



Serving Island, Skagit & Whatcom Counties

NORDIC TUGS

Burlington, WA

AIR OPERATING PERMIT

FINAL

14 December 2006

PERMIT INFORMATION

Nordic Tugs, Inc.
11367 Higgins Airport Way, Burlington, WA 98233

SIC: 3731

NWCAA ID: 444-V-S

EPA AFS: # 53-057-00050

Responsible Corporate Official

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Corporate Inspection Contact

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(360) 757-8847

Owner

Northwest Clean Air Agency

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Prepared by

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Air Operating Permit Number:	Issuance Date:
17	December 14, 2006
Permit Modifications:	Modification Date:
Supersedes Permit Number:	Expiration Date:
	December 14, 2011
Application Date:	Renewal Application Due:
October 15, 2004	June 14, 2011

ATTEST

This operating permit is issued in accordance with the provisions of the Washington Clean Air Act Chapter 70.94 Revised Code of Washington and the Clean Air Act 42 United States Code, Section 7401 et seq.

Nordic Tugs is authorized to operate subject to the terms and conditions of this operating permit.

This operating permit has been reviewed by the undersigned Northwest Clean Air Agency staff.

Date:

Christos Christoforou
Air Quality Engineer

Date:

Lynn Billington, P. E.
Manager of Technical Services

Date:

Mark Asmundson
Director

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SECTION 1 - EMISSION UNIT GROUP IDENTIFICATION

Table 1: Nordic Tugs Process Description and Emission Units

Emission Unit Process Name	Emission Points	Control Device	Process Description
Lamination	Emission points 1-6 as identified in Figure 1. All are equipped with 20 hp, 20,000 CFM, 30" vaneaxial fans.	Filters	Boat molds are cleaned and coated with wax. They are then sprayed with gelcoat. When gelcoat cures, resins, catalysts, and fiberglass chop are added in many successive layers. The stiffing process follows whereby structural components are installed and laminated with resins to improve strength. The finished part is then taken to the grinding booth to smooth rough edges.
Assembly	Emission points 7-9 as identified in Figure 1. All are equipped with 0.75 hp, 5,000 CFM 18" tubaxial fans.	Filters	This is where actual construction of the boat takes place. Hulls and decks, while still separate, are fitted with carpeting, engines, wire harnesses and other parts that may be installed efficiently at this stage. They then are assembled together, and the rest of the parts attached.
Woodshop - Assembly			Sheet goods (plywood, structural foam, etc.) are reworked and prepared according to their final destination: As stringers, bulkheads and machine platforms for use in laminations and, with the addition of teak, to make cabinets and trim.
Upholstery - Assembly			Seats, bunks, cushions, pads, side panels, dash pads, and floor hatches are manufactured on site. These are sent to Assembly for installation.

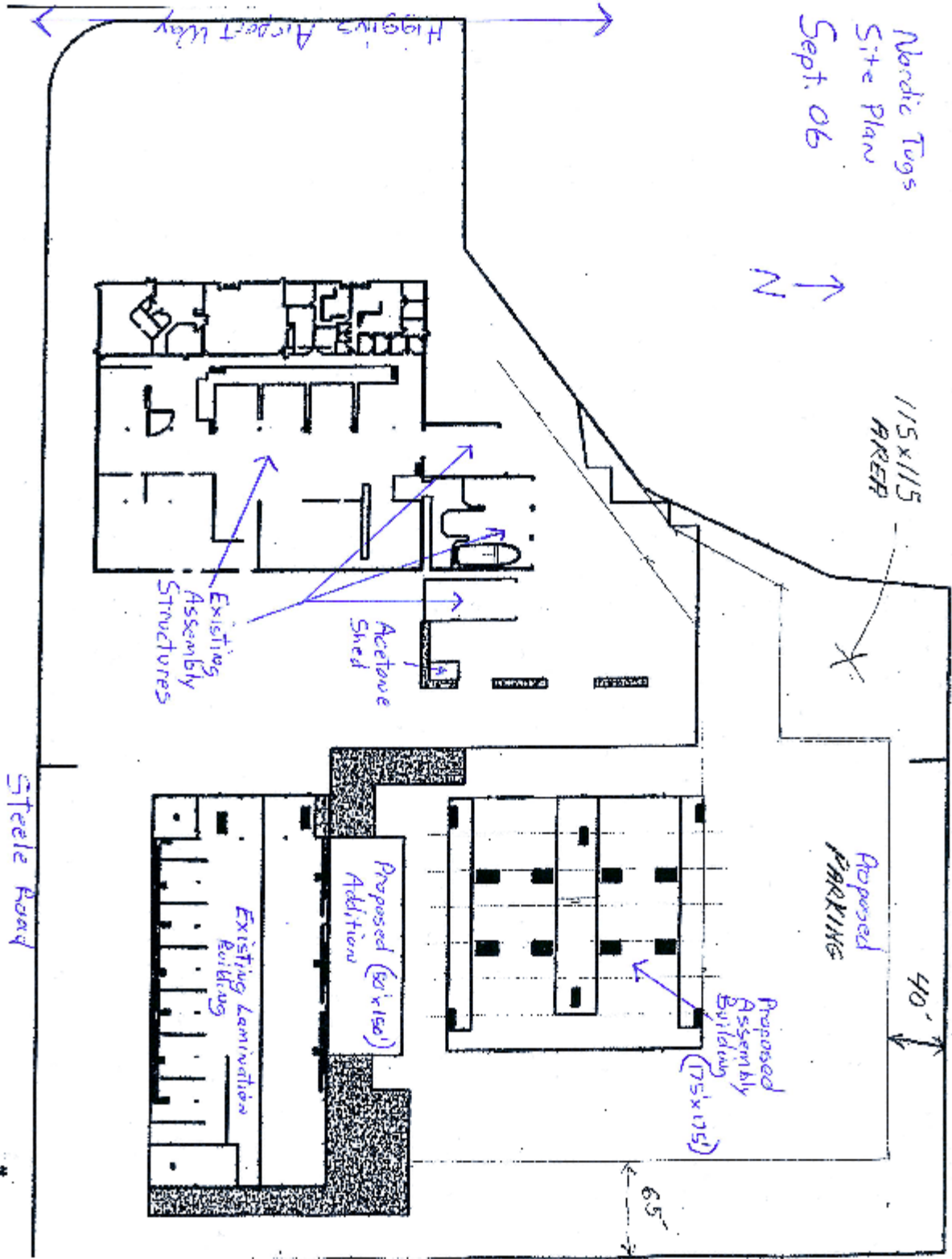


Figure 1: A plan of the Nordic Tugs facilities.

SECTION 2 - STANDARD TERMS AND CONDITIONS

Standard terms and conditions are administrative and/or other requirements that typically have no ongoing compliance monitoring requirements. The permittee must comply with the requirements listed below. All listed terms and conditions are federally enforceable unless identified as a “state only” requirement. A requirement designated “state only” is enforceable only by the state or the NWCAA, and not by EPA or through citizen suits. Unless the text of the term is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement. A permit condition labeled “Directly Enforceable” is a legal requirement, and the permit shield in condition 2.3.1 of this permit applies to those conditions.

2.1 Compliance Requirements

2.1.1 Duty to Comply

2.1.1.1 WAC 173-401-620(2)(a) (10/4/93)

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of RCW 70.94 and, for federally enforceable provisions, a violation of the FCAA. Such violations are grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.

2.1.1.2 NWCAA 322.3 (11/12/99)

It shall be unlawful for any person to operate a source that is subject to the requirements of Chapter 173-401 WAC without complying with the provisions of Chapter 173-401 WAC and any permit issued under its authority.

2.1.2 Civil and Criminal Penalties

2.1.2.1 WAC 173-400-230(2) (2/17/93), WAC 173-400-240 (2/19/91), NWCAA 132 & 133 (10/13/94), and Section 113 of the FCAA

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above.

2.1.2.2 State Only: NWCAA 132 (3/13/97) and NWCAA 133 (7/14/05)

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above. Under this “State Only” version of NWCAA 132, criminal penalties may be assessed on a “per day, per violation” basis.

Any person who violates the provisions of the applicable chapters of the RCW or the Regulations of the Northwest Clean Air Agency or aids and abets in a violation shall be subject to civil penalties as stated in the above regulations.

2.1.3 Need to Halt or Reduce Activity Not a Defense

WAC 173-401-620(2)(b) (10/4/93)

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.

2.1.4 Duty to Provide Information

WAC 173-401-620(2)(e) (10/4/93)

The permittee shall furnish to the NWCAA, within a reasonable time, any information that the NWCAA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the NWCAA copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the EPA Administrator along with a claim of confidentiality. The NWCAA shall maintain confidentiality of such information in accordance with RCW 70.94.205 and the NWCAA Regulation.

2.1.5 Confidential Information

2.1.5.1 NWCAA 114.1 (4/14/93)

Whenever the permittee requests that records or information eligible for confidentiality status be made confidential by the Board of Control Officers of the NWCAA, the NWCAA shall maintain confidentiality of such information in accordance with NWCAA 114. The records or information shall be only for the confidential use of the Board, the Advisory Council, and the NWCAA staff, but may not be accessed if, in the opinion of the Board, there is a conflict of interest.

2.1.5.2 State Only: NWCAA 114.1 (3/13/97)

Whenever any records or other information other than ambient air quality data or emission data furnished to or obtained by the Agency, relates to processes or production unique to the owner or operator, or are likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the NWCAA. Nothing herein shall be construed to prevent the use of records or information by the NWCAA in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere: Provided, that such analyses or summaries do not reveal any information otherwise confidential under the provisions of this section: Provided further, that emission data furnished to or obtained by the NWCAA Board shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at offices of the NWCAA Board.

