



Serving Island, Skagit & Whatcom Counties

PACIFIC WOODTECH CORPORATION
LAMINATED VENEER LUMBER & WOOD I-JOIST
MANUFACTURING

BURLINGTON, WASHINGTON

AIR OPERATING PERMIT

- FINAL -
July 28, 2011

PERMIT INFORMATION
PACIFIC WOODTECH CORPORATION
1850 Park Lane, Burlington, WA 98233

SIC: 2439 NAICS 321213

NWCAA ID: 1813-V-S

EPA AFS: 53-057-00055

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Air Operating Permit Number:	Issuance Date:
018M1	March 17, 2008
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Modification 1	July 28, 2011
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Application Date:	Renewal Application Due:
January 26, 2011	September 17, 2012

ATTEST

This permit is issued in accordance with the provisions of Section 322 of the Regulation of the Northwest Clean Air Agency and the provisions of Chapter 173-401 Washington Administrative Code.

Pursuant to Section 322 of the Regulation of the Northwest Clean Air Agency and Chapter 173-401 Washington Administrative Code, Pacific Woodtech Corporation is authorized to operate subject to the terms and conditions of this permit.

Northwest Clean Air Agency Approval:

Date:

Erica K. Shuhler, P.E.
Chemical Engineer

Date:

Mark Buford, P.E.
Assistant Director

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SECTION 1 EMISSION UNIT IDENTIFICATION

The requirements identified in this permit apply to all air emissions from the Pacific Woodtech Corporation facility located at 1850 Park Lane, Burlington, Washington (hereinafter referred to as PWC or as the facility or as the permittee). Requirements for these processes are listed in SECTION 5 SPECIFICALLY APPLICABLE REQUIREMENTS.

Table 1-1 Processes at Pacific Woodtech Corporation

(Process No.) Name	Emission Points	Control Device	Process Description
(1) Plant-wide	Plant-wide other than stacks listed below		All emissions producing activities and emissions controls not specifically exempted by NWCAA, Ecology, or EPA regulations.
(2) Scarf Line	Baghouse 3 stack	Baghouse	Raw veneer is checked for moisture content and other defects. Raw veneer is trimmed to length and in some cases receives a tapered cut on the short edge.
(3) Line 1 Glue Application	Line 1 stack, EF1 and EF2	None	On Line 1, resin is mixed with additives and applied via glue curtain to sheets of veneer.
(4) Line 1 Press	Line 1 stack, EF1 and EF2	None	On Line 1, alternating layers of veneer and resin are pre-heated with a microwave before entering a continuous press that applies heat and pressure.
(5) Line 1 Processing	Baghouse 1 stack	Baghouse	On Line 1, completed billets exiting the press are cut to length and one edge of the billet is hogged to maintain a consistent billet width.
(6) Line 2 Glue Application	Line 2 stack	None	On Line 2, resin is mixed with additives and applied via glue curtain to sheets of veneer.
(7) Line 2 Press	Line 2 stack	None	On Line 2, alternating layers of veneer and resin are pre-heated with a microwave before entering a continuous press that applies heat and pressure.
(8) Line 2 Processing	Baghouse 3 stack	Baghouse	On Line 2, completed billets exiting the press are cut to length and one edge of the billet is hogged to maintain a consistent billet width.
(9) LVL Billet Ripping	Baghouse 1 and Baghouse 3 stacks	Baghouse	Full billets are fed into ripaws to be cut into smaller widths for use as headers or I-joint flanges.
(10) Header Line	Baghouse 3 stack	Baghouse	LVL Headers receive ink stamps and an optional wax sealant coating.
(11) I-Line	Baghouse 2 stack	Baghouse	Flanges are combined with OSB web to construct wood I-joint
(12) Packaging	Baghouse 3 stack	Baghouse	Finished products are wrapped and prepared for shipping (includes sawing with baghouse controlled bundle cut saw).

(Process No.) Name	Emission Points	Control Device	Process Description
(13) Line 1 Thermal Oil Heating	Heater 1 stack	None	Thermal oil is heated with natural gas-fired heaters. The thermal oil is used to the Line 1 Press. This unit is an insignificant emission unit (IEU) due to low emissions.
(14) Line 2 Thermal Oil Heating	Heater 2 stack	None	Thermal oil is heated with natural gas-fired heaters. The thermal oil is used to the Line 2 Press. This unit is an insignificant emission unit (IEU) due to low emissions.
(15) Air Make-up Units			Air is brought into the plant to maintain pressure differentials and to provide heat.
(16) Hog	Baghouse 2 stack	Baghouse	Unusable scraps of veneer, LVL or I-joist are hogged into sawdust.

