TITLE V WORKSHOP

Tennessee Air Pollution Control Division

December - 2002

The materials in this booklet are created for "guidance" purposes only. Operation of each air contaminant source shall be in accordance with the provisions and stipulations set forth in the operating permit, all provisions of the Tennessee Air Pollution Control regulations, and all provisions of the Tennessee Air Quality Act.

Please note that the following materials are created for the sole purpose of assisting you in conceptual understanding of the requirements. Based on the Title V Source, the reports could be far more complex than the examples used in this document. If you have any questions about the contents of this document, please contact Greg Forte or Lacey Hardin at 615 – 532 - 0589.

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AGENDA

TIME	TOPIC	Page No.	SPEAKER
8:15 AM	Title V Program in TN -		Reddy
8:30 AM	Understanding the Title V Permit	1-15 16-17	John Jeryl
9:00 AM	Semi-annual reports Deviations	18-28 37	Greg Jeryl
9:45 PM	Break		
10:00 PM	Semi-annual reports (continued)		
10:45 AM	Annual Compliance Certification	29-36	Doug
11:30 AM	LUNCH BREAK		
12:30 PM	Mistakes in SAR's and ACC's	71-72	Lacey
12:45 PM	SAR – Alternate Style	65-70	Doug
1:20 PM	Startups – Shutdowns – Malfunctions Miscellaneous	38-39 40-41	Jeryl Reddy
1:00 PM	Enforcement perspective	Handout	David
1:50 PM	Changes / Modifications At Major (Title V) Sources	42-51	Daphne (EPA)
2:15 PM	Break		
2:30 PM	NSR Rule Revisions / PAL Permits		Scott (EPA)
3:00 PM	Operational Flexibility / Minor Mod / Significant Modifications	52-56	Reddy
3:30 PM	Ownership Changes, Title V Renewals, Construction of IEU's	57-64	Greg
3:50 PM	Discussion – Title V Issues		

TENNESSEE DEPARTMENT OF ENVIRONMENT & CONSERVATION
AIR POLLUTION CONTROL
9TH FLOOR, L & C ANNEX
401 CHURCH STREET
NASHVILLE, TENNESSEE 37243-1531

June 25, 1998

Certified Mail X XX XXX
Return Receipt Requested

Mr. XX XXX, General Manager
XXXX
XXXX
XXXX, TN. 3XXXX

Re: Title V Permit for XX-XXXX

Dear Mr. XXX:

Please find enclosed your Title V Major Source Operating Permit Number 5XXXX. This permit consists of 27 pages and two attachments. It is important that you read and understand the requirements specified in this permit. While all requirements of your Title V permit are important, the following table summarizes the most important dates associated with your Title V Permit:

Permit **Issue Date**	June 25, 1998
Annual Allowable Based Emission Fees: (see paragraph E1)	**Billing Date**--April 1, 1998 and each subsequent year. **Due Date**--July 1, 1998 and each subsequent year.
Annual Actual Emissions Analysis: (see paragraph E1)	**Analysis Period**--July 1, 1998 to June 30, 1999 and each subsequent year. **Due Date** - September 28, 1999 and each subsequent year.
TAPCD Semiannual Report: (see paragraph E2)	**Report Period**--October 1, 1998 to March 31, 1999 and each 6-month period thereafter. **Due Date**--May 31, 1999 and each 6-month period thereafter.
TAPCD Annual Compliance Certification: (see paragraph E2)	**Compliance Period**—October 1, 1998 to September 30, 1999 and each subsequent year. **Due Date**--November 1999 and each subsequent year.
Application **Renewal Period**	between September 28, 2001 and December 27, 2001
Permit **Expiration Date**	June 25, 2002

Please note that penalties associated with noncompliance with any of the requirements of this Title V permit are significant. If you violate any of the requirements of this permit, you may be subject to a civil penalty of up to $25,000.00 (TWENTY FIVE THOUSAND DOLLARS) PER DAY FOR EACH DAY OF VIOLATION.

If you have any questions about this permit, please call XXX XXXX at (615) 532-0554.