2.1.6 Inspection and Entry

WAC 173-400-105(3)(1/10/05), WAC 173-401-630(2) (10/4/93) NWCAA 110 & 111 (1/8/69)

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow Ecology, NWCAA or an authorized representative to perform the following:

- (i) enter upon the permittee's premises where a Chapter 401 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the condition of the permit;
- (iii) inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (iv) sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

No person shall willfully interfere with or obstruct the Control Officer or any NWCAA employee and/or assigned agent in carrying out any lawful duty.

2.1.7 Investigation and Studies

NWCAA 110 (1/8/69)

The Control Officer of the NWCAA and/or his qualified agents may make any reasonable investigation or study which is necessary for the purpose of standards or any amendments thereto on reducing the amount or kind of contaminant.

When investigating conditions specific to the control, recovery or release of air contaminants, the Control Officer or his duly authorized representatives shall have the power to enter at reasonable times upon any private or public property, except non-multiple unit private dwellings housing two families or less.

If an authorized employee of the Agency, during the course of an inspection desires to obtain a sample of air contaminant, he shall notify the owner or lessee of the time and place of obtaining a sample so the owner or lessee has the opportunity to take a similar sample at the same time and place. A receipt shall be given to the owner or lessee for the sample obtained.

2.1.8 Source Testing

2.1.8.1 WAC 173-400-105(4) (8/20/93)

To demonstrate compliance, Ecology or the NWCAA may conduct or require that a test be conducted of the source using approved EPA methods from 40 CFR Parts 51, 60, 61 and 63 (in effect on February 20, 2001), or approved procedures contained in "Source Test Manual – Procedures for Compliance Testing," state of Washington, Department of Ecology, as of July 12, 1990. The operator of a source may be required to provide the necessary platform and sampling ports for Ecology personnel or others to perform a test of an emissions unit. Ecology shall be allowed to obtain a sample from any emissions unit. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

2.1.8.2 State Only: WAC 173-400-105(4) (1/10/05)

To demonstrate compliance, the required test must be conducted using approved EPA methods from 40 CFR 60 Appendix A, adopted by reference. All other language is the same as 2.1.8.1.

2.1.8.3 State Only: NWCAA 367 and Appendix A (7/14/05)

Source tests required by NWCAA (not RATA's) to assess compliance with an air emission standard shall be conducted according to the following provisions:

- (i) A source test plan shall be submitted for approval by the NWCAA for all compliance source tests at least 30 days prior to scheduled testing. A summary of the test shall accompany the test plan and be submitted on a template provided by NWCAA.
- (ii) Once a test plan has been approved, any changes in test dates or methodology shall require NWCAA approval.
- (iii) Results of required source tests must be submitted within sixty days of completion of the test unless prior approval is granted by NWCAA.

2.1.9 Testing and Sampling

2.1.9.1 NWCAA 360.1 (3/13/97)

Any person operating or using any article, machine, equipment or other contrivance shall provide and maintain such sampling and testing facilities as specified in the approval to construct or an air operating permit.

2.1.9.2 State Only: NWCAA 367 and Appendix A (7/14/05)

All ambient monitoring, compliance testing, continuous monitoring systems and continuous opacity monitoring systems required by a regulation, order of approval or permit issued by the NWCAA shall comply with the applicable requirement of this (subject) regulation. The applicable requirements of this Section and Appendix A are in addition to any monitoring testing, calibration or quality assurance/quality control requirements that otherwise apply.

Any person operating an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer of the NWCAA.

The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Agency, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

Once initiated, a compliance test shall be completed unless interrupted by severe weather, test equipment failure or other conditions beyond control of the facility. Failure to complete a test shall be a violation of the requirement to test, and, in cases where the initial data indicate a non-compliance of the applicable emission standard, the results may be considered a violation of that standard.

2.1.10 Ambient Air and Continuous Emission Monitoring

2.1.10.1 NWCAA 365.1 (11/12/99)

Any person operating an air contaminant source or an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer of the NWCAA under the following provisions:

The Board or Control Officer may require any person operating any source to conduct a monitoring program on site or adjacent off site for emissions, ambient air concentrations or any other pertinent special studies deemed necessary. All monitoring data shall be submitted in a form which the Board or Control Officer may require. Averaging time and collection periods will be determined by the Control Officer. Failure to record and/or report data as specified in the "Guidelines for Industrial Monitoring Equipment and Data Handling" may be cause for a Notice of Violation to be issued.

All data and records shall be kept for a period of at least one year and made available to the Control Officer upon request.

All required continuous emission monitors or required opacity monitors used to monitor compliance must meet appropriate EPA performance specifications (40 CFR 60, Appendix B) and shall be calibrated and maintained in accordance with the "Guidelines for Industrial Monitoring Equipment and Data Handling" procedures approved by the Control Officer.

The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Authority, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

The Board or the Control Officer may require additional reasonable monitoring be undertaken at any appropriate time to insure compliance with this Regulation.

2.1.10.2 State Only: NWCAA 367 and Appendix A (7/14/05)

All ambient air monitors shall be operated and maintained as required by the appropriate Sections of 40 CFR Parts 50 and 58.

A Quality Assurance (QA) manual and station log book shall be kept for all stations. Written calibration and precision/span check procedures shall be included in the QA manual. A station audit shall be conducted by the NWCAA at least once per year.

Unless subject to acid rain regulations (40 CFR Part 72 and 75), all continuous emissions monitoring (CEM) systems shall be capable of meeting appropriate EPA performance specifications using procedures outlined in 40 CFR Part 60 Appendix B. CEMs subject to acid rain regulations shall be capable of meeting the specifications outlined in the appropriate Section 40 CFR Part 75.

All CEMs shall be operated in accordance with the appropriate section of 40 CFR Part 60 Appendix F, and the operator shall assess the operation of each CEM daily.

Continuous opacity monitors shall be maintained according to “Recommended Quality Assurance Procedures for Opacity Continuous Monitoring Systems” (EPA 340/1-86-10) and the manufacturer’s procedures. All gaseous CEMs shall be maintained using the QA criteria of 40 CFR Part 60 Appendix F and the manufacturer’s procedures.

Auditing of opacity monitors shall be conducted according to recommended procedures. Data accuracy assessments shall be conducted at least once every calendar quarter for gaseous monitors and at appropriate periodic intervals. Relative Accuracy Tests (RATA’s), Relative Accuracy Audits (RAA’s) and Cylinder Gas Audits (CGA’s) shall be employed as described in 40 CFR Part 60.

Strip charts and approved data acquisition systems shall be used to capture and store data. All data must be retained for a period of at least five years and be available to the NWCAA upon request.

CEMs are required to maintain greater than 90% data availability on a monthly basis. A supplemental report shall be submitted if during any calendar month a CEM fails to produce 90% data availability stating the reasons for the low data availability.

2.2 Permit Terms

2.2.1 Permit Expiration and Renewal

WAC 173-401-610 (10/4/93) and WAC 173-401-710 (9/16/02)

This permit is issued for a fixed term of five years from date of issuance. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted. A complete permit renewal application shall be submitted to the NWCAA no more than eighteen months and no later than six months prior to expiration.

2.2.2 Permit Actions

WAC 173-401-620(2)(c) (10/4/93)

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

2.2.3 Emissions Trading

WAC 173-401-620(2)(g) (10/4/93)

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 this permit.

2.2.4 Emission Reduction Credits

State Only: WAC 173-400-136 (1/10/05)

An emission reduction credit may be used in accordance with the applicable regulation listed above.

2.2.5 Severability

WAC 173-401-620(2)(h) (10/4/93)

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable.

2.2.6 Permit Appeals

WAC 173-401-620(2)(i) (10/4/93) and WAC 173-401-735 (4/2/97)

The permit or any conditions in it may be appealed only by filing an appeal with the pollution control hearings board and serving it on the NWCAA within thirty days of receipt. This provision for appeal is separate from and in addition to any federal rights to petition and review under §505(b) of the FCAA.

2.2.7 Permit Continuation

WAC 173-401-620(2)(j) (10/4/93)

This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete application has been submitted. If a timely and complete application has been submitted, an application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied.

2.2.8 Reopening for cause

WAC 173-401-730(10/4/93)

The permit shall be reopened and revised under any of the following circumstances:

Additional requirements become applicable to the source with a remaining permit term of three or more years. Such a reopening shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to WAC 173-401-620(2)(j);

Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the EPA Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;

The NWCAA or the EPA Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or

The NWCAA or the EPA Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

2.2.9 Changes Not Requiring Permit Revisions/Off-Permit Changes

WAC 173-401-722 (9/16/02) and WAC 173-401-724 (10/4/93)

The permittee may make the changes described in WAC 173-401-722 and WAC 173-401-724 without revising this permit, provided that the changes satisfy the criteria set forth in those sections.

2.2.10 Permit Modifications

WAC 173-401-720 (10/4/93) and WAC 173-401-725 (10/4/93)

This permit may be revised as provided in WAC 173-401-720 (administrative permit amendments) and 173-401-725 (permit modifications).

2.2.11 Property Rights

WAC 173-401-620(2)(d) (10/4/93)

This permit does not convey any property rights of any sort, or any exclusive privilege.

