engaging in an industrial activity. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 CFR 71.2.

Factual Basis: The Department used the language in SPC X for the permit. The condition requires the Permittee to take reasonable action to prevent particulate matter from being emitted into the ambient air in accordance with 18 AAC 50.045(d).

Condition 56, Stack Injection

Legal Basis: This condition reiterates 18 AAC 50.055(g), which prohibits the Permittee from releasing materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack (i.e., disposing of material by injecting it into a stack). 18 AAC 50.055 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 CFR 71.2.

Stack injection requirements apply to stacks of emissions units at a stationary source constructed or modified after November 1, 1982.

Factual Basis: No specific monitoring for this condition is practical. Compliance is verified by inspections, because the unit or stack would need to be modified to accommodate stack injection.

Condition 57, Air Pollution Prohibited

Legal Basis: This condition requires compliance with 18 AAC 50.110. 18 AAC 50.110 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 CFR 71.2. The condition prohibits the Permittee from causing any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property. The Department also included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The Department used the language in SPC II for the permit. This condition spells out how to monitor, record, and report prohibited air pollution. While the other permit conditions and emissions limitations should ensure compliance with this condition, unforeseen emission impacts can cause violations of this standard. These violations would go undetected except for complaints from affected persons. Therefore, to monitor compliance, the Permittee must monitor and respond to complaints.

The Permittee is required to report any complaints and injurious emissions. The Permittee must keep records of the date, time, and nature of all complaints received and summary of the investigation and corrective actions undertaken for these complaints and must submit copies of these records upon request of the Department.

The Permittee is required to operate the seawater scrubber when the meal plant evaporator system is in operation. This requirement is to minimize odors and potential complaints from the operation of the fish meal plant in accordance with 18 AAC 50.110. The Permittee is required to maintain and submit records demonstrating that the seawater scrubber operates concurrently with the meal plant evaporator system.

Condition 58, Technology-Based Emission Standard

Legal Basis: The Permittee is required to take reasonable steps to minimize emissions if unavoidable emergency, malfunction, or non-routine repair activities cause an exceedance of any technology-based emission standard in this permit. This condition requires compliance with the requirement in 18 AAC 50.235. Technology-Based Emission Standard requirements apply because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, MACT, LAER, NSPS or any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Factual Basis: The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with Condition 74. Excess emission reporting under Condition 74 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 74.

Condition 59, Open Burning

Legal Basis: The condition requires the Permittee to comply with the regulatory requirements in 18 AAC 50.065 when conducting open burning at the stationary source. 18 AAC 50.065 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 CFR 71.2. The open burning regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

Factual Basis: The Permittee may conduct open burning by following the provisions of 18 AAC 50.065 and by following the Department guidelines posted at the website http://dec.alaska.gov/air/air-permit/open-burn-info. Condition 59.1 requires the Permittee to keep records to demonstrate compliance with the standards for conducting open burning.

More extensive monitoring and recordkeeping is not warranted because the Permittee does not conduct open burning as a routine part of their business. Also, most of the requirements are prohibitions, which are not easily monitored. Compliance is demonstrated through annual certification required under Condition 76.

Condition 60, Requested Source Tests

Legal Basis: The Permittee is required to conduct source tests as requested by the Department. This requirement is under 18 AAC 50.220(a) and 50.345(k), which are included in the SIP approved by EPA.

Factual Basis: This condition applies because this is a standard condition to be included in all operating permits, as specified in 18 AAC 50.345(a). Compliance is demonstrated through the submission of the required source test plan and report.

Conditions 61 through 63, Operating Conditions, Reference Test Methods, Excess Air Requirements

Legal Basis: Conditions 61 and 63 require compliance with the applicable requirements in 18 AAC 50.220(b) and (c)(3), which are included in the SIP approved by EPA. Condition 62 specifies source test methods, as required by 40 CFR 71.6(a)(3)(i) and 71.6(c)(1). These requirements apply because the Permittee is required by the permit to conduct source tests, or a source test may be requested by the Department. The Permittee is required to conduct source tests in the manner set out in Conditions 61 through 63.

Factual Basis: These conditions supplement the specific monitoring requirements stated elsewhere in this permit.

Condition 64, Test Exemption

Legal Basis: This condition incorporates the source test exemption in 18 AAC 50.345(a) regarding visible emissions observations. 18 AAC 50.345(a) is included in the SIP approved by EPA.

Factual Basis: As provided in 18 AAC 50.345(a), the requirements for test plans, notifications and reports do not apply to visible emissions observations by smoke readers, except in connection with required particulate matter testing.