Sincerely,
Barry R. Stephens
Technical Secretary
Tennessee Air Pollution Control Board
enclosure :Title V Permit

TENNESSEE AIR POLLUTION CONTROL BOARD
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-1531

OPERATING PERMIT (TITLE V) Issued Pursuant to Tennessee Air Quality Act

This permit fulfills the requirements of Title V of the Federal Clean Air Act (42 U.S.C. 7661a-7661e) and the federal regulations promulgated thereunder at 40 CFR Part 70. (FR Vol. 57, No. 140, Tuesday, July 21, 1992 p.32295-32312). This permit is issued in accordance with the provisions of paragraph 1200-3-9-.02(11) of the Tennessee Air Pollution Control Regulations. The permittee has been granted permission to operate an air contaminant source in accordance with emissions limitations and monitoring requirements set forth herein.

Date Issued: **June 25, 1998** Permit Number: 5XXXXX

Date Expires: **June 25, 2002**

Issued To:
XXXXX

Installation Address:
XXXXXX
XXXXX

Installation Description:

XX-XXXX-**01**: **Woodworking Operation**
XX-XXXX-**02**: **Surface Coating Operation**
XX-XXXX-**03**: **Dryer Operation**
XX-XXXX-**04**: **One Coal-fired Boiler**
XX-XXXX-**05**: **Manufacture of Esters**

Emission Source Reference No.: XX-XXXX

Renewal Application Due Date: Between 09/28/2001 and 12/27/2001 Primary SIC: 2431

Responsible Official:
Name: XXXXX
Title: General Manager

Facility Contact Person:
Name: XXXXX
Title: General Manager
Phone: XXX-XXX-XXXX

Information Relied Upon:
Application dated August 22, 1997

(continued on the next page)

TECHNICAL SECRETARY

No Authority is Granted by this Permit to Operate, Construct, or Maintain any Installation in Violation of any Law, Statute, Code, Ordinance, Rule, or Regulation of the State of Tennessee or any of its Political Subdivisions.

POST OR FILE AT INSTALLATION ADDRESS

CN-0827 (Rev.9-92) RDA-1298

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ATTACHMENT 1 Opacity Matrix Decision Tree for Visible Emission Evaluation by EPA Method 9, dated June 18, 1996 2 pages

ATTACHMENT 2 AP-42 Emission Factors for Fuel Oil and Coal Combustion 5 pages

NOTE: SECTIONS A – B – C - D ARE NOT INCLUDED WITH THIS EXAMPLE PERMIT. FOR GENERAL CONDITIONS (SECTIONS A – B – C – D) PLEASE GO TO "TITLE V WORKSHOP MANUAL – 2002" AT http:/www.state.tn.us/environment/apc/index.html

SECTION E

SOURCE SPECIFIC EMISSION STANDARDS, OPERATING LIMITATIONS, and MONITORING, RECORDKEEPING and REPORTING REQUIREMENTS

XX-XXXX **Facility Description:** Wood Millwork. Manufacturing window and door components. Clay Drying: Drying of clay with conveying and loading of dried clay product. Manufacture of esters.

Conditions E1 through E3 apply to all sources in Section E of this permit unless otherwise noted.

E1. **Fee payment: allowable emissions basis.**

FEE EMISSIONS SUMMARY TABLE FOR MAJOR SOURCE XX-XXXX

REGULATED POLLUTANTS	ALLOWABLE EMISSIONS (tons per AAP)	ACTUAL EMISSIONS (tons per AAP)	COMMENTS
PARTICULATE MATTER (PM)	149.6	N/A	
PM_{10}	N/A	N/A	
SO_2	264.8	N/A	
VOC	239.5	N/A	Includes all fee emissions.
NO_X	56	N/A	maximum actual emissions
CATEGORY OF MISCELLANEOUS HAZARDOUS AIR POLLUTANTS (HAP WITHOUT A STANDARD)*			
VOC FAMILY GROUP	N/A	AEAR	Fee emissions are included in VOC above.
NON-VOC GASEOUS GROUP	N/A	N/A	
PM FAMILY GROUP	N/A	N/A	
CATEGORY OF SPECIFIC HAZARDOUS AIR POLLUTANTS (HAP WITH A STANDARD)**			
VOC FAMILY GROUP	N/A	N/A	
NON-VOC GASEOUS GROUP	N/A	N/A	
PM FAMILY GROUP	N/A	N/A	
CATEGORY OF NSPS POLLUTANTS NOT LISTED ABOVE***			
EACH NSPS POLLUTANT NOT LISTED ABOVE	N/A	N/A	

NOTES

AAP The **Annual Accounting Period** (**AAP**) is a twelve (12) consecutive month period that begins each July 1st and ends June 30th of the following year. The present Annual Accounting Period began July 1, 1997 and ends June 30, 1998. The next Annual Accounting Period begins July 1, 1998 and ends June 30, 1999.