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 the 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 under WAC 173-401-615(1)(b) & (c) (10/17/02)” 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 (11/8/07)

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 (3/22/91), 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 & 133 (11/8/07)

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above. Under this “State Only” version of the NWCAA Regulation 132, criminal penalties may be assessed on a “per day, per violation” basis. Civil penalty amounts in the NWCAA Regulation 133 have increased from those included in the 10/13/94 version.

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 the 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 NWCAA, the NWCAA shall maintain confidentiality of such information in accordance with the NWCAA Regulation 114. Such records or information shall be only for the confidential use of the Board, the Advisory Council, and NWCAA staff.

2.1.5.2 State Only: NWCAA 114.1 (11/8/07)

Whenever any records or other information other than ambient air quality data or emission data furnished to or obtained by the Agency relate 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 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 Board.

2.1.6 Inspection and Entry

WAC 173-400-105(3)(9/20/93), NWCAA 110 & 111 (1/8/69)

State only: WAC 173-400-105(3)(6/8/07), WAC 173-401-630(2) (10/4/93)

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 Director 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 Director 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 Director 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) (9/20/93)

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) (6/8/07)

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 the NWCAA (not RATA) to assess compliance with an air emission standard shall be conducted according to the following provisions:

A source test plan shall be submitted to the NWCAA for approval for all compliance source tests at least 30 days prior to any scheduled testing. A summary of the test shall accompany the test plan and be submitted on a template provided by NWCAA;

Any changes to the source test plan must be approved prior to testing, and all tests must be completed according to the approved plan. A source test must not be terminated due to excess emissions or high pollutant concentrations unless approved by the NWCAA; and

Results of required source tests must be submitted within sixty days of completion of the test unless prior approval is granted by the NWCAA.

2.1.9 Testing and Sampling

2.1.9.1 NWCAA 360.1 (9/8/93)

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:

- (i) 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 be also required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.
- (ii) 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 Monitoring

2.1.10.1 NWCAA 365.1 (9/8/93)

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 Director under the following provisions:

- (i) The Board or Director 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.
- (ii) All monitoring data shall be submitted in a form which the Board or Director may require. Averaging time and collection periods will be determined by the Director. 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.
- (iii) All data and records shall be kept for a period of at least one year and made available to the Director upon request.
- (iv) 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 Director.
- (v) The Director 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 Director to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.
- (vi) The Board or the Director may require additional reasonable monitoring be undertaken at any appropriate time to insure compliance with this Regulation.

2.1.10.2 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.

Unless subject to acid rain regulations (40 CFR Parts 72 and 75), all continuous emissions monitoring systems (CEMS) 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 CEMS 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 any 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 (or 40 CFR Part 75 if the facility is subject to acid rain regulations.)

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

State Only: 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 the 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

State Only: 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

State Only: 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

State Only: 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

State Only: 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

State Only: 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

State Only: WAC 173-401-730 (10/4/93)

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

- (vii) Additional requirements become applicable to the source with a remaining permit term of three or more years. Such a reopening shall be completed no 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);
- (viii) 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;
- (ix) 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
- (x) 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

State Only: 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

State Only: 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

State Only: 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 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 (11/8/07)

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

State Only: 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

2.2.14.1 State Only: WAC 173-401-620(2)(f) (11/4/93)

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

2.2.14.2 NWCAA 322.4 (11/12/98); State Only: (11/8/07)

NWCAA shall assess and collect annual air operating permit fees for sources in its jurisdiction that are required to have Title V Air Operating Permits (excluding sources regulated by WDOE directly). The total fees required to administer the program shall be determined by a workload analysis conducted by NWCAA staff and approved annually by the NWCAA Board of Directors.

2.2.15 Transfer or Permanent Shutdown

2.2.15.1 NWCAA 325 (9/8/93)

Approval to construct a stationary source is not to be transferable from one location to another (outside the plant boundary), from one piece of equipment to another, or from one person to another, except portable sources may retain the same registration so long as they remain within the jurisdiction of the NWCAA.