Conditions 65 through 68, Test Deadline Extension, Test Plans, Notifications and Reports

Legal Basis: Conditions 66 through 68 require compliance with the applicable requirements in 18 AAC 50.345(m) through (o), which are included in the SIP approved by EPA. Condition 65 contains the requirement in 18 AAC 50.345(l). The requirements in 18 AAC 50.345(l) through (o) constitute standard conditions that must be included in each operating permit, as specified in 18 AAC 50.345(a). These requirements apply because the Permittee is required to conduct source tests as set out by this permit or as requested by the Department.

Factual Basis: These standard conditions supplement specific monitoring requirements stated elsewhere in this permit.

Condition 69, Particulate Matter Calculations

Legal Basis: This condition requires the Permittee to reduce particulate matter data in accordance with 18 AAC 50.220(f), which is included in the SIP approved by EPA. It applies when the Permittee tests for compliance with the particulate matter standards in 18 AAC 50.050 or 50.055.

Factual Basis: The condition incorporates a regulatory requirement for particulate matter source tests. This condition supplements specific monitoring requirements stated elsewhere in this permit.

Condition 70, Recordkeeping Requirements

Legal Basis: This condition requires the Permittee to keep records in accordance with 40 CFR 71.6(a)(3)(ii), which the Department adopted by reference under 18 AAC 50.040(j)(4). It also incorporates the general NSPS recordkeeping requirement under 40 C. F. R. 60.7(f), which the Department adopted by reference under 18 AAC 50.040(a)(1).

Factual Basis: The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit. The records being kept provide evidence of compliance with this requirement.

40 CFR 60.7(f) requires records retention for at least two years of the measurements required to be maintained by this Part while 40 CFR 71.6(a)(3)(ii) requires at least five years of records retention. The five-year records retention requirement in Condition 70 satisfies both 40 CFR 60.7(f) and 40 CFR 71.6(a)(3)(ii).

Condition 71, Certification

Legal Basis: All operating permits must contain a requirement to certify permit applications, reports, affirmations, or compliance certification, per 18 AAC 50.345(j). The requirement is a part of the SIP approved by EPA.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. The requirement in 18 AAC 50.345(j) is a standard condition that must be included in each operating permit, as specified in

18 AAC 50.345(a). 18 AAC 50.345(j) allows the excess emissions reports to be certified with the operating report. However, the Department reminds the Permittee that excess emissions reports must be submitted according to the applicable deadline given in Condition 74 and must not be withheld from the Department until the deadline for submittal of an operating report. This condition supplements the reporting requirements of this permit. The certification statement through electronic signature and options for submittal provide paperless options for reporting without compelling Permittees to any specific means of submission.

Condition 72, Submittals

Legal Basis: This condition applies because the Permittee is required to send reports to the Department and supplements the standard reporting and notification requirements of this permit.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. This condition lists the Department's appropriate address for reports and written notices. This condition states that the Department requires one certified copy of submitted reports (except as otherwise required by the Department or other conditions of the permit) and provides an allowance for either electronic or hard copy document submittals. The condition also directs the Permittee to refer to the submission instructions on the Department's Standard Permit Conditions webpage for additional information regarding document submittals (e.g., the appropriate Department address).

Condition 73, Information Requests

Legal Basis: All operating permits must include a condition that requires the Permittee to furnish certain information upon request, per 18 AAC 50.345(i). The requirement is part of the SIP approved by EPA.

Factual Basis: The requirement in 18 AAC 50.345(i) is a standard condition that must be included in each operating permit, as specified in 18 AAC 345(a). This condition requires the Permittee to submit information requested by the Department.

Condition 74, Excess Emission and Permit Deviation Reports

Legal Basis: This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) and 18 AAC 50.240(c). Also, the Permittee is required to notify the Department when emissions or operations deviate from the requirements of the permit.

Factual Basis: This condition satisfies two state regulations related to excess emissions: the technology-based emission standard regulation and the excess emission regulation. Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

The Department used the language in SPC III, adopted by reference under 18 AAC 50.346(b)(2), for the permit condition. The Department used the notification form in SPC IV adopted by reference under 18 AAC 50.346(b)(3), for the notification requirements (see Section 12) for the notification requirements.

Condition 75, Operating Reports

Legal Basis: The condition specifies reporting requirements as required by 40 CFR 71.6(a)(3)(iii)(A) which the Department has adopted by reference under 18 AAC 50.040(j)(4).

Factual Basis: The Department used the language in SPC VII, adopted by reference under 18 AAC 50.346(b)(6), for the permit condition. The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements identified elsewhere in the permit.