N/A **N/A** indicates that no emissions are specified for fee computation.

AEAR **AEAR** indicates that an **A**ctual **E**missions **A**nalysis is **R**equired to determine the actual emissions of:

(1) each regulated pollutant (Particulate matter, SO_2, VOC, NO_X and so forth. See TAPCR 1200-3-26-.02(2)(i) for the definition of a regulated pollutant.),
(2) each pollutant group (VOC Family, Non-VOC Gaseous, and Particulate Family), and
(3) the Miscellaneous HAP Category

under consideration during the Annual Accounting Period.

* **Category Of Miscellaneous HAP (HAP Without A Standard):** This category is made-up of hazardous air pollutants that do not have a federal or state standard. Each HAP is classified into one of three groups, the VOC Family group, the Non-VOC Gaseous group, or the Particulate (PM) Family group.

For fee computation, the Miscellaneous HAP Category is subject to the 4,000 ton cap provisions of subparagraph 1200-3-26-.02(2)(i).

** **Category Of Specific HAP (HAP With A Standard):** This category is made-up of hazardous air pollutants (HAP) that are subject to Federally promulgated Hazardous Air Pollutant Standards that can be imposed under Chapter 1200-3-11 or Chapter 1200-3-31. Each individual hazardous air pollutant is classified into one of three groups, the VOC Family group, the Non-VOC Gaseous group**,** or the Particulate (PM) Family group**.** **For fee computation**, each individual hazardous air pollutant of the Specific HAP Category is subject to the 4,000 ton cap provisions of subparagraph 1200-3-26-.02(2)(I).

*** **Category Of NSPS Pollutants Not Listed Above:** This category is made-up of each **N**ew **S**ource **P**erformance **S**tandard (**NSPS**) pollutant whose emissions are not included in the **PM**, **SO_2, VOC** or **NO_X** emissions from each source in this permit. **For fee computation**, each **NSPS pollutant not listed above** is subject to the 4,000 ton cap provisions of subparagraph 1200-3-26-.02(2)(i).

END NOTES

The permittee shall:

(1) Pay annual allowable based emission fees for the present Annual Accounting Period**.**

(2) Pay major source annual allowable based emission fees, as requested by the responsible official, in accordance with the above Fee Emissions Summary Table beginning July 1, **1998** of the next annual accounting period.

(3) Prepare an actual emissions analysis beginning July 1, **1998** in accordance with the above Fee Emissions Summary Table**.** The actual emissions analysis shall include:

- **(a)** the completed Fee Emissions Summary Table,
- **(b)** each **AEAR** required by the above Fee Emissions Summary Table**,** and
- **(c)** the records required by Condition E5-3 of this permit. These records shall be used to complete the **AEARs** required by the above Fee Emissions Summary Table.

(4) Submit the actual emissions analysis no later than 90 days after the end of each annual accounting period.

The Tennessee Air Pollution Control Division will bill the permittee no later than April 1 prior to the end of each annual accounting period. The annual emission fee is due July 1 following the end of each annual accounting period. If any part of any fee imposed under TAPCR 1200-3-26-.02 is not paid within fifteen (15) days of the due date, penalties shall at once accrue as specified in TAPCR 1200-3-26-.02(8). Emissions for regulated pollutants shall not be double counted as specified in Condition A8(d) of this permit.

Payment of the fee due and the actual emissions analysis shall be submitted to The Technical Secretary at the address in Condition E2(b) of this permit.

TAPCR 1200-3-26-.02 (3) and (9), and 1200-3-9-.02(11)(e)1 (iii) and (vii)

E2. Reporting requirements

(a) Semiannual reports The first report shall cover the 6-month period from October 1, 1998 to March 31, 1999 and shall be submitted within 60 days after the 6-month period ending March 31,1999. Subsequent reports shall be submitted within 60 days after the end of each 6-month period following the first report.