2.2.12 Definitions

2.2.12.1 NWCAA Section 200 (11/13/93)

Particular references to terms not otherwise defined in this permit or the associated Statement of Basis have the meaning assigned to them in the specific regulation being cited. The terms NWCAA, Ecology, and EPA shall mean the Northwest Clean Air Agency, the Washington State Department of Ecology, and the United States Environmental Protection Agency, respectively. FCAA means the Federal Clean Air Act.

2.2.12.2 State Only: NWCAA 200 (7/14/05)

In the new version of the NWCAA Regulations some of the definitions have been modified slightly to provide clarification and some have been revised to include an expanded definition of the term.

2.2.13 Compliance Schedule

WAC 173-401-630(3) (10/4/93)

The permittee shall continue to comply with all applicable requirements with which the source was in compliance as of the date of permit issuance. The permittee shall meet on a timely basis any applicable requirements that become effective during the permit term.

2.2.14 Permit Fees

WAC 173-401-620(2)(f) (10/4/93)

The permittee shall pay fees as a condition of this permit in accordance with the NWCAA fee schedule.

2.3 Permit Shield

2.3.1 Shield Requirement

WAC 173-401-640(1) (10/4/93)

Compliance with a permit condition shall be deemed compliance with the applicable requirements upon which that condition is based, as of the date of permit issuance. The permit shield does not apply to any insignificant emissions unit or activity designated under WAC 173-401-530.

2.3.2 Inapplicable Requirements

WAC 173-401-640(2) (10/4/93)

As of the date of permit issuance, the requirements listed in Section 6 of the permit do not apply to the permittee. The permit shield applies to all requirements so identified.

2.3.3 Exclusions

WAC 173-401-640(4) (10/4/93)

Nothing in this section or in this permit shall alter or affect the following:

- (i) the provisions of Section 303 of the FCAA (emergency orders), including the authority of the EPA Administrator under that section;
- (ii) 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;
- (iii) the ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- (iv) the ability of the permitting authority to establish or revise requirements for the use of reasonably available control technology as provided in RCW 70.94.154.

2.3.4 Reasonably Available Control Technology (RACT)

2.3.4.1 WAC 173-401-605(3) (10/4/93)

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance shall be considered RACT for purposes of permit issuance or renewal.

2.3.4.2 WAC 173-400-040 (8/20/93)

All emissions units are required to use RACT which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in Section 8, Chapter 252, Laws of 1993, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.4.3 State Only: WAC 173-400-040 (1/10/05)

All emissions units are required to use RACT which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in RCW 70.194.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.5 Emergencies

WAC 173-401-645 (10/4/93)

An emergency, as defined in WAC 173-401-645(1), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if conditions of WAC 173-401-645 (3) and (4) are met. This provision is in addition to the

affirmative defense for unavoidable excess emissions found in any applicable requirement.

The permittee shall submit a notice of emergency to the Agency within two working days of the time when the emission limitation was exceeded due to an emergency or shorter periods of time specified in an applicable requirement.

2.4 Recordkeeping and Reporting

2.4.1 Compliance Certification

2.4.1.1 WAC 173-401-630(5) (10/4/93)

The permittee shall submit ongoing certifications of compliance with permit terms and conditions. The first compliance certification shall cover the period from permit issuance to December 31. Subsequent compliance certifications shall be made on a yearly basis. Each certification shall include:

- (i) The identification of each term and condition of the permit that is the basis of the certification;
- (ii) The compliance status;
- (iii) Whether the compliance was continuous or intermittent;
- (iv) The methods used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring, Recordkeeping, and Reporting requirements.

All compliance certifications shall be submitted to EPA Regions 10 and the Northwest Clean Air Agency at the following addresses, by February 28 for the previous calendar year:

Environmental Protection Agency
Mail Stop OAQ-107
Attn: Air Operating Permits
1200 Sixth Avenue
Seattle, WA 98101

Northwest Clean Air Agency
Attn: Air Operating Permits
1600 South Second Street
Mount Vernon, WA 98273-5202

2.4.1.2 WAC 173-401-520 (10/4/93)

Any application form or compliance certification that is submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

2.4.1.3 WAC 173-401-615 (9/16/02) and 630 (10/4/93) *Directly Enforceable Text*

All required monitoring reports must be certified by a responsible official consistent with WAC 173-401-520. All semiannual monitoring certifications are due as follows:

January 30 for reports from July through December
July 30 for reports from January through June

2.4.1.4 WAC 173-401-530(2)(d) (9/16/02)

Where a permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, the permittee may certify continuous compliance if there were no observed, documented, or known instances of noncompliance during the reporting period. Where a permit requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, the permittee may certify continuous compliance when the testing, monitoring and recordkeeping required by the permit revealed no violations during the period, and there were no observed, documented or known instances of noncompliance during the reporting period.

2.4.2 False and Misleading Oral Statement: Unlawful Reproduction or Alteration of Documents

2.4.2.1 NWCAA 112 (2/14/73)

No person shall willfully make a false or misleading oral statement to the NWCAA Board as to any matter within the jurisdiction of the Board.

No person shall reproduce or alter or cause to be reproduced or altered any order or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of this Agency, or any other law.

2.4.2.2 State Only: NWCAA 112 (11/12/99)

No person shall willfully make a false or misleading oral statement to the NWCAA Board, Control Officer, or their duly authorized representatives as to any matter within the jurisdiction of the Board.

No person shall reproduce or alter or cause to be reproduced or altered any order or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of this Agency, or any other law.

2.4.3 Required Recordkeeping

2.4.3.1 WAC 173-401-615(2)(9/16/02)

Records of required monitoring information shall include, where applicable, the following:

- (i) The date, time, and location of sampling or measurements;
- (ii) The operating conditions existing at the time of sampling or measurement;
- (iii) If analyses were performed, the date, company or entity performing the analyses, the analytical techniques or methods used, and the results of such analyses;

A record shall be kept describing changes made 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.

Records of all required monitoring data and support information will be retained for a period of five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

2.4.3.2 WAC 173-401-615 (9/16/02) and 630 (10/4/93)
Directly Enforceable Text

Monitoring and associated recordkeeping is not required when an emission unit is not operating and there are no emissions to the atmosphere. The facility must record the time periods that the unit is shut down and not monitored, and include the time periods and a summary of why the emission unit was shut down in the periodic report of monitoring required by WAC 173-401-615(3)(a).

2.4.4 Pollutant Disclosure - Reporting by Air Contaminant Sources

2.4.4.1 NWCAA 150 (9/8/93) and WAC 173-400-105(1) (8/15/01)

The permittee shall file annually at a time determined by the NWCAA and on forms furnished by the NWCAA a report setting forth:

- (i) the nature of the enterprise;
- (ii) a list of process materials which are potentially significant sources of emissions used in, and incidental to, its manufacturing processes, including any by-products and waste products;
- (iii) the estimated annual total production of wastes discharged into the air in units and contaminants designated by the NWCAA.

Annual emission reports shall be submitted to the NWCAA within 105 days after the end of the previous calendar year. If the emission report is not submitted by the required date and the emissions are used to determine operating permit fees as described in NWCAA Regulation 324.126 then potential to emit will be used to determine said fees. The permittee shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

2.4.4.2 State Only: WAC 173-400-105(1)(1/10/05)

The difference between this latest version of WAC 173-400-105(1) and the 8/15/01 version is the requirement to include oxides of nitrogen, PM_{2.5}, and ammonia to the list of emissions that must be reported. In addition, the new version states that emission estimates may be based on the most recent published EPA emission factors or other information available to the source, whichever is the better estimate.

2.4.4.3 State Only: NWCAA 150 (11/12/99)

The difference between the 11/12/99 version of NWCAA 150 and the 9/8/93 version consists in the citation of operating permit fees in NWCAA 322.4, rather than NWCAA 324.126.

2.4.5 Reporting to Verify Emissions from Potential PSD Sources

WAC 173-400-720(4)(b)(iii) (1/10/05)

The owner or operator shall monitor the emissions of any regulated pollutants from all projects for which PSD applicability was determined according to the provisions 40 CFR 52.21(b)(41)(ii)(a) through (c), and calculate and maintain a record of annual emissions on a calendar year basis.

The owner or operator shall submit a report to NWCAA within 60 days after the end of the year in which the emissions occurred. The report shall include the emissions in tons per year for the project, the baseline actual emissions and the pre-construction projected emissions.

2.4.6 Reporting of Deviations from Permit Conditions

WAC 173-401-615(3)(b) (9/16/02)

Directly Enforceable Text

Prompt Reporting of Deviations: The permittee shall promptly report all deviations from permit requirements, including those attributable to upset conditions as defined in this permit. The report shall include a description of the probable cause of such deviations, if known, and any corrective actions or preventive measures taken. Prompt means reporting according to the shortest time period listed below which applies to the situation:

(i) In the case where the deviation represents a potential threat to human health or safety “prompt” means as soon as possible, but in no case later than twelve hours after the deviation is discovered. A follow up report on the deviation shall be included in the next monthly report.

(ii) For all other deviations, the deviation shall be reported as part of the next routine monitoring report, but no later than 30 days after the end of the month during which the deviation is discovered, whichever is sooner.

2.4.7 Report of Breakdown and Upset

2.4.7.1 NWCAA 340.1, 340.2 and 340.3 (10/13/94)

If a breakdown or upset condition occurs which results in or may have resulted in an emission and/or ambient air quality standard being exceeded, the owner or operator of the source shall take the following actions:

(i) The upset or breakdown shall be reported as promptly as possible and in no event later than 12 hours to the NWCAA.