2.2.15.2 State Only: NWCAA 325 (11/8/07)

Approval to construct a stationary source is not to be transferable from one location to another (outside the plant boundary), from one piece of equipment to another, or from one person to

another, except portable sources may retain the same registration so long as they remain within the jurisdiction of the NWCAA and they comply with the NWCAA Regulation 300 and 301.

The registered owner or operator shall report the transfer of ownership or permanent shutdown of a registered source to the NWCAA within ninety (90) days of shutdown or transfer. The new owner of a registered source shall file a written report with the NWCAA within ninety (90) days of completing transfer of ownership and/or assuming operational control.

In the case of a permanent shutdown, process and pollution control equipment may remain in place and on site, but shall be rendered incapable of generating emissions to the atmosphere.

2.3 Permit Shield

2.3.1 Shield Requirement

State Only: 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 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

State Only: 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

State Only: 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 State Only: 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 State Only: WAC 173-400-040 (9/20/93)

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 (2/10/05)

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 70.94.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.5 Emergencies

State Only: 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 General Reporting

State Only: WAC 173-401-615(3) (10/17/02)

With respect to reporting, the permit shall incorporate all applicable reporting requirements and require the following:

- (a) Submittal of reports of any required monitoring at least once every six months. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with WAC 173-401-520.
- (b) Prompt reporting of deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. The permitting authority shall define "prompt" in each individual permit in relation to the degree and type of deviation likely to occur and the applicable requirement. For deviations which represent 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. The source shall maintain a contemporaneous record of all deviations. Other deviations shall be reported no later than thirty days after the end of the month during which the deviation is discovered.

2.4.2 Compliance Certification

State Only: WAC 173-401-630(5) (10/4/93)

The Permittee shall submit ongoing certifications of compliance with permit terms and conditions. The first such certification shall cover the period from the last compliance certification until issuance of this revised permit. The following compliance certification shall cover the period from permit issuance to December 31, 2007. Subsequent compliance certifications shall be made on a yearly basis. Each certification shall include the following:

- (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 AWT-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

2.4.2.1 State Only: 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.

2.4.2.2 State Only: WAC 173-401-615 (9/16/02) and 630 (10/4/93)
Directly enforceable under WAC 173-401-615(1)(b) & (c), 10/17/02

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:

- (i) January 31 for reports from July through December
- (ii) July 31 for reports from January through June

2.4.2.3 State Only: WAC 173-401-530(2)(d) (9/16/02)

This permit does not require testing, monitoring, reporting or recordkeeping for insignificant emission units or activities unless required in an underlying permit, such as an OAC condition.

PWC shall use good industrial practice to maintain insignificant units. For such equipment, PWC shall also promptly repair defective equipment or shut down the related unit until defective equipment can be repaired. Compliance with this requirement shall be deemed to satisfy requirements of WAC 173-401-615 and 173-401-630(1).

PWC may certify continuous compliance if there were no observed, documented, or known instances of noncompliance of an insignificant emission unit during the reporting period. Where an underlying OAC 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.

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

2.4.3.1 NWCAA 112 (2/14/73)

No person shall willfully make a false or misleading oral statement to the 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.

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

No person shall willfully make a false or misleading oral statement to the NWCAA Board, Director, 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.

2.4.4 Required Recordkeeping

2.4.4.1 State Only: 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.
- (iv) 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.

2.4.4.2 State Only: WAC 173-401-615 (9/16/02) and 630 (10/4/93)
Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02) 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).

2.4.5 Pollutant Disclosure - Reporting by Air Contaminant Sources

2.4.5.1 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:

the nature of the enterprise;

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;

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.

2.4.5.2 State Only: WAC 173-400-105(1) (6/8/07)

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.

2.4.5.3 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 Section 322.4, rather than 324.126.

2.4.6 Reporting of Deviations from Permit ConditionsState Only: WAC 173-401-615(3)(b) (9/16/02)Directly enforceable under WAC 173-401-615(1)(b) & (c), 10/17/02

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. "Deviation" means any situation in which an emission unit fails to meet a permit term or condition. 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 (11/13/94)

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 responsible official shall submit a full report no later than 30 days after the end of the calendar month in which the breakdown or upset occurred that resulted in exceedance of an ambient or emission standard of this regulation. The report shall be submitted on forms provided by the NWCAA and must include, at minimum, the known causes, corrective measures taken, preventive measures to be taken to minimize or eliminate a recurrence and an estimate of the quantity of emissions above the applicable limit caused by the event.

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.