These semiannual reports shall include:

(1) Any monitoring and recordkeeping required by Conditions E4-2, E5-1, E5-3, E6-2, E6-3, E6-7, E7-2, E7-3, and E8-1 of this permit. However, a summary report of this data is acceptable provided there is sufficient information to enable the Technical Secretary to evaluate compliance.

(2) The visible emission evaluation readings from Condition E3 of this permit if required. However, a summary report of this data is acceptable provided there is sufficient information to enable the Technical Secretary to evaluate compliance.

(3) Identification of all instances of deviations from **ALL PERMIT REQUIREMENTS**.

These reports must be certified by a responsible official consistent with condition B4 of this permit and shall be submitted to The Technical Secretary at the address in Condition E2(b) of this permit.

TAPCR 1200-3-9-.02(11)(e)1.(iii)

(b) Annual compliance certification The permittee shall submit annually compliance certifications with terms and conditions contained in Sections A, B, D and E of this permit, including emission limitations, standards, or work practices. This compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(1) The identification of each term or condition of the permit that is the basis of the certification;

(2) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period;

(3) Whether such method(s) or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act, which prohibits knowingly making a false certification or omitting material information;

(4) The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in E2(b)2 above. The certification shall identify each deviation and

take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion* or exceedance** as defined below occurred; and

(5) Such other facts as the Technical Secretary may require to determine the compliance status of the source.

* "Excursion" shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.

** "Exceedance" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

The first certification shall cover the 12-month period from October 1, 1998 to September 30, 1999 and shall be submitted within 60 days after the 12-month period ending September 30, 1999. Subsequent certifications shall be submitted within 60 days after the end of each 12-month period following the first certification.

These certifications shall be submitted to: **TN APCD and EPA**

The Technical Secretary Division of Air Pollution Control ATTN: Operating Permits Program 9th Floor, L & C Annex 401 Church Street Nashville, Tennessee 37243-1531	and	Air and EPCRA Enforcement Branch US EPA Region IV 61 Forsyth Street, SW Atlanta, GA 30303

TAPCR 1200-3-9-.02 (11)(e)3.(v)

(c) Retention of Records All records required by any condition in Section E of this permit must be retained for a period of not less than five years. Additionally, these records shall be kept available for inspection by the Technical Secretary or his representative.

TAPCR 1200-3-9-.02(11)(e)1.(iii)(II)II

E3. Visible emissions from the sources at this facility shall not exceed 20% opacity as specified in Rule 1200-3-5-.03(6) of the TAPCR. Visible emissions shall be determined by EPA Method 9, as published in the Federal Register, Volume 39, Number 219 on November 12, 1974 (6 minute average).

Compliance Method: The permittee shall assure compliance with the opacity standard by utilizing the opacity matrix dated June 18, 1996 that is enclosed as Attachment 1.

If the magnitude and frequency of excursions reported by the permittee in the periodic monitoring for emissions is unsatisfactory to the Technical Secretary, this permit may be reopened to impose additional opacity monitoring requirements.

XX-XXXX-**01: Woodworking Operation**. **Baghouse Control**

Conditions E4-1 and E4-2 apply to source XX-XXXX-**01**

E4-1. Maximum material input to the source shall not exceed 8,000 pounds per hour. The Technical Secretary may require proof of compliance with this limit.

E4-2. Particulate matter emitted from this source shall not exceed 0.02 grains per dry standard cubic foot (9.6 pounds per hour).

TAPCR 1200-3-7-.04(1)

Compliance Method: Compliance with this requirement shall be assured by maintaining a minimum pressure drop of 2.0 inches of water across the baghouse. The pressure drop shall be recorded once daily when this source is in operation.

XX-XXXX-**02: Surface Coating Operation**. Application of Primer to Window and Door Components. Dry Filter Control.

Conditions E5-1 through E5-3 apply to source XX-XXXX-**02**

E5-1. Particulate matter emitted from this source shall not exceed 0.02 grains per dry standard cubic foot (1.5 pounds per hour).

TAPCR 1200-3-7-.04(1)

Compliance Method: Compliance with this hourly emission limitation and outlet concentration has been verified by calculation of the maximum worst case for particulate emissions released utilizing the control efficiency of the filter pads and the overspray of solids emitted.