(ii) The person responsible shall, upon the request of the Control Officer, submit a full report within 10 days including the known causes, corrective measures taken, and preventive measures to be taken to minimize or eliminate a recurrence.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with all the requirements of the NWCAA Regulation nor from the resulting liabilities for failure to comply.

It shall be prima facie evidence of violation of the NWCAA Regulation if any control equipment is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed, under 340.1, or any other equipment creates new or increased emissions to the atmosphere as the result of being turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under Section 340.1.

2.4.7.2 State Only: NWCAA 340.1, 340.2, and 340.3 (7/14/05)

If a breakdown or upset condition occurs which results in or may have resulted in an emission and/or ambient air quality standard being exceeded, the owner or operator of the source shall take the following actions:

- (i) The upset or breakdown shall be reported as promptly as possible and in no event later than 12 hours to the NWCAA.
- (ii) The responsible official or his designee shall, submit a full report on forms provided by NWCAA within 30 days after the end of a calendar month in which the upset occurred and must include as a minimum the known causes, corrective action taken, preventive measures put in place to reduce the possibility of or eliminate a recurrence and an estimate of the quantity of emissions above the applicable limit caused by the event.

In addition to the reporting requirements of the 10/13/94 version of NWCAA Section 340, the permittee must also report to the NWCAA if the emission release to the air requires agency notification as specified in 40 CFR 302 (CERCLA) or 40 CFR 355 (SARA).

It shall be prima facie evidence of violation of the NWCAA Regulation if any other equipment creates new or increased emissions to the atmosphere as the result of being turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under NWCAA Section 340.1.

2.4.8 **Report of Shutdown or Startup**

2.4.8.1 NWCAA 341.1, 341.2, 341.3 (9/8/93)

If the permittee schedules a total or partial shutdown or startup of control or process equipment which may result in emissions or any additional emissions to the atmosphere which may temporarily exceed the emission standards of the NWCAA Regulation; the permittee shall notify the NWCAA prior to the shutdown or startup.

Prompt notification shall be made and in no event less than 24 hours before the scheduled shutdown or startup. The permittee shall submit a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reasons for and duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of emission.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with the requirements of the NWCAA Regulation nor from the resulting liabilities for failure to comply.

2.4.8.2 State Only: NWCAA 341.1, 341.2, 341.3 and 341.5 (7/14/05)

If the permittee schedules a total or partial shutdown or startup of control or process equipment that the source reasonably believes would result in emissions which may temporarily exceed an emissions standard of the NWCAA Regulation, the permittee shall notify the NWCAA in advance of the shutdown or startup.

The advance notification shall include a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reason for and the duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of the emission.

2.4.9 Operation and Maintenance

2.4.9.1 NWCAA 342.3 (9/8/93)

If a breakdown or violation occurs and is due to the improper operation or maintenance of equipment, the owner or operator of the source will, in addition to filing a report of breakdown under NWCAA Regulation 340, submit a report on what measures will be taken in training or re-orienting personnel to prevent a recurrence of the breakdown.

2.4.9.2 State Only: NWCAA 342.1 and 2 (7/14/05)

All air contaminant stationary sources are required to keep any process and/or air pollution control equipment in good operating condition and repair. Operating instructions and maintenance schedules for this equipment must be available on the site.

2.4.10 Excess Emissions

2.4.10.1 WAC 173-400-107 1, 2, 3, 4, 5, and 6 (8/20/93)

The permittee shall have the burden of proving to Ecology or the NWCAA or the decision-making authority in an enforcement action that excess emissions were unavoidable. Excess emissions determined to be unavoidable under the procedures and criteria of this section shall be excused and not subject to penalty.

Excess emissions which represent a potential threat to human health or safety or which the owner or operator of the source believes to be unavoidable shall be reported to Ecology or the NWCAA as soon as possible. Other excess emissions shall be reported within thirty days after the end of the month during which the event occurred or as part of the routine emission monitoring reports. Upon request by Ecology or the NWCAA, the permittee shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.

Excess emissions due to startup or shutdown shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

Excess emissions due to scheduled maintenance shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

Excess emissions due to upsets shall be considered unavoidable provided the source reports as required and adequately demonstrates that:

- (i) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (ii) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
- (iii) The permittee took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

2.4.10.2 State Only: NWCAA 340.4 (7/14/05), and 341.4 (7/14/05)

Excess emissions due to breakdowns and upsets shall be considered unavoidable, and not subject to penalty, provided the source adequately demonstrates that:

- (i) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (ii) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance;
- (iii) The permittee took immediate and appropriate corrective action in a manner consistent with good air pollution control practice; and
- (iv) The emissions did not result in a violation of an ambient air quality standard.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the source adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, the emissions did not result in a violation of an ambient air quality standard and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

The Responsible Official or his designee shall submit a full report on forms provided by the NWCAA no later than 30 days after the end of the month in which the startup, shutdown, breakdown or upset occurred that resulted in the exceedance of an ambient or emission standard and must include as a minimum the known causes, corrective action taken, preventative measures put in place to reduce the possibility of or eliminate a recurrence an estimate of the quantity of emissions above the applicable limit caused by the event.

2.4.10 Duty to Supplement or Correct Information

WAC 173-401-500(6) (9/16/02)

Upon becoming aware that the source has failed to submit any relevant facts in a permit application or that information submitted in a permit application is incorrect, the source shall promptly submit such supplementary facts or corrected information.

2.5 Prohibitions

2.5.1 Concealment and Masking

2.5.1.1 WAC 173-400-040(7) (1/10/05)

No person shall cause or permit the installation or use of any means, which conceals or masks an emission of an air contaminant, which would otherwise violate the provisions of this chapter.

2.5.1.2 State Only: NWCAA 540 (1/8/69)

It shall be unlawful for any person to willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of air contaminant which would otherwise violate the emission standards of this Regulation.

It shall be unlawful for any person to cause or permit the installation or use of any device or use of any means designed to mask the emission of an air contaminant, which causes detriment to health, safety, or welfare of any person.

2.5.2 Adjustment for Atmospheric Conditions

WAC 173-400-205 (2/19/91)

The permittee shall not vary the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant except as directed according to air pollution episode regulations.

2.5.3 Outdoor Burning

2.5.3.1 WAC 173-425-036 (9/17/90) and WAC 173-425-045 (1/3/89). WAC 173-435-050(2) (01/3/89) Although SIP-Approved, WAC 173-425-036 and – 045 have been repealed.

No person shall conduct outdoor burning during an air pollution episode or a declared period of impaired air quality. Except as provided in WAC 173-425-055, the following materials shall not be burned in any open fire: (1) garbage, (2) dead animals, (3) asphaltic products, (4) waste petroleum products, (5) paints, (6) rubber products, (7) plastics, (8) treated wood, and (9) any substance, other than natural vegetation, which normally emits dense smoke or obnoxious odors.

2.5.3.2 State Only: WAC 173-425-040, 050, and 060(3/13/00), NWCAA 502 (7/14/05)

No person shall conduct outdoor burning except in accordance with the applicable regulations listed above. Outdoor burning shall be conducted under a valid fire permit and shall not contain prohibited materials, unless specifically exempted. Emissions from burning shall not create a nuisance and/or interfere with visibility on any public road.

2.5.4 Asbestos

2.5.4.1 State Only: NWCAA 570 (7/14/05)

The permittee shall conduct all renovation or demolition projects in accordance with the applicable asbestos control standards listed in NWCAA Section 570.

2.5.4.2 40 CFR 61.145(1/16/91), 61.148(11/20/90) and 61.150(1/16/91)

The permittee shall comply with Title 40 CFR Sections 61.145, 61.148 and 61.150 when conducting any renovation or demolition at the facility.

2.5.5 Stratospheric Ozone and Climate Protection

2.5.5.1 40 CFR 82 Subpart F (As amended through 8/20/2001)

The permittee shall comply with the standards for recycling and emissions reduction in accordance with the requirements listed in 40 CFR 82 Subpart F.

2.5.5.2 State Only: RCW 70.94.970 (1991 c 199 §602)

A person who services or repairs or disposes of a motor vehicle air conditioning system; commercial or industrial air conditioning, heating, or refrigeration system; or consumer appliance shall use refrigerant extraction equipment to recover regulated refrigerant that would otherwise be released into the atmosphere. This subsection does not apply to off-road commercial equipment.

The willful release of regulated refrigerant from a source listed in this section is prohibited.

2.5.6 Display of Orders, Certificates and Other Notices: Removal or Mutilation Prohibited

NWCAA 124 (2/14/73)

Any order or other certificate obtained from the NWCAA shall be available at the facility. If the NWCAA requires a notice to be displayed, it shall be posted. No one shall mutilate, obstruct or remove any notice unless authorized to do so by the NWCAA.

2.5.7 Obstruction of Access

State Only: RCW 70.94.200, (1987 c 109 §38)

The permittee shall not obstruct, hamper or interfere with any authorized representative of the NWCAA who requests entry for the purposes of inspection and who presents appropriate credential; nor shall any person obstruct, hamper, or interfere with any such inspection.

2.5.8 Notice of Construction and Application for Approval/New Source Review

2.5.8.1 WAC 173-400-110 (8/20/93), NWCAA 300, 301, 302 & 324.2 (10/13/94), and NWCAA 303 (8/9/78)

No person shall construct, install, establish, modify or alter an air contaminant source or an emission unit without filing a “Notice of Construction and Application for Approval” and receiving approval from the Agency in accordance with the cited regulations.