In addition to the reporting requirements of the 7/14/05 version of the NWCAA Regulation 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 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 (11/8/07)

In addition to the reporting requirements of the 11/8/07 version of the NWCAA Regulation 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 the NWCAA Regulation 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 this 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 operator of any air contaminant source registered in the NWCAA jurisdiction or operating under a Title V air operating permit issued by the NWCAA 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 emission standard of the NWCAA Regulation; the operator or owner of the source shall notify the NWCAA in advance of the shutdown or startup.

The advanced notification shall include 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 this Regulation nor from the resulting liabilities for failure to comply.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the stationary 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.

For Title V Air Operating Permit sources, the responsible official, or their designee, shall submit a full report no later than 30 days after the end of the calendar month in which the shutdown or startup occurred that resulted in an exceedance of an ambient or an emission standard of this Regulation. The report shall be submitted on forms provided by the NWCAA and must include, at 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. Other non-Title V Air Operating Permit sources shall file a full report to the NWCAA within 30 days upon the request of the Control Officer.

2.5 Operation and Maintenance

NWCAA 342 (9/8/93)

Keep all process and/or air pollution control equipment in good operating condition and repair. If a breakdown or upset condition occurs and it is determined by the Control Officer to be due to poor operating and maintenance procedures, the Control Officer may take any legal steps necessary to prevent a recurrence of the breakdown or upset condition.

Operation and maintenance instructions and schedules for process and/or control equipment must be available and may be required to be posted on the site. This section is specifically applicable to the operation of equipment where untrained personnel may operate or otherwise have access to or use the equipment.

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 the NWCAA Regulation 340, submit a report if requested by the Control Officer on what measures will be taken in training or re-orienting personnel to prevent a recurrence of the breakdown.

State Only: NWCAA 342 (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 process and/or control equipment must be available on site.

2.6 Excess Emissions

WAC 173-400-107 1, 2, 3, 4, 5, and 6 (9/20/93)

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.

State Only: NWCAA 340.4 (11/8/07) and 341.4 (7/14/05)

Excess emissions due to breakdowns and upsets shall be considered unavoidable, and not subject to penalty, provided the stationary 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; and
- (iii) The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice.
- (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 stationary 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.

Excess emissions due to scheduled maintenance shall be considered unavoidable provided the source adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance, better operation and maintenance practices, and emissions did not result in a violation of an ambient air quality standard.

2.7 Duty to Supplement or Correct Information

State Only: WAC 173-401-500(6) (10/17/02)

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.

2.8 Prohibitions

2.8.1 Concealment and Masking

2.8.1.1 WAC 173-400-040(7) (9/20/93) and (2/10/05 State only)

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.

2.8.1.2 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 the NWCAA 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.

2.8.2 Adjustment for Atmospheric Conditions

WAC 173-400-205 (3/22/91)

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.

2.8.3 Outdoor Burning

2.8.3.1 WAC 173-425-036 (9/17/90) and WAC 173-425-045 (1/3/89), WAC 173-435-050(2) (1/3/89) 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.

2.8.3.2 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.

2.8.4 Asbestos

2.8.4.1 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 the NWCAA Regulation 570.

2.8.4.2 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 §61.145, 61.148 and 61.150 when conducting any renovation or demolition at the facility.

2.8.5 Stratospheric Ozone and Climate Protection

2.8.5.1 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.

2.8.5.2 State Only: RCW 70.94.970

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.

2.8.6 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.

2.8.7 Obstruction of Access

State Only: RCW 70.94.200

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.

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

2.8.8.1 WAC 173-400-110 (9/20/93), 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.

2.8.8.2 State Only: WAC 173-400-560 (2/10/05) and NWCAA 300.14 (11/8/07)

An owner or operator may apply for an applicable general Order of 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.

2.8.8.3 State Only: NWCAA 300.15 (11/8/07)

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.

2.8.8.4 State Only: WAC 173-400-710, 720 (6/8/07), WAC 173-400- 730, 740 and 750 (2/10/05), WAC 173-460-040(2/14/94), WAC 273-400-141 (8/15/01) NWCAA 300.1-300.13, 301 (11/8/07), 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 issued by the Agency or PSD permit issued by Ecology 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 the NWCAA Regulation 200, and “new source” shall include any “modification” to an existing “stationary source” as those terms are defined in the NWCAA Regulation 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).

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

State Only: WAC 173-400-114 (9/15/01), NWCAA 300.13 (11/8/07)

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.