The above coating operations use dry filters (filter pads) to control particulate emissions. The control efficiency of the dry filters and periodic replacement of the dry filters assure compliance with the particulate standard. No surface coating shall occur in any spray booth without using said controls. Dry filters shall be changed periodically as needed. A monthly log shall be kept denoting the actual day(s) that the dry filters were replaced for each booth.

E5-2. Purchase orders and/or invoices or a record of purchase orders and / or invoices for all VOC containing materials must be maintained and kept available for inspection by the Technical Secretary or his representative.

E5-3. Volatile organic compounds emitted from this source shall not exceed 90.0 tons during all intervals of twelve consecutive months.

TAPCR 1200-3-7-.07(2)

Compliance Method: Record keeping of volatile organic compounds and hazardous air pollutants for compliance and fee purposes for this facility shall include a log of the following information: (1) Emissions in tons of each Hazardous Air Pollutant, (2) Emissions in tons of all Hazardous Air Pollutants and (3) Emissions in tons of VOCs excluding water and/or exempt compounds for all input materials used during all intervals of 12 consecutive months. A log of information in the following format, must be maintained at the source location and kept available for inspection by the Technical Secretary or his representative.

MONTHLY VOC/HAP EMISSIONS LOG MONTH:

MATERIAL NAME	USAGE (gallons per month)	VOC CONTENT (pounds VOC per gallon)	VOC EMISSIONS (tons VOC per month)	HAP_1 CONTENT (pounds HAP_1 per gallon)	HAP_1 EMISSIONS (tons HAP_1 per month)	HAP_p CONTENT (pounds HAP_p per gallon)	HAP_p EMISSIONS (tons HAP_p per month)	TOTAL HAP EMISSIONS (tons HAP_1 thru HAP_p per month)
$Material_1$								
$Material_2$								
$Material_3$								
$Material_i$								
TOTAL								

EQUATIONS FOR THE VOC/HAP EMISSIONS LOG CALCULATIONS:

1. $Material_i$ VOC Emissions (tons VOC per month) = $\frac{(Material_i \text{ Usage (gpm)})(Material_i \text{ VOC Content (lb VOC per gallon)})}{(2000 \text{ lb/ton})}$

2. $Material_i$ HAP_p Emissions (tons HAP_p per month)
   = ($Material_i$ Usage (gpm))($Material_i$ HAP_p Content (lb HAP_p per gallon))/(2000 lb/ton)

Where: i = 1, 2, 3,..... n = the number of different Materials;
p = 1, 2, 3,..... n = the number of different hazardous air pollutants

YEARLY VOC/HAP EMISSIONS LOG

MONTH/YEAR	VOC EMISSIONS (tons VOC per month)	(*)VOC EMISSIONS (tons VOC per 12 months)	(**)TOTAL HAP EMISSIONS (tons HAP_1 thru HAP_p per month)

(*) The Tons per 12 Month value is the sum of the VOC (or HAP) emissions in the 11 months preceding the month just completed + the VOC (or HAP) emissions in the month just completed. If data is not available for the 11 months preceding the initial use of this log, this value will be equal to the value for tons per month. For the second month it will be the sum of the first month and the second month. Indicate in parentheses the number of months summed, that is, 6 (2) represents 6 tons emitted in 2 months.

(**) These values are added together only for the Fee Accounting Period, which is from July 1, 1998 to June 30, 1999

XX-XXXX-**03** **Fluid Bed Drying/ Cooling, Conveying and Loading Operations:** Moist blended raw crushed clays and/or ceramic minerals are fed to the dryer feed bin and dryer/pulverizer. The exhaust is controlled with a baghouse. Product is conveyed via bucket elevator and screw to a storage silo and/or is conveyed to truck or railroad car loadout or pneumatically conveyed to truck loadout silos. The truck and railroad car silos and loadouts are controlled by common baghouse with the dryer.

Conditions E6-1 through E6-7 apply to source XX-XXXX-**03.**

E6-1. The maximum capacity for this source shall not exceed 24,000 pounds per hour. The Technical Secretary may require proof of compliance with this limit.

E6-2. Operating hours for this source shall not exceed 6048 hours per calendar year. This limitation is established pursuant to Rule 1200-3-7-.01(5) of the Tennessee Air Pollution Control Regulations and the information contained in the mutual agreement letter dated May 15, 1996.