2.5.8.2 State Only: WAC 173-400-560 (1/10/05) and NWCAA 300.14 (7/14/05)

An owner or operator may apply for an applicable general order for approval to construct certain specified sources as defined in this part. A general order of approval shall identify criteria by which an emission unit or source may qualify for coverage under a general order of approval and shall include terms and conditions for installing and/or operating the source.

2.5.8.3 State Only: NWCAA 300.15 (7/14/05)

It shall be unlawful for an owner or operator of a source or emission unit to not abide by the operating and reporting conditions in the Order of Approval.

2.5.8.4 State Only: WAC 173-400-710, 720, 730, 740 and 750 (1/10/05), WAC 173-460-040(1/14/94), WAC 273-400-141 (8/15/01) NWCAA 300.1-300.13, 301 (7/14/05), 303 (11/12/98), and 324.2 (7/14/05)

A Notice of Construction or PSD permit application must be filed by the owner or operator and an Order of Approval or PSD permit issued by the Agency prior to the establishment of any new source in accordance with the cited regulations. For purposes of this section “establishment” shall mean to “begin actual construction” as that term is defined in NWCAA Section 200, and “new source” shall include any “modification” to an existing “stationary source” as those terms are defined in NWCAA Section 200.

No major stationary source or major modification as defined in the cited regulation shall begin actual construction without having received a PSD permit. Allowable emissions from the new source of major modification shall not cause or contribute to a violation of any ambient air quality standard.

An applicant for a PSD permit must submit an application that provides complete information for Ecology to determine compliance with all PSD program requirements. The procedures for submitting a complete application, for public review and involvement, and for revisions to an existing PSD permit are provided in detail in the cited regulations (WAC 173-400-710 through 750).

2.5.9 Replacement or Substantial Alteration of Control Technology at an Existing Source

State Only: WAC 173-400-114 (8/15/01), NWCAA 300.13 (7/14/05)

Any person proposing to replace or substantially alter emission control technology installed on an existing stationary source or emission unit shall file a notice of construction application with the NWCAA.

2.5.10 Controls for New Sources of Toxic Air Pollutants

State Only WAC 173-460-030(1)

The owner or operator of a new toxic air pollutant source shall notify the NWCAA prior to the construction, installation, or establishment of the source and shall file a notice of construction application for the proposed emission unit(s) as per WAC 173-460-040, -050, -080, -110, -150, and -160 (1/14/94) and WAC 173-460-070 and -140 (6/18/91).

2.5.11 Creditable Stack Height and Dispersion Techniques

State Only: WAC 173-400-200 (1/10/05)

For stacks for which construction or reconstruction commenced, or for which major modifications were carried out, after December 31, 1970, no source may use dispersion techniques or excess stack height to meet ambient air quality standards or PSD increment limitations.

2.5.12 False Statement, Representation or Certification

State Only: WAC 173-400-105(7) (1/10/05)

No person shall make any false material statement, representation or certification in any form, notice or report required under Chapter 70.4 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.5.13 Inaccurate Monitoring

State Only: WAC 173-400-105(8) (1/10/05)

No person shall render inaccurate any monitoring device or method required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.5.14 Prevention of Accidental Release

40 CFR 68 Subpart F (As amended through 8/20/2001)

The permittee shall not produce, process, handle or store any substance listed in 40 CFR 68.130 or any other extremely hazardous substance unless they identify hazards that might result from accidental releases using appropriate hazard assessment techniques, design and maintain a safe facility taking such steps as are necessary to prevent releases, and minimize the consequences of accidental releases that do occur.

2.5.15 Cutback Asphalt Paving

NWCAA 580.7 (4/14/93)

The application of cutback asphalt in paving during the months of June, July, August and September is limited to use as prime coatings and patch mixes, or when the temperature is less than 50 degrees F.

SECTION 3 - STANDARD TERMS AND CONDITIONS FOR NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANT REQUIREMENTS

Standard terms and conditions are administrative and/or other requirements that typically have no ongoing compliance monitoring requirements. The permittee must comply with the requirements listed below for specific “affected facilities” as defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR 63.2. The affected facilities and affected sources subject to these requirements are identified in Section 5 of the permit. The conditions in this section do not apply generally to all emission units at the facility.

3.1 Address for Reports, Notifications and Submittals

Title 40 CFR 63.9(a)(5/30/03) and 63.10(a) (4/22/04) (as amended Federal Register delegation notice dated 3/14/02) (pp. 11417-11424) and 8/11/06 from EPA Region X to NWCAA.

Notifications, reports, and applications for delegated 40 CFR §63 (NESHAP) shall be sent to the NWCAA at the following address:

Northwest Clean Air Agency
1600 S. Second Street
Mount Vernon, WA 98273-5202

All NESHAP Subparts referenced in this permit have been delegated to the NWCAA. Authority to approve major changes in emission units, test methods and monitoring methods prescribed by 40 CFR §60 has not been delegated to the NWCAA. Prior to filing an application under any NESHAP regulation that authorizes EPA to approve alternate emission limits, test methods, or monitoring methods, the permittee shall consult with the NWCAA to determine whether the application falls within the scope of NWCAA’s delegated authority.

Applications under NESHAP authorities that have been excluded from delegation shall be submitted to the NWCAA at the above address and to the EPA at the following address:

Director
Air and Waste Management Division
U.S. Environmental Protection Agency
1200 Sixth Avenue
Seattle WA 98101

3.2 Requirements for Existing, Newly Constructed, and Reconstructed 40 CFR 63 (NESHAP) Sources

40 CFR Part 63.5(b)(1), (3), (4), (6) (4/5/02)

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

After the effective date of any relevant standard promulgated by the EPA under 40 CFR 63, no person may, without obtaining written approval in advance from the NWCAA in accordance with the procedures in paragraphs (d) and (e) of 40 CFR 63.5, do any of the following:

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

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

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

3.3 Notification Requirements for New or Reconstructed Affected Sources for Which an Application for Approval of Construction or Reconstruction is Required

Title 40 CFR Part 63.9(b)(4) (5/30/03)

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

A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in 40 CFR §63.5(d)(1)(i); and

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

3.4 Notification Requirements for Affected Sources with Initial Startup Prior to a Standard's Effective Date

Title 40 CFR Part 63.9(b)(2) and (j) (5/30/03)

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

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

Any change in the information provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.

3.5 Startup, Shutdown, and Malfunction Record Retention

Title 40 CFR 63.10(b)(2) and (d)(5) (4/22/04)

The owner or operator of the source shall maintain relevant records of the occurrence and duration of each startup, shutdown, or malfunction of operation (i.e., process equipment), the occurrence and duration of each malfunction of the required air pollution control and monitoring equipment, all required maintenance performed on the air pollution control and monitoring equipment, actions taken during periods of startup, shutdown, and malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) when such actions are different from the procedures specified in the affected source's startup, shutdown and malfunction plan (SSMP). All information necessary to demonstrate conformance with the SSMP when all actions taken during periods of startup, shutdown, malfunction (including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation) are consistent with the procedures specified in the plan. (The information needed to demonstrate conformance with the startup, shutdown, and malfunction plan may be recorded using a "checklist," or some other effective form of recordkeeping, in order to minimize the recordkeeping burden for conforming events), each period during which a continuous monitoring system (CMS) is malfunctioning or inoperative (including out-of-control periods).

If actions taken by an owner or operator during a startup, shutdown, or malfunction of an affected source (including actions taken to correct a malfunction) are consistent with the procedures specified in the source's startup, shutdown, and malfunction plan (SSMP), the owner or operator shall state such information in a SSMP report. Reports shall only

be required if a startup, shutdown, or malfunction occurred during the reporting period, and they must include the number, duration, and a brief description of each startup, shutdown, or malfunction. The report shall consist of a letter, containing the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, that shall be submitted to the NWCAA semiannually (or on a more frequent basis if specified otherwise in a relevant standard or as established otherwise by the permitting authority in the source's Title V permit). The report shall be delivered or postmarked by the 30th day following the end of each calendar half (or other calendar reporting period, as appropriate). If the owner or operator is required to submit excess emissions and continuous monitoring system performance (or other periodic) reports under this part, the startup, shutdown, and malfunction reports required under this paragraph may be submitted simultaneously with the other reports.

Any time an action taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) is not consistent with the procedures specified in the affected source's SSMP, the owner or operator shall report the actions taken for that event within 2 working days after commencing actions inconsistent with the plan followed by a letter within 7 working days after the end of the event. The immediate report required under this paragraph shall consist of a telephone call (or a facsimile transmission) to the NWCAA within 2 working days after commencing actions inconsistent with the plan, and it shall be followed by a letter, delivered or postmarked within 7 working days after the end of the event, that contains the name, title, and signature of the owner or operator or other responsible official who is certifying its accuracy, explaining the circumstances of the event, the reasons for not following the SSMP, and whether any excess emission and/or parameter monitoring exceedances are believed to have occurred.

3.6 Prohibited Activities and Circumvention

Title 40 CFR 63.4(4/5/02)

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

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

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

- (i) The use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere;
- (ii) The use of gaseous diluents to achieve compliance with a relevant standard for visible emissions.

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

purposes of avoiding new source requirements) to avoid becoming subject to new source requirements.