2.8.10 Controls for New Sources of Toxic Air Pollutants

State Only WAC 173-460-030(1) (2/14/94)

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).

2.8.11 Creditable Stack Height and Dispersion Techniques

State Only: WAC 173-400-200 (2/10/05)

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.

2.8.12 False Statement, Representation or Certification

State Only: WAC 173-400-105(7) (6/8/07)

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.

2.8.13 Inaccurate Monitoring

State Only: WAC 173-400-105(8) (6/8/07)

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.

2.8.14 Prevention of Accidental Release

40 CFR 68 Subpart F (As amended through 8/20/01)

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.

2.8.15 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 EMISION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

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 sources” defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 63.2. The 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.

The EPA delegates NESHAP implementation and enforcement authority to NWCAA on a periodic basis. Some conditions in this section cite the NESHAP delegation letter from EPA Region 10 to NWCAA because the letter clarifies certain federal requirements. For example, the delegation letter states that NWCAA shall be the recipient of all notifications and reports and be the point of contact for questions and compliance issues regarding delegated standards. The delegation letter also specifies the extent of NESHAP delegation to the NWCAA. The current delegation letter is available for review on the NWCAA website and at the NWCAA office.

Some of the terms and conditions cited below refer to the “Administrator”. For delegated NESHAP requirements, “Administrator” means NWCAA; for NESHAP requirements that have not been delegated to NWCAA, “Administrator” means the Administrator of the United States Environmental Protection Agency.

3.1 Part 63 – National Emission Standard for Hazardous Air Pollutant Requirements

3.1.1 Address for Reports, Notifications and Submittals

Title 40 CFR 63.9(a) (5/30/03), 63.10(a) (4/20/06), 63.12(c) (3/16/94), 63.13 (11/12/10), (as amended by Delegation Letter dated 11/29/10 from Richard Albright, Director of the Office of Air, Waste, and Toxics, EPA Region 10 to Mark Asmundson, Director of NWCAA), NWCAA 104.2 (6/10/10)

Notifications, reports, and applications for delegated Part 63 National Emission Standards for Hazardous Air Pollutants (NESHAPs) shall be sent to the NWCAA at the following address:

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

Notifications, reports, and applications under NESHAP authorities that have been excluded from delegation shall be submitted to the EPA at the following address:

Director, Office of Air, Waste, and Toxics U.S. EPA Region 10
1200 Sixth Avenue
Seattle WA 98101

All information required to be submitted to the EPA under this part also shall be submitted to the appropriate State agency of any State to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain Federal or State reporting requirement. The Administrator may permit all or some of the information to be submitted to the appropriate State agency only, instead of to the EPA and the State agency.

3.1.2 Notification

3.1.2.1 Notification Requirements for Existing Part 63 NESHAP Sources
Title 40 CFR 63.9 (b)(2) and (j) (5/30/03), NWCAA 104.2 (6/10/10)

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 Administrator 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 after the source 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 and 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.

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 test method cited or any credible evidence may be used to determine compliance.

The requirements in the MR&R column labeled “Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)” are legally enforceable requirements added under the NWCAA’s “gap-filling” authority of WAC 173-401-615(1)(b) & (c), 10/17/02.