Compliance Method: The permittee shall maintain operational time logs that can readily assure compliance with Condition E6-2. These records must be kept on site and made available for inspection by the Technical Secretary or his representative.

E6-3. Particulate Matter emitted from this source shall not exceed 16.75 pounds per hour.

TAPCR 1200-3-7-.03(1)

Compliance Method: Compliance with this requirement shall be assured by maintaining a pressure drop of at least of 2.0 inches of water across the baghouse. The pressure drop shall be recorded once daily when this source is in operation. The baghouse must be operational whenever this process is functioning.

E6-4. Natural gas and No. 2 fuel oil only shall be used as fuel (s) for this source.

E6-5. The maximum heat input to the heater shall not exceed 10 MMBtu per hour. This is the capacity of the heater as stated in the Title V application. The Technical Secretary may require proof of compliance with this limit.

E6-6. Sulfur dioxide emitted from this source shall not exceed 5.1 pounds per hour.

TAPCR 1200-3-14-.03(5)

Compliance Method: Compliance with this requirement is based on the AP-42 5th Edition emission factor of 142S pounds per 1000 gallons of #2 fuel oil from Table 1.3-1 (enclosed as attachment 2) (S = weight percent sulfur in fuel oil) and a maximum fuel sulfur content of 0.5 percent by weight. For #2 fuel oil the emission of SO_2 is 71 pounds per 1000 gallons of fuel oil.

E6-7. Sulfur content of the fuel shall not exceed 0.5 percent.

Compliance method: The company shall obtain certification from the fuel supplier

of the fuel sulfur content (by weight) for each shipment of fuel oil or alternately, the vendor may supply a statement to the effect that all No.2 fuel oil will contain no more than 0.5% sulfur by weight.

XX-XXXX-04	**Coal Fired Boiler :** 43 Million Btu/hr Heat Input Capacity, Underfeed Stoker Boiler, built in 1980 Baghouse Control

Conditions E7-1 through E7-3 apply to source XX-XXXX-**04.**

E7-1. The heat input capacity for this source is 43.0 million Btu per hour. The Technical Secretary may require proof of compliance with this limit.

E7-2. Sulfur dioxide emitted from this source shall not exceed 57.0 pounds per hour.

TAPCR 1200-3-14-.01(3) (This limit was set to avoid PSD review under regulations in effect in 1980.)

Compliance Method: Compliance with the SO_2 emission rate is assured by the following:

A daily log of the weight of the coal burned at this source and a log of the analysis of sulfur content of each shipment of coal shall be maintained at the facility for a period of not less than 5 years. This information shall be kept available for the Technical Secretary or his representative.

Table 1. Daily Summary of Fuel Usage, Sulfur Content, and SO_2 Emissions
Month_____

Day	Tons of Coal Burned	% Sulfur in Coal by weight	Pounds of SO_2 emitted per day	Hours of operation per day	Average Pounds per Hour of SO_2 emitted

Equations for determination of SO_2 emissions

Coal:
(Tons coal) x (31) x (% sulfur by weight in coal) = pounds of SO_2
(pounds of SO_2 per day) / (hours of operation per day) = Average pounds per hour of SO_2 emissions
Citation: Data from AP-42 Fifth Edition, January 1995, Table 1.1-1 (enclosed as Attachment 1)

E7-3. Particulate matter emitted from this source shall not exceed 0.27 pounds per million Btu. (11.5 pounds per hour) TAPCR 1200-3-6-.02(2)(a)

Compliance Method: Compliance with this limit is assured maintaining a minimum pressure drop of 2.0 inches of water across the baghouse. The pressure drop across the baghouse shall be recorded on a daily basis when the boiler is in operation. This is based on the baghouse manufacturer's rated control efficiency of 99% and the particulate emission factor of 15 pounds per ton of coal found in AP-42 Fifth Edition, January 1995, Table 1.1-3 (enclosed as Attachment 2)

XX-XXXX-**05** **Manufacture of Esters: Scrubber control**

Condition E8-1 applies to source XX-XXXX-**05**

E8-1. Volatile organic compounds emitted from this source shall not exceed 33.0 pounds per hour.