3.7 Operation and Maintenance

40 CFR Part 63.6(e)(1)(i), and (e)(1)(ii) (5/30/03)

At all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. During a period of startup, shutdown, or malfunction, this general duty to minimize emissions requires that the owner or operator reduce emissions from the affected source to the greatest extent which is consistent with safety and good air pollution control practices. The general duty to minimize emissions during a period of startup, shutdown, or malfunction does not require the owner or operator to achieve emission levels that would be required by the applicable standard at other times if this is not consistent with safety and good air pollution control practices, nor does it require the owner or operator to make any further efforts to reduce emissions if levels required by the applicable standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the SSMP), review of operation and maintenance records, and inspection of the source.

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

3.8 Startup, Shutdown, and Malfunction Plan

40 CFR Part 63.6(e)(3) (5/30/03)

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

During periods of startup, shutdown, and malfunction, the owner or operator of an affected source must operate and maintain such source (including associated air pollution control and monitoring equipment) in accordance with the procedures specified in the SSMP.

When actions taken by an owner or operator during a startup, shutdown, or malfunction (including actions taken to correct a malfunction) are consistent with the procedures specified in the affected source's SSMP, the owner or operator must keep records for that event which demonstrate that the procedures specified in the plan were followed. These records may take the form of a "checklist" or other effective form of recordkeeping that confirms conformance with the SSMP for that event. In addition, the owner or operator must keep records of these events as specified in 40 CFR §63.10(b).

Furthermore, the owner or operator shall confirm that actions taken were consistent with

the SSMP in the semiannual (or more frequent) startup, shutdown and malfunction report required in 40 CFR §63.10(d)(5).

If an action taken by the owner or operator during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) is not consistent with the procedures specified in the affected source's SSMP, and the source exceeds the relevant emission standard, then the owner or operator must record the actions taken for that event and must report such actions within 2 working days after commencing actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event, in accordance with 40 CFR §63.10(d)(5) (unless the owner or operator makes alternative reporting arrangements, in advance, with the Administrator).

The owner or operator must maintain at the affected source a current SSMP and must make the plan available upon request for inspection and copying by the NWCAA. In addition, if the SSMP is subsequently revised, the owner or operator must maintain at the affected source each previous (i.e., superseded) version of the SSMP, and must make each such previous version available for inspection and copying by the NWCAA for a period of 5 years after revision of the plan. If at any time after adoption of a SSMP the affected source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is otherwise no longer subject to the provisions of this part, the owner or operator must retain a copy of the most recent plan for 5 years from the date the source ceases operation or is no longer subject to this part and must make the plan available upon request for inspection and copying by the NWCAA.

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

Based on the results of a determination made under paragraph 63.6(e)(2) of 40 CFR §63 Subpart, the Administrator may require that an owner or operator of an affected source make changes to the SSMP for that source. The NWCAA may require reasonable revisions to a SSMP if the NWCAA finds that the plan:

- (i) Does not address a startup, shutdown, or malfunction event that has occurred;
- (ii) Fails to provide for the operation of the source (including associated air pollution control and monitoring equipment) during a startup, shutdown, or malfunction event in a manner consistent with safety and good air pollution control practices for minimizing emissions to the levels required by the relevant standard;
- (iii) Does not provide adequate procedures for correcting malfunctioning process and/or air pollution control and monitoring equipment as quickly as practicable; or
- (iv) Includes an event that does not meet the definition of startup, shutdown, or malfunction listed in 40 CFR §63.2.

If the SSMP fails to address or inadequately addresses an event that meets the characteristics of a malfunction but was not included in the SSMP, the plan shall be revised within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control and monitoring equipment.

3.9 Compliance with Non-opacity Emission Standards

40 CFR Part 63.6(f) (5/30/03)

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

3.10 Compliance With Opacity and Visible Emission Standards

40 CFR Part 63.6(h) (5/30/03)

The opacity and visible emission standards set forth in this part must apply at all times except during periods of startup, shutdown, and malfunction, and as otherwise specified in an applicable subpart. If a startup, shutdown, or malfunction of one portion of an affected source does not affect the ability of particular emission points within other portions of the affected source to comply with the opacity and visible emission standards set forth in this part, then that emission point shall still be required to comply with the opacity and visible emission standards and other applicable requirements. The owner or operator shall make available, upon request by the NWCAA, such records that the NWCAA deems necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.

3.11 Extension of Compliance for Early Reductions and Other Reductions

40 CFR Part 63.6(i)(5/30/03) and 63.9(c) (5/30/03)

Until an extension of compliance has been granted by the NWCAA under this paragraph, the owner or operator of an affected source subject to the requirements of this section shall comply with this part's applicable requirements. A compliance extension may be possible if it meets 63.6(i)(4) through 63.6(i)(6).

3.12 Conduct of Performance Tests

40 CFR Part 63.7(e) (4/5/02)

Performance tests shall be conducted under such conditions as the NWCAA specifies to the owner or operator based on representative performance (i.e. performance based on normal operating conditions) of the affected source. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test, nor shall emissions in excess of the level of the relevant standard during periods of startup, shutdown, and malfunction be considered a violation of the relevant standard unless otherwise specified in the relevant standard or a determination of noncompliance is made under 40 CFR §63.6(e). Upon request, the owner or operator shall make available to the NWCAA such records as may be necessary to determine the conditions of the performance tests.

3.13 Maintenance of Records

40 CFR Part 63.10(b)(1) (4/22/04)

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

SECTION 4 - GENERALLY APPLICABLE REQUIREMENTS

The cited requirements in the “Citation” column and incorporated herein by reference are applicable plantwide at the source, including insignificant emission units. These requirements are federally enforceable unless identified as “state only”. A requirement designated “state only” is enforceable only by the state or the NWCAA, and not by the EPA or through citizen suits. The “Description” column is a brief description of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements (including testing) are specified in the “Monitoring, Recordkeeping and Reporting” column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units.

The requirements in the MR&R column labeled “directly enforceable” are legally enforceable requirements added under the NWCAA’s “gap-filling” authority. Other requirements not labeled “directly enforceable” are brief descriptions of the regulatory requirements for information purposes, and are not enforceable. Unless the text of the MR&R column is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement.

The provisions of federally approved NWCAA Section 365, Section 366 and the “Guidelines for Industrial Monitoring Equipment and Data Handling” have been replaced in this section by NWCAA Section 367 and Appendix A - "Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring". NWCAA Section 367 and Appendix A were adopted on July 14, 2005 with a provision that one year from the date of adoption would be allowed to achieve compliance with Appendix A. The new regulations are “State Only” until incorporated into the State Implementation Plan. Section 367 and Appendix A are not materially different from the previous rule and guideline, but have been updated to include current monitoring technology and methods.

Table 4: Generally Applicable Requirements

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.1 General	NWCAA 342.1 (3/13/97) State Only	Operation and Maintenance: Sources are required to keep any process and/or air pollution control equipment in good operating condition and repair.	Operate in accordance with the terms of the permit. Directly Enforceable.
4.2 General	NWCAA 342.2 (3/13/97) same as 9/8/93 version	Operating Instructions/Maintenance Schedules: Make operating instructions and maintenance schedules available to operators.	
4.3 General	NWCAA 367.3 (7/14/05) State Only	Instrument Calibration: All ambient monitoring, compliance testing, continuous emission monitoring systems, and continuous opacity monitoring systems required by a regulation, order of approval or permit issued by NWCAA shall comply with the applicable requirements of Section 367 and Appendix A. Calibration of continuous monitors shall be performed in accordance with Appendix A Sections I(B) and III(B) through III(E).	Operate, maintain, and calibrate monitoring instruments in accordance with NWCAA 367 and Appendix A – “Ambient Monitoring, Emission Testing and Continuous Emission and Opacity Monitoring” (7/14/05).

Table 4: Generally Applicable Requirements

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.4 Nuisance	NWCAA 530 (3/09/00 State Only)	General Nuisance: No person shall discharge from any source quantities of air contaminants, with the exception of odors, in sufficient amounts and of such characteristics and duration as is likely to be injurious or cause damage to human health, plant or animal life, or property; or which unreasonably interferes with enjoyment of life and property.	<p>A written air contaminant complaint response plan will be maintained at the facility. Upon receiving an air contaminant complaint from the NWCAA or the public, all possible sources of the nuisance emissions at the facility shall be checked for proper operation. Problems identified shall be repaired or corrected as soon as possible. If the problems identified cannot be repaired or corrected within four hours, action shall be taken to minimize emissions until repairs can be made and the NWCAA shall be notified within 12 hours with a description of the complaint and action being taken to resolve the problem.</p> <p>The results of the investigation, identification of any malfunctioning equipment or aberrant operation, and the date and time of repair or mitigation shall be recorded. A log of these records shall be maintained for inspection.</p> <p>Receipt of a nuisance complaint in itself shall not necessarily be a violation.</p> <p>Directly Enforceable</p>

Table 4: Generally Applicable Requirements

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.5 Odor	WAC 173-400-040(4) (8/20/93) Same as State Only 1/10/05 Version	Odors: Odors generated on site shall not create a nuisance off-site.	<p>A written air contaminant complaint response plan will be maintained at the facility. Upon receiving a nuisance odor complaint from the NWCAA or the public, all possible sources of the nuisance emissions at the facility shall be checked for proper operation. Problems identified shall be repaired or corrected as soon as possible. If the problems identified cannot be repaired or corrected within four hours, action shall be taken to minimize emissions until repairs can be made and the NWCAA shall be notified within 12 hours with a description of the complaint and action being taken to resolve the problem.</p> <p>The results of the investigation, identification of any malfunctioning equipment or aberrant operation, and the date and time of repair or mitigation shall be recorded. A log of these records shall be maintained for inspection.</p> <p>Receipt of a nuisance complaint in itself shall not necessarily be a violation.</p> <p>Directly Enforceable</p>
4.6 Odor	NWCAA 535.1 (3/09/00 State Only)	Odor Control Measures: Appropriate practices and control equipment shall be installed and operated to reduce odor-bearing gasses emitted into the atmosphere to a reasonable minimum. Best Available Control Technology required to abate odorous emissions. No person shall cause or permit the emission of any odorous air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.	
4.7	WAC 173-400-040(5) (8/20/93) Same as State Only 1/10/05 Version	Emission Detrimental to Persons or Property: Emissions detrimental to health or property are prohibited.	