Table 4-1 Generally Applicable Requirements

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.1	NWCAA 451.1 (10/13/94) NWCAA 451.1 (11/8/07 State only) WAC 173-400-040(1) (9/20/93) WAC 173-400-040(1) (2/10/05 State only)	<u>Visible Emissions</u> Opacity shall remain below 20% for any period aggregating more than 3 minutes in any sixty-minute period.	Conduct a facility-wide inspection at least once per calendar month during each month of operation for visible emissions, odors, prohibited activities under Section 2.8 and activities that require additional approval under 2.8.8 or 2.8.9. The inspections shall also examine the general state of compliance with the Operation and Maintenance (O&M) Plan. If, at any time, visible emissions are observed by plant personnel, PWC will take immediate corrective action and will maintain records of observations and corrective action taken. Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.2	NWCAA 455.1 (4/14/93) NWCAA 455.1 (5/11/95 State only)	<u>PM</u> Emissions shall not exceed 0.10 grain/dscf (corrected to 7% oxygen), except, from all gaseous and distillate fuel burning equipment (the definition of fuel burning equipment does not include internal combustion engines), emissions shall not exceed 0.05 grain/dscf (0.11 g/m ³) corrected to 7% oxygen.	If, during the monthly inspection required in Term 4.1, or at any other time, visible emissions are observed by plant personnel, PWC will take immediate corrective action and will maintain records of observations and corrective action taken. Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)
4.3	WAC 173-400-060 (9/20/93)	<u>PM</u> Particulate emissions from general process units shall not be greater than 0.1 grain/dscf.	
4.4	WAC 173-400-050(1) (3/22/91) WAC 173-400-050(1) (2/10/05 State only)	<u>PM</u> Particulate emissions from combustion units shall not be greater than 0.1 grains/dscf.	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.5	NWCAA 520 (4/14/93) NWCAA 520 (5/9/96 State Only)	<u>Sulfur Compounds</u> Sulfur content of fuels burned shall not exceed: #1 distillate - 0.3% #2 distillate - 0.5% Other distillate or solid fuels - 2.0% Gaseous fuels - 412 ppm @ stp	Comply with Term 5.6 (burn "pipeline" natural gas only)
4.6	NWCAA 460 (9/8/93) NWCAA 460 (7/14/05 State Only)	<u>Sulfur compounds</u> Sulfur compound emissions, as sulfur dioxide, shall not exceed 1.5 lb/MMBtu of heat input per hour, on a monthly average basis for the facility.	
4.7	NWCAA 462 (10/14/87) NWCAA 462 (11/8/07 State only)	<u>Sulfur Compounds</u> Sulfur compounds emitted greater than 1,000 ppm (corrected to 7% O ₂) averaged over a period of sixty consecutive minutes from any equipment is prohibited. This requirement is not violated if reasonable evidence is presented that concentrations will not exceed ambient standards and the permittee shows that no practical method of reducing concentration exists.	
4.8	NWCAA 410 (4/14/93)	<u>SO₂</u> Unlawful to emit sulfur oxides (measured as SO ₂) such that ambient standards are exceeded outside plant boundaries	
4.9	WAC 173-400-040(6) (9/20/93) The second paragraph of this citation is State Only	<u>SO₂</u> Unlawful to emit SO ₂ greater than 1,000 ppmdv corrected to 7% O ₂ averaged over a sixty consecutive minute period.	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.10	NWCAA 530 (3/09/00 State Only)	<u>Nuisance</u> Discharge of air contaminants 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, is unlawful.	<p>In addition to the inspections required in Term 4.1, PWC shall record and investigate air pollution complaints as soon as possible, but no later than within three days of receipt via normal means of business communication.</p> <p>PWC shall investigate complaints and determine if there was noncompliance with an applicable requirement of this permit. PWC shall correct any compliance problems as soon as possible, and shall shut down the unit or activity if it is not returned to a compliant status within 24 hours of identification.</p> <p>PWC shall keep records of complaints received, results of investigations, and any corrective actions taken.</p> <p>Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02).</p>
4.11	WAC 173-400-040(5) (9/20/93) WAC 173-400-040(5) (2/10/05) State Only	<u>Nuisance</u> Emissions detrimental to health or property prohibited.	
4.12	WAC 173-400-040(4) (2/10/05 State Only)	<u>Odors</u> Must use recognized good practice and procedures to reduce odors which may unreasonably interfere with any other property owner's use and enjoyment of his property to a reasonable minimum.	
4.13	NWCAA 535.1 (3/09/00 State Only)	<u>Odors</u> Install and operate Best Available Control Technology (BACT) to reduce emission of odor bearing gases or particulate matter. Discharge of odorous substances that threaten the health or safety of any person or unreasonably interfere with the use and enjoyment of property is prohibited.	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.14	NWCAA 550.1 - 3 (4/14/93)	<u>Fugitive Emissions</u> Best Available Control Technology is required to prevent the release of fugitive matter to the ambient air during activities such as but not limited to: material handling, construction, abrasive blasting, use of roadways and open areas. Nuisance particulate fallout prohibited.	Comply with Terms 4.1 and 4.10. Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)
4.15	NWCAA 550.1-3 (11/8/07 State Only) WAC 173-400-040(3)(a) (9/20/93) WAC 173-400-040(3)(a) (2/10/05 State Only)	<u>Fugitive Emissions</u> Reasonably Available Control Technology is required to prevent the release of fugitive matter to the ambient air during activities such as but not limited to: material handling, construction, abrasive blasting, use of roadways and open areas. Nuisance particulate fallout prohibited.	
4.16	WAC 173-400-040(8)(a) (9/20/93) WAC 173-400-040(8)(a) (2/10/05 State Only)	<u>Fugitive Emissions</u> Reasonable precautions to prevent release of fugitive dust required. Maintain and operate source to minimize emissions.	
4.17	NWCAA 550.4 (4/14/93) NWCAA 550.4 (11/8/07 State Only) WAC 173-400-040(2) (2/10/05 State Only)	<u>Fugitive Emissions</u> Unlawful to cause or permit the emission of particulate matter which becomes deposited upon the property of others in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property.	