TAPCR 1200-3-7-.07(2)

Compliance Method: Compliance with this requirement is assured by maintaining a minimum fresh water flow rate of 5 gallons per minute to the scrubber and an acid concentration in the scrubber underflow of less than 8.5 weight percent. The water flow rate shall be measured every fifteen minutes by instrumentation and a 24-hour block average will be calculated by the data management system. The acid concentration in the underflow will be measured twice per day by titration and recorded in electronic format.

END OF PERMIT NUMBER: 5XXXXX

ATTACHMENT 1

OPACITY MATRIX DECISION TREE for VISIBLE EMISSION EVALUATION METHOD 9 dated JUNE 18, 1996

Clarifications for the Opacity Matrix Decision Trees for EPA Visible Emission Evaluation Method 9 and Tennessee Visible Emission Evaluation Method 2 Made As A Result of Issues Raised During the September / October, 1999 Title V Workshops.

Question. How would the opacity matrix address No. 1 fuel oil?

Answer: No. 1 fuel oil has cleaner burning characteristics than No. 2 fuel oil. Therefore, the words No. 1 fuel oil may be substituted wherever the words No. 2 fuel oil appears on an opacity matrix. A source owner or operator with a source burning No. 1 fuel oil should request that the Division add clarifying language to the appropriate compliance determination condition to insure that there is no confusion as to the applicability of the opacity matrix with respect to No. 1 fuel oil.

Question: Is a source with allowable particulate emissions greater than ten tons per year, but with multiple emission points required to conduct visible emissions readings by the opacity matrix?

Answer: Generally yes. The opacity matrix is based on emissions per process emission source, not per stack. However, there are situations where a number of very small similar process emission sources are permitted as a single permit unit for convenience. An example would be a number of independent spray booths permitted as a single source. For these situations the source owner or operator should request that the Division add clarifying language to the appropriate compliance determination condition to insure that there is no confusion as to the applicability of the opacity matrix. Be advised that this is not applicable to situations where a number of independent processes are permitted as a single process emission source because of common emissions control equipment.

PLEASE NOTE: If the magnitude and frequency of excursions reported by the permittee in the periodic monitoring for emissions is unsatisfactory to the Technical Secretary, this permit may be reopened to impose additional opacity monitoring requirements.

Decision Tree PM for Opacity for Sources Utilizing EPA Method 9

Notes:

PM = Periodic Monitoring required by 1200-3-9-.02(11)(e)(1)(iii)

This Decision Tree outlines the criteria by which major sources can meet the periodic monitoring and testing requirements of Title V for demonstrating compliance with the visible emissions standards in paragraph 1200-3-5-.01. It is not intended to determine compliance requirements for EPA's Compliance Assurance Monitoring (CAM) Rule (formerly refferred to as Enhanced Monitoring - Proposed 40 CFR 64).

Examine each emission source using this Decision Tree to determine PM required.

Use of continuous emission monitoring systems eliminates the need to do any additional periodic monitoring.

Visible Emission Evaluations (VEEs) are to be conducted utilizing EPA Method 9. The observer must be properly certified to conduct valid evaluations.

Typical Pollutants
Particulates, VOC, CO, SO_2, NO_x, HCl, HF, HBr, Ammonia, and Methane

Initial observation to be repeated within 90 days of startup of a modified source if a new construction permit is issued for modification of the source.