Table 4: Generally Applicable Requirements

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.8 PM	NWCAA 550 (4/14/93)	Preventing Particulate Matter from Becoming Airborne: Best Available Control Technology to prevent the release of fugitive matter to the ambient air required. Nuisance particulate fallout prohibited.	If, at any time, visible emissions are observed by plant personnel, the permittee will take immediate corrective action, maintain records of observations and corrective action taken and report the incident to NWCAA as soon as possible.
4.9 PM	WAC 173-400-040(2) (8/20/93 State Only) Same as State Only 1/10/05 Version	Fallout: Nuisance particulate fallout prohibited.	Follow Washington Department of Ecology Source Test method 9A, Visual Determination of Opacity for a Three Minute Standard (Revised July 12, 1990). Directly Enforceable
4.10 PM	WAC 173-400-040(3)(a) (8/20/93) Same as State Only 1/10/05 Version	Fugitive Emissions for Attainment Area: Take reasonable precautions to prevent release of air contaminants required.	
4.11 Dust	WAC 173-400-040(8)(a) (8/20/93) Same as State Only 1/10/05 Version	Fugitive Dust Sources: Reasonable precautions to prevent release of fugitive dust required. Maintain and operate source to minimize emissions.	

Table 4: Generally Applicable Requirements			
Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.12 General	WAC 173-401-615(3) (10/4/93)	Required Monitoring Report: Submit reports of any required monitoring to the NWCAA at least once every six months. All instances of deviations from permit requirements must be clearly identified in such reports.	<p>Unless specifically required otherwise by a permit term, monthly reports shall cover a calendar month, quarterly reports shall cover a calendar quarter, six-month reports shall cover January through June and July through December, and annual reports shall cover a calendar year. The first period shall cover the time from permit issuance until the first month, quarter, six-month period, or year following permit issuance.</p> <p>The reports shall be submitted within 30 days after the close of the period that the reports cover.</p> <p>Directly Enforceable</p>

SECTION 5 –Specific Requirements for Emission Units

The cited requirements in the “Citation” column, incorporated herein by reference, are applicable plantwide at the source, including insignificant emission units. The “Description” column is a brief description of the applicable requirements for informational purposes only and is not enforceable.

Periodic or continuous monitoring requirements (including testing) are specified in the “Monitoring, Recordkeeping and Reporting” (MR&R) column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units. The requirements in the MR&R column labeled “directly enforceable” are legally enforceable requirements added under the NWCAA’s “gap filling” authority.

According to 40 CFR 63.5689 the affected parts of the Nordic Tugs facilities that are covered by the NESHAP Subpart VVVV include (a) open molding resin and gel coat operations, (b) closed molding resin operations, (c) resin and gel coat mixing operations, (d) resin and gel coat application equipment cleaning operations, and (e) carpet and fabric adhesive operations. Each of these manufacturing operations are covered on Table 5 below.

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.1	40 CFR 63.5698, 40 CFR 63.5764(a)- (c)	<p>HAP Emission Limit: Nordic Tugs must establish and comply with the total allowable organic HAP limit that may be emitted from the open molding operations (HAP Emission limit) based on a 12-month rolling average, using the following equation: $\text{HAP Limit} = 46M_R + 159M_{PG} + 291M_{CG} + 54M_{TR} + 214 M_{TG}$ where M_R = mass of production resin, M_{PG} = mass of pigmented gel coat, M_{CG} = mass of clear gel coat, M_{TR} = mass of tooling resin, and M_{TG} = mass of tooling gel coat, all expressed in megagrams used in the past 12 months. Certain materials, explicitly stated in 40 CFR 63.5698 (d), such as 100% vinylester used for skin coats and gelcoat used for part/mold repair or touch-ups, are exempt from the open molding HAP limit.</p>	<p>Keep monthly records, for each resin and gelcoat, of: (a) the HAP content, (b) the amount used, (c) the application method used for production and tooling resin, (d) the calculations performed for the organic HAP limit. (e) the amount of material claimed for exemptions and calculations showing that the exempt amount does not exceed the allowable limit. Compliance is based on a 12-month rolling-average basis, with the first such period beginning 1 year after Nordic Tugs becomes a Title V source. Subsequently, compliance for this option is determined at the end of each month (12 times a year). All semiannual monitoring certifications are due as follows: January 31 for reports from July through December, and July 31 for reports from January through June.</p>

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.2	40 CFR 63.5701(a), 40 CFR 63.5704(a)(1) which references 40 CFR 63.5758(a), 40 CFR 63.5710, 40 CFR 63.5764, Table 3 to subpart VVVV	<p>Compliance with the HAP Emission Limit: Nordic Tugs will demonstrate compliance using the MACT model point value averaging (emissions averaging) to determine the organic HAP emissions, using the equation:</p> $\text{HAP Emissions} = (\text{PV}_R)(\text{M}_R) + (\text{PV}_{PG})(\text{M}_{PG}) + (\text{PV}_{CG})(\text{M}_{CG}) + (\text{PV}_{TR})(\text{M}_{TR}) + (\text{PV}_{TG})(\text{M}_{TG})$ <p>where PV is the MACT model point value (MPV) for each operation, and M is the mass of material (resin or gelcoat used in the past 12 months) in megagrams. PV may be calculated using the equation below:</p> $PV_{OP} = \frac{\sum_{i=1}^n M_i PV_i}{\sum_{i=1}^n M_i}$ <p>where PV_{OP} = weighted-average MACT model point value for each open molding operation (PV_R, PV_{PG}, PV_{CG}, PV_{TR}, and PV_{TG}) included in the average, kilograms of HAP per megagram of material applied,</p> <p>M_i = mass of resin or gel coat i used within an operation in the past 12 months, megagrams,</p> <p>n = number of different open molding resins and gel coats used within an operation in the past 12 months,</p> <p>PV_i = the MACT model point value for resin or gel coat i used within an operation in the past 12 months, kilograms of HAP per megagram of material applied.</p>	<p>Determine and record monthly the organic HAP content of material by</p> <p>(a) Including in the organic HAP total each organic HAP that is present at 0.1 percent by mass or more for OSHA-defined carcinogens and at 1.0 percent by mass or more for other compounds.</p> <p>(b) If the organic HAP content is provided by the material supplier or manufacturer as a range, then Nordic Tugs must use the upper limit of the range for determining compliance.</p> <p>Compliance for this option is determined at the end of each month (12 times a year). If the organic HAP emissions are less than the HAP limit calculated in permit term 5.1 for the same 12-month period, then Nordic Tugs is in compliance.</p> <p>Keep a record of all calculations performed to demonstrate compliance under this permit term.</p> <p>These calculations must be submitted with the semiannual reports.</p>

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.2 (cont'd.)	40 CFR 63.5701(a), 40 CFR 63.5704(a)(1) which references 40 CFR 63.5758(a), 40 CFR 63.5710, 40 CFR 63.5764, Table 3 to subpart VVVV	<p>To calculate the MACT model point value (PVi) for each resin and gel coat used in each operation in the past 12 months, the following equations must be used:</p> <p>For production and tooling resins and the application method is</p> <p>(a) Atomized, use $PV_i = 0.014 \times (\text{Resin HAP}\%)^{2.425}$</p> <p>(b) Atomized, plus vacuum bagging with roll-out, use $PV_i = 0.01185 \times (\text{Resin HAP}\%)^{2.425}$</p> <p>(c) Atomized, plus vacuum bagging without roll-out, use $PV_i = 0.00945 \times (\text{Resin HAP}\%)^{2.425}$</p> <p>(d) Nonatomized, use $PV_i = 0.014 \times (\text{Resin HAP}\%)^{2.275}$</p> <p>(e) Nonatomized, plus vacuum bagging with roll-out, use $PV_i = 0.0110 \times (\text{Resin HAP}\%)^{2.275}$</p> <p>(f) Nonatomized, plus vacuum bagging without roll-out, use $PV_i = 0.0076 \times (\text{Resin HAP}\%)^{2.275}$</p> <p>For pigmented, clear, or tooling gel coat, all application methods, use $PV_i = 0.445 \times (\text{Gel coat HAP}\%)^{1.675}$</p> <p>Information provided by the manufacturer or supplier of the material may be used to determine organic HAP content for each material used in open molding resin and gel coat operations and fabric and adhesive operations.</p>	
5.3	40 CFR 63.5704(a)(4) which references 40 CFR 63.5707	<p>Emissions averaging option, Implementation Plan: Nordic Tugs must prepare, submit to the Agency, and keep updated an implementation plan. This must include a description of operations used in the HAP emission limit average, the maximum amount of HAP content of materials used, the application method used, and the calculations performed.</p>	Submit the implementation plan no later than 30 calendar days after the end of the first 12-month averaging period after the source's compliance date. The plan also must be kept on site and available for review. If the plan is revised, then the revised plan must be submitted with the next semiannual report.