SECTION 5 SPECIFICALLY APPLICABLE REQUIREMENTS

The cited requirements in the “Citation” column and incorporated herein by reference are applicable to emission units specified in the header of the table. 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” (MR&R) column, which identifies 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 test method cited or any credible evidence may be used to determine compliance.

The requirements in the MR&R column labeled “Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)” are legally enforceable requirements added under the NWCAA’s “gap-filling” authority of WAC 173-401-615(1)(b) & (c), 10/17/02.

Some permit conditions in this section show emission limits in the “Description” column but no test frequency in the “MR&R” column. This is the result of an OAC or NESHAP condition that required an initial performance test that has been completed so there is no requirement for on-going testing. The limit, however, remains as an underlying condition of the permit and is, therefore, included.

Table 5-1 Specifically Applicable Requirements

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1	40 CFR 63 Subpart DDDD, §63.2252 (2/16/06)	For process units not subject to the compliance options or work practice requirements specified in §63.2240 (including, but not limited to, lumber kilns), you are not required to comply with the compliance options, work practice requirements, performance testing, monitoring, SSM plans, and recordkeeping or reporting requirements of this subpart, or any other requirements in subpart A of this part, except for the initial notification requirements in §63.9(b).	<p>Notify NWCAA and EPA Region 10 that PWC is an applicable source as per 40 CFR 63.9(b).</p> <p>The form for this notification is available at the EPA web site: http://www.epa.gov/ttn/atw/plypart/initialnote_081505.pdf, or by double clicking on the attached document.</p>  <p>Adobe Acrobat Document</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.2	OAC 933, Condition 1 (10/10/05)	<u>HAP</u> All resin usage and purchase shall be tracked.	Records of all resin usage shall be kept on-site and available to NWCAA inspectors for at least five years. Annually, an emissions inventory shall be submitted to the NWCAA no later than April 15 th of each year, unless an extension is requested and granted.
5.3	OAC 933, Condition 2 (10/10/05)	<u>HAP</u> Calculate and track emissions of formaldehyde and methanol.	Formaldehyde emissions from both presses shall be calculated using the emission factor of 1.35E-04 pounds per pound of Cascophen SF 54773 PWC-2.5 resin used. This factor is based on the manufacturer's specifications assuming 15% of the formaldehyde is unreacted and emitted. Methanol emissions from both presses shall be calculated using the emission factor of 1.30E-03 pounds per pound of Cascophen resin. This factor is based on the manufacturer's specifications assuming all methanol is emitted. Alternative emission factors may be approved by the NWCAA upon written request by the facility and demonstration that other emission factors better represent actual emissions.
5.4	OAC 933, Condition 3 (10/10/05)	<u>HAP</u> The NWCAA shall be notified and an MSDS sheet submitted prior to changing resin, catalyst, I-joint adhesive, or lube oil products.	Maintain MSDS for all resin, catalyst, I-joint adhesive, lube oil products, and related materials.
5.5	OAC 933, Condition 4 (10/10/05)	<u>HAP</u> Resins, solvents and organic liquid wastes shall be kept in covered containers when not in use.	Check work areas on a daily basis for compliance. Record checks.
5.6	OAC 933, Condition 5 (10/10/05)	<u>SO₂</u> All heaters shall burn only natural gas	Maintain fuel consumption records on site. Monthly bills from fuel supplier will suffice.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.7	OAC 933, Condition 6 (10/10/05)	<u>Opacity</u> Visual emissions from the baghouses shall not exceed 5% opacity for more than three minutes in any one-hour period, as measured by Washington State Department of Ecology Source Test Method 9a.	Comply with Terms 5.8, 5.10 and 5.11.
5.8	OAC 933, Condition 7 (10/10/05)	<u>Opacity</u> Baghouse monitoring requirements	Compliance with Condition 6 shall be monitored by observing the baghouses' exhaust for visible emissions monthly for six consecutive months. Visible emissions detected for more than two minutes shall be reduced to 0% opacity or monitored by Ecology Method 9A as soon as possible and no later than twenty four hours after detection. If, at the end of the six month period of monthly monitoring, visual emissions have consistently been zero, monitoring may become quarterly. If visible emissions are detected for more than two minutes during any quarterly observation, inspection frequency shall revert to monthly until six consecutive months of acceptable observations are recorded. Record results of observations, periods of opacity greater than 0% monitored by facility personnel, any related equipment or operational failure, the occurrence dates and the action taken to resolve the problem(s). A request must be made to the NWCAA if the facility wishes to progress to quarterly monitoring. Keep records of all observations available to the NWCAA for inspection.