The condition specifies that for the transition periods between an expiring permit and a renewal permit, the Permittee shall ensure that there is date-to-date continuity between the expired permit and the renewal permit such that the Permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified. The Permittee may provide one report accounting for each permit term or condition and the effective permit at that time. Alternatively, the Permittee may choose to provide two reports: one accounting for reporting elements of permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

Condition 76, Annual Compliance Certification

Legal Basis: This condition requires compliance with the requirements in 40 CFR 71.6(c)(5), which the Department adopted by reference under 18 AAC 50.040(j).

Factual Basis: This condition specifies the periodic compliance certification requirements and specifies a due date for the annual compliance certification.

Condition 76.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified. The Permittee may provide one report certifying compliance with each permit term or condition for each of the effective permits during the certification period or may choose to provide two reports: one certifying compliance with permit terms and conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

The Permittee is required to submit to the Department an annual compliance certification report. The Permittee may submit the required report electronically at their discretion.

Condition 77, Emission Inventory Reporting

Legal Basis: This condition requires the Permittee to submit emissions data to the state so the state is able to satisfy the federal requirement to submit emission inventory data from point sources to the EPA as required under 40 CFR 51.15 and 51.321. The emission inventory requirement applies to sources defined as point sources in 40 CFR 51.50. The state must report emissions data as described in 40 CFR 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A to EPA.

Factual Basis: The Department used the language in SPC XV, as adopted by reference under 18 AAC 50.346(b)(8), for the permit condition.

The emission inventory data is due to EPA 12 months after the end of the reporting year (40 CFR 51.30(a)(1) and (b)(1)). Permittees have until April 30th to compile and submit the data to the Department. To expedite the Department's process of transferring data into EPA's electronic reporting system, the Department encourages Permittees to submit the emission inventory through the Department's electronic emission inventory submission system in the Permittee Portal on the Department's Air Online Services webpage http://dec.alaska.gov/Applications/Air/airtoolsweb/. A myAlaska account and profile are needed to gain access to the Permittee Portal. Other options are to submit the emission inventory via mail, email, or fax.

Detailed instructions on completing and submitting the emission inventory and the report form are available at the Point Source Emission Inventory page http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory by clicking the Emission Inventory Instructions button. The emission inventory instructions and report form may also be obtained by contacting the Department.

To ensure that the Department's electronic system reports complete information to the National Emissions Inventory, Title V stationary sources are required to submit with each report emissions data described in 40 CFR 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A, as applicable. Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds shown in Condition 77.1 for Type A (large) sources, as listed in Table 1 to Appendix A of 40 CFR 51 Subpart A, are required to report emission inventory data every year for the previous calendar year (also known as the inventory year). For triennial inventory years, Type A sources only need to submit one report, not both an annual report and a separate triennial report.

Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds for Type B (small) sources shown in Condition 77.2.a (for attainment and unclassifiable areas) and Condition 77.2.b (for nonattainment areas), as listed in Table 1 to Appendix A of 40 CFR 51 Subpart A, are required to report emission inventory data every third year (i.e., triennially) for the previous inventory year. The emission thresholds for nonattainment areas listed in Condition 77.2.b vary depending on the nonattainment status of the area. As of June 9, 2017, Fairbanks and North Pole urban area have been designated by the federal administrator as "serious nonattainment" for $PM_{2.5.}$ Therefore, a stationary source located in Fairbanks and North Pole urban area is subject to the triennial reporting requirement if its potential to emit is greater than or equal to any of the threshold values in Conditions 77.2.b(i), 77.2.b(ii), 77.2.b(iii) (PM_{10} only), and 77.2.b(iv).

Condition 78, NSPS and NESHAP Reports

Legal Basis: The Permittee is required to provide the Department a copy of each report submitted to EPA as required for emissions units subject to NSPS or NESHAP federal regulations under 18 AAC 50.326(j)(4). Appendix A to 40 CFR 70 documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

Factual Basis: The condition supplements the specific reporting requirements in 40 CFR 60, 40 CFR 61, and 40 CFR 63. The reports themselves provide monitoring for compliance with this condition.

Condition 79, Permit Applications and Submittals

Legal Basis: 40 CFR 71.10(d)(1), adopted by reference by the Department under 18 AAC 50.040(j)(7), requires submission of a copy of each permit application to EPA.