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.4	40 CFR 63.5728, 40 CFR 63.5764	<p>Standards for closed molding resin operations: There is no requirement to reduce emissions from closed molding operations. If a molding operation is not closed then it must comply with the requirements for open molding operations. If an open molding resin operation precedes a closed molding operation then it must comply with the requirements for open molding operations.</p>	<p>Keep a monthly record of all resin material that is used in closed molding resin operations. Submit this record with the semiannual reports, due by July 30 for the period January 1 - June 30, and by January 30 for the period July 1 - December 31.</p>
5.5	40 CFR 63.5731	<p>55 gallon drums or larger used for mixing gel coat and resin must have a cover with no visible gaps on them at all times except when material is manually added or removed from the drum or when mixing/pumping equipment is being placed or removed from the drum.</p>	<p>All mixing containers subject to this permit term must be visually inspected at least once a month to ensure that there is no visible gap between the cover and the container, or between the cover and equipment that might pass through the cover. Keep records of which containers are subject to this permit term, the results of inspections, as well as a description of any repairs or corrective action taken. Records as described above must be submitted with the semiannual reports, due by July 30 for the period January 1 - June 30, and by January 30 for the period July 1 - December 31.</p>

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.6	40 CFR 63.5734, 40 CFR 63.5737	<p>Equipment cleaning: For routine cleaning/flushing of resin and gel coat application equipment, solvents with an organic HAP content of less than 5% must be used. No organic HAP content limit applies for solvents that are used to remove cured resin or gel coat from application equipment.</p> <p>Solvent that contains organic HAP and is used for cleaning cured resin or gel coat must be stored in covered containers. There must be no visible gaps at any time between the cover and the container. The cover must be on at all times, except when equipment is placed into or out of the container.</p> <p>The level of solvent in a container greater than 2 gallons must never be less than 0.75 times the diameter of the container.</p> <p>For cleaning solvent that is recycled on site, Nordic Tugs may use documentation from the solvent manufacturer/supplier or a measurement of the organic HAP content of the cleaning solvent as originally obtained from the solvent manufacturer for compliance demonstration.</p>	<p>Keep monthly records of the amount of solvent used, as well as the amount of solvent that is recycled on site. Determine and record monthly the organic HAP content of solvents used for resin and gel coat application equipment cleaning operations.</p> <p>All solvent containers subject to this permit term must be visually inspected at least once a month to ensure that there is no visible gap between the cover and the container, or between the cover and equipment that might pass through the cover.</p> <p>Keep records of which containers are subject to this permit term, the results of inspections, as well as a description of any repairs or corrective action taken.</p> <p>Records as described above must be submitted with the semiannual reports, due by July 30 for the period January 1 - June 30, and by January 30 for the period July 1 - December 31.</p>
5.7	40 CFR 63.5740, 40 CFR 63.5758 (a)(5)(i)-(iii)	<p>Carpet and fabric adhesives: Carpet and fabric adhesives used by Nordic Tugs must contain no more than 5% organic HAP by weight.</p>	<p>The organic HAP content of fabric adhesives must be recorded monthly and submitted with the semiannual reports, due by July 30 for the period January 1 - June 30, and by January 30 for the period July 1 - December 31.</p>
5.8	40 CFR 63.5761, Table 7 to subpart VVVV, 40 CFR 63.9(h)	<p>Notifications: Submit a notification of compliance status as specified in 40 CFR 63.9(h).</p>	<p>Submit notification of compliance no later than 30 calendar days after the end of the first 12-month averaging period after February 8, 2007, which is Nordic Tugs' compliance date.</p>

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.9	40 CFR 63.5764(c)	Compliance Reports: Nordic Tugs shall submit compliance reports postmarked or delivered no later than 60 days after the end of the compliance reporting period.	<p>Compliance reports submitted by Nordic Tugs must contain the following information:</p> <ul style="list-style-type: none"> (1) Company name and address. (2) A statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the report. (3) The date of the report and the beginning and ending dates of the reporting period. (4) A description of any changes in the manufacturing process since the last compliance report. (5) A statement or table showing, for each regulated operation, MACT model point value averaging provision with which Nordic Tugs are complying. The statement or table must also show the actual weighted-average MACT model point value for each operation during each of the rolling 12-month averaging periods that end during the reporting period. (6) If Nordic Tugs were in compliance with the emission limits and work practice standards during the reporting period, you must include a statement to that effect. (7) If Nordic Tugs deviated from an emission limit or work practice standard during the reporting period, they must also include the information listed in (i) through (iv) below in the semiannual compliance report. <ul style="list-style-type: none"> (i) A description of the operation involved in the deviation. (ii) The quantity, organic HAP content, and application method (if relevant) of the materials involved in the deviation. (iii) A description of any corrective action Nordic Tugs took to minimize the deviation and actions taken to prevent it from happening again. (iv) A statement of whether or not Nordic Tugs was in compliance for the 12-month averaging period that ended at the end of the reporting period.

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.10	40 CFR 63.5767 40 CFR 63.5770, OAC 742a Condition 5	Nordic Tugs shall (a) Keep a copy of each notification and report that they submit. (b) Keep all documentation supporting any notification or report that they submitted. (c) Keep records for the total amounts of open molding production resin, pigmented gel coat, clear gel coat, tooling resin, and tooling gel coat used per month and the weighted-average organic HAP contents for each operation, expressed as weight-percent. For open molding production resin and tooling resin, Nordic Tugs must also record the amounts of each applied by atomized and nonatomized methods. (d) Keep each record for 5 years. Records must be kept on site for at least the first 2 years after they have been generated.	Make available all records, documentation, and copies of reports submitted.
5.11	OAC 742a Condition 1	Nordic Tugs shall use only non-atomizing application methods to apply resin and paints.	
5.12	OAC 742a Condition 2	Nordic Tugs shall keep doors and other openings closed in the lamination room during resin application and curing. All emissions to be routed through an exhaust system that discharges at least six feet vertically above the roof line	The lamination room shall be kept under negative pressure. A pressure gauge shall be installed and monitored.
5.13	OAC 742a Condition 3	PM emissions shall be abated by routing exhaust from cutting, grinding, and sanding through a filtration system. A pressure gauge shall be installed and the acceptable range of pressure drop shall be posted near the gauge.	PM abatement filters shall be monitored weekly for condition and fit and ductwork integrity. Records of weekly inspections shall be kept, including action taken to correct deficiencies.

Table 5			
Permit Term	Citation	Description	Monitoring / Recordkeeping / Reporting
5.14	OAC 742a Condition 4	Paints, solvents, gel coat, resin containers, and waste liquid containers shall be kept covered at all times when not in use. Resin and gel coat application equipment shall be cleaned in the layup area. Chlorinated organic solvents shall not be used without prior approval by the NWCAA and a demonstration that no satisfactory alternative exists.	
5.15	OAC 742a Condition 6	Emissions from the facilities shall not cause exceedance of ASIL as specified in WAC 173-460-150 and WAC 173-460-160.	Nordic Tugs shall demonstrate compliance with this term within 45 days after a written request by the NWCAA. Also, Nordic Tugs shall notify the NWCAA if paint, solvent, resin, or gel coat usage or composition deviates significantly from the usage profile specified in the information provided to the NWCAA.
5.16	OAC 742a Condition 7	Nordic Tugs shall develop and follow a management and operating plan designed to assure compliance with Permit Terms 5.10-5.15.	The plan shall be designed to assure compliance with Permit Terms 5.10-5.15.

SECTION 6 - INAPPLICABLE REQUIREMENTS

The regulations identified in Table 5 do not apply to the Nordic Tugs, Burlington Facility as of the date of permit issuance. The basis for this determination is listed in Table 6.

TABLE 6 - Inapplicable Requirements

Citation	Title	Basis
WAC 173-400-070	Emission Standards for Certain Source Categories.	No sources affected by this rule are present at the Nordic Tugs, Burlington Facility.
WAC 173-400-040(6)	Sulfur Dioxide	No sources affected by this rule are present at the Nordic Tugs, Burlington Facility.
WAC 173-433	Solid Fuel Burning Devices.	No sources affected by this rule are present at the Nordic Tugs, Burlington Facility.
WAC 173-434	Solid Waste Incinerator Facilities.	No sources affected by this rule are present at the Nordic Tugs, Burlington Facility.
WAC 173-491	Controls for Sources Emitting Gasoline Vapors.	No sources affected by this rule are present at the Nordic Tugs, Burlington Facility.
40 CFR 68	Accidental Release Prevention	This source does not have in any process substances in excess of the thresholds defined in 40 CFR Part 68 Subpart F and is therefore not an affected facility with respect to 40 CFR Part 68.
40 CFR 72	Permits (Title IV, Acid Rain).	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
40 CFR 73	Sulfur Dioxide Allowance System.	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 410	Sulfur Oxide Standards	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 458	Incinerators - Wood Waste Burners	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 460	Weight/Heat Rate Standard	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 462	Emission of Sulfur Compounds	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 480	Solid Fuel Burning Device Standards	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 504	Outdoor Fires - Grass Seed Fields	Nordic Tugs, Burlington Facility does not maintain grass seed fields at the facility.
NWCAA 510	Incinerator Burning	No source affected by this rule is present at the Nordic Tugs, Burlington Facility.
NWCAA 511	Refuse Burning Equipment	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 520	Sulfur Compounds in Fuel	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.

Citation	Title	Basis
NWCAA 560	Storage of Organic Liquid	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.
NWCAA 580	Volatile Organic Liquid Control	No sources affected by these rules are present at the Nordic Tugs, Burlington Facility.