5.9	OAC 933, Condition 8 (10/10/05)	<u>Opacity</u> There shall be no visual emissions from the baghouse fines collection hopper, except during maintenance activities and periods when hopper fines are transferred to a container for load out.	Check the baghouse fines collection hopper no less than once per day during operation for signs of visible emissions. If, during the periodic check, or at any other time (except during maintenance activities and periods when hopper fines are transferred to a container for load out) visible emissions are observed from the baghouse fines collection hopper, take corrective action as soon as possible but no later than within 24 hours of the initial observation. Maintain records of observations and corrective action taken.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.10	OAC 933, Condition 9 (10/10/05)	<u>Opacity</u> Baghouse monitoring requirements	A differential pressure gauge shall be installed on each baghouse to assist in monitoring performance. The acceptable differential pressure range, as established by the manufacturer or through engineering judgment, shall be written on or near the gauge and included in the facility's operation and maintenance plan. Once per operating day, each gauge shall be checked to ensure that each baghouse is operating within the established range. If the unit is not operating within the acceptable range, the affected equipment shall be shut down immediately and operation shall not resume until the problem has been identified and corrected.
5.11	OAC 933, Condition 10 (10/10/05)	<u>Opacity</u> Baghouse monitoring and recordkeeping requirements.	A written log of the differential pressure gauge readings shall be maintained at the facility. The log shall include any bag failures or repairs, the time and date that the inspection or repair was conducted, and the initials of the individual performing the inspection or repair.
5.12	OAC 933, Condition 11 (10/10/05)	<u>Opacity</u> A written operation and maintenance (O/M) manual shall be developed for the baghouses and kept up-to-date. The O/M manual shall be consistent with the manufacturer's recommendations and shall include internal inspection schedules, maintenance requirements and operating procedures. The O/M manual shall be kept on-site and readily available for inspection by the NWCAA.	Keep air compliance O&M manuals readily available for use by operations personnel and for inspection by the NWCAA.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.13	OAC 933, Condition 12 (10/10/05)	<u>Opacity</u> The Line 2 Press shall be equipped with a hood and vent exhausted through a vertical stack extending at least nine feet above the building's roof. Visible emissions from the exhaust stack of the second press line shall not exceed 10% opacity as measured by Method 9A.	Check the Line 2 Press exhaust stack no less than once per day during operation for signs of visible emissions. If, during the periodic check, or at any other time visible emissions are observed from the baghouse fines collection hopper take corrective action as soon as possible for no later than within 24 hours of the initial observation, or perform the Method 9A observation, or shut down the unit or device causing the opacity. Maintain records of observations and corrective action taken.
5.14	OAC 933, Condition 14 (10/10/05)	<u>O&M</u> Facility equipment shall be operated and maintained in accordance with the manufacturer's specifications, good operating practices, and Order of Approval to Construct conditions.	Follow O&M Plan required in 5.12.
5.15	OAC 933, Condition 15 (10/10/05)	<u>Sampling and testing facilities</u> Sampling and testing facilities shall be provided and maintained for the Line 2 Press outfeed hood exhaust stack for both toxic air pollutant testing and opacity measurement.	Inspect sampling and testing facilities at least one week prior to any scheduled source test to ensure safety and adequacy.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.16	OAC 933, Condition 16 (10/10/05)	<u>Odors</u> Odors from the facility shall not result in a nuisance at or beyond the property boundary as determined by the NWCAA staff.	Follow O&M Plan required in 5.12. Comply with 4.10, 4.11, 4.12, and 4.13.

SECTION 6 INAPPLICABLE REQUIREMENTS

PWC did not request a permit shield against any specific requirements.