Factual Basis: The Department used the language in SPC XIV, adopted by reference under 18 AAC 50.346(b)(7), for the permit condition. The condition directs the applicant to send a copy of each application for modification or renewal of this permit to the EPA. The information may be submitted in electronic format, if practicable. This condition shifts the burden of compliance with 40 CFR 71.10(d)(1) from the Department to the Permittee as allowed under 40 CFR 71.10(d)(1).

Conditions 80 through 82, Permit Changes and Revisions Requirements

Legal Basis: The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under18 AAC 50.326(j)(4). 40 CFR 71.6(a)(8), (12), and (13), incorporated by reference under 18 AAC 50.040(j), require that these provisions be included in operating permits.

Factual Basis: 40 CFR 71.6(a)(12) and (13), as reflected in Conditions 81 and 82, respectively, specify changes that may be made without a permit revision, and 40 CFR 71.6(a)(8) (Condition 80) states permit revisions are not required for some emissions trading and similar programs.

The Permittee did not request trading of emission increases and decreases as described in 40 CFR 71.6(a)(13)(iii); therefore, language addressing these provisions has not been included in this permit as part of Condition 80.

Condition 83, Permit Renewal

Legal Basis: The Permittee must submit a timely and complete operating permit renewal application if the Permittee intends to continue source operations in accordance with the operating permit program. The obligations for a timely and complete operating permit application are in 40 CFR 71.5(a) – (c), adopted by reference in 18 AAC 50.040(j)(3), and 18 AAC 50.326(c).

Factual Basis: In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the stationary source as listed in this condition. As stated in 40 CFR 71.5(a)(1)(iii), submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 40 CFR 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 CFR 71.5(c) and remits payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 CFR 71.7(b) states that if a source submits a timely and complete application for permit issuance (including renewal), the source's failure to have a permit is not a violation until the permitting authority takes final action on the permit application.

Therefore, as long as an application has been submitted within the timeframe specified under 40 CFR 71.5(a)(1)(iii) and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended, and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Department any additional information needed to process the application.

Condition 84, General Compliance Requirements

Legal Basis: These conditions require compliance with the applicable requirements in 18 AAC 50.345(b) through (d) and (h) and 40 CFR 71.6(c)(3). As stated in 18 AAC 50.345(a), the requirements in 18 AAC 50.345(b) through (d) and (h) are standard conditions that must be included in all operating permits issued by the Department.

Factual Basis: These are standard conditions for compliance required for all operating permits.

Conditions 90 and 91, Permit Shield

Legal Basis: These conditions require compliance with the requirements in 40 CFR 71.6(f), which the Department has adopted by reference under 18 AAC 50.040(j)(4). These requirements apply because the Permittee has requested that the Department shield the stationary source from specific non-applicable requirements listed under this condition.

Factual Basis: Table C of Operating Permit No. AQ0243TVP05 shows the permit shield that the Department granted to the Permittee. The Department based the determinations on the permit application, past operating permit, Title I permits, and inspection reports. Should any of the shielded requirements become applicable during the permit term, the Permittee is required to take necessary steps to comply with all applicable requirements in a timely manner. The following table shows the requests that were denied and the reasons that they were denied.

Table G - Permit Shields Denied

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 60 Subpart Dc	EU 1, 4: Constructed prior to June 9, 1989 EU 2, 35: Heat input less than 10 MMBtu/hr EU 3a, 5: PM Standard due to heat input less than 30 MMBtu/hr EU 11: Not a steam generating unit per 40 CFR 60.41c	These are not considered potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 60 Subpart K	EU 12, 13, 20-22, 24-27, 29-34: Units installed after 1978	These are not considered potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 60 Subpart Ka	EU 12: Does not currently store petroleum liquid as defined in 40 CFR 60.111a(b). EU 21, 22, 27: Capacity less than 40,000 gal EU 13, 20, 24-26, 29-34: Constructed after 1984	These are not considered potentially applicable requirements and therefore a permit shield is not relevant.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 60 Subpart Kb	EU 12, 21, 22, 27: Constructed before 1984 EU 24-26, 29-33: Capacity less than 75 cubic meters EU 13, 20, 34: Material stored has a true vapor pressure less than 3.5 kPa	These are not considered potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 60 Subpart IIII	EU 6 – 10a: Engines constructed prior to July 11, 2005	These are not considered potentially applicable requirements and therefore a permit shield is not relevant.
40 CFR 63 Subpart DDDDD	EU 1 – 5: Facility not a major source of HAP EU 11: Not a boiler or process heater under 40 CFR 63.7575.	Regardless of whether EU 11 is a process heater or not, these are not considered potentially applicable requirements because the facility is not a major source of HAP. Therefore, a permit shield is not relevant.