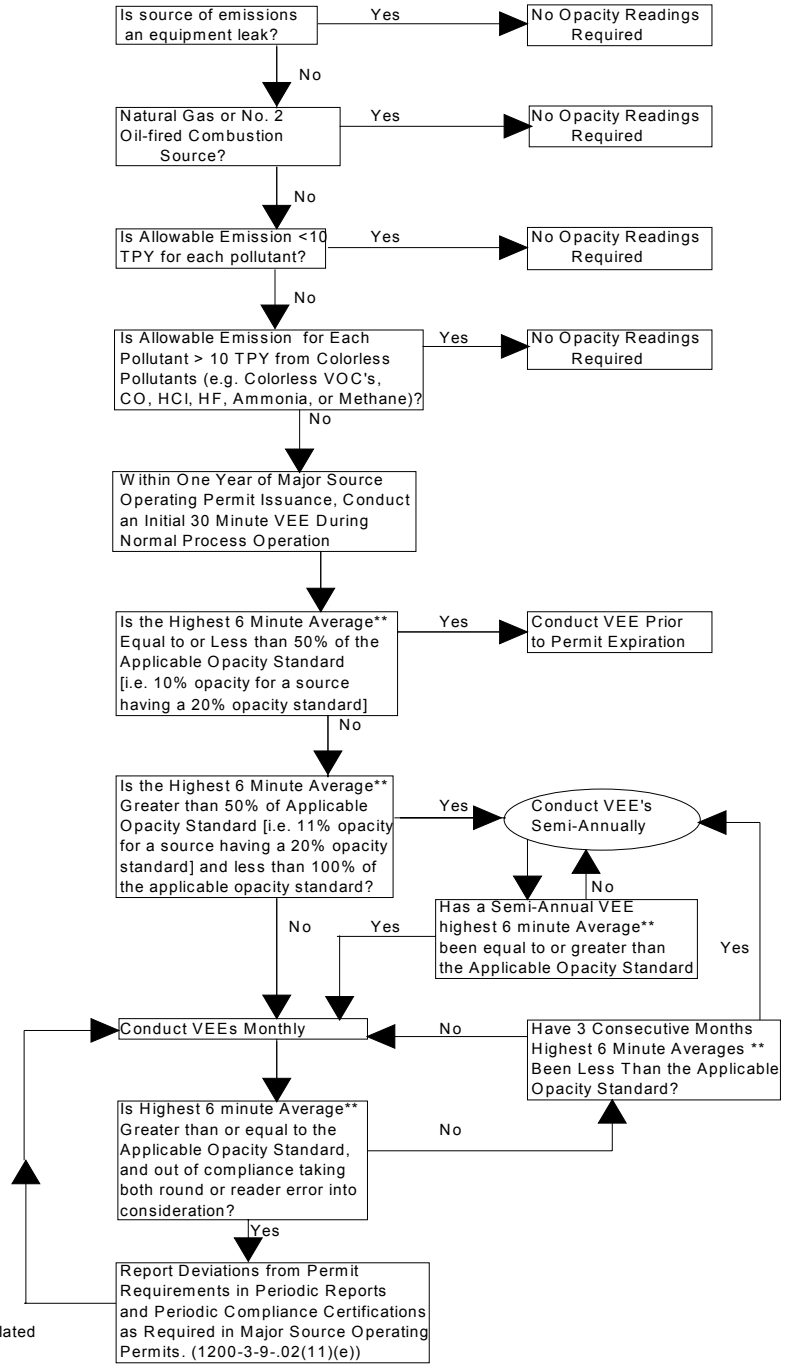
A VEE conducted by TDAPC personnel after the Title V permit is issued will also constitute an initial reading.

Reader Error
EPA Method 9, Non-NSPS or Neshaps stipulated opacity standards:
The TDAPC guidance is to declare non-compliance when the highest six-minute average** exceeds the standard plus 6.8% opacity (e.g. 26.8% for a 20% standard).

EPA Method 9, NSPS or NESHAPS Stipulated Opacity Standards:
EPA guidance is to allow only engineering round. No allowance for reader error is given.

*Not Applicable to Asbestos Manufacturing Subject to 40 CFR 61.142

**Or second highest six minute average, if the source has an exemption period stipulated in either the Regulations or in the permit.



The following is a suggested format from TNAPCD. This format is not required to be used by the Permittee. This format, however, will be made available to anyone upon request. The most important thing to remember is to submit a Semiannual Report Certification that is in accordance with the TNAPCR 1200-3-9-.02 (11)(e)1.(iii).

SEMIANNUAL REPORT CERTIFICATION

Facility Owner/Company Name:_____

Facility Address:_____

Emission Source Reference Number: _____

Title V Permit Number	Reporting Period	Report Deadline
XXXXX	October 1, 1998 to March 31, 1999	May 30, 1999

This report is required pursuant to TNAPCR 1200-3-9-.02(11)(e)1.(iii).

RESPONSIBLE OFFICIAL CERTIFICATION

I, the undersigned, am the responsible official as defined in TAPCR 1200-3-9-.02 (11)(b)21. of the Title V source for which this document is being submitted. This document consists of _____ pages and they are numbered from page _____ to _____. I hereby certify, based on the information and belief formed after reasonable inquiry, that the statements made and data contained in this document are true, accurate, and complete.

Signature: _____

Name: _____

Title: _____

Date: _____

SEMI-ANNUAL REPORTS MUST INCLUDE THE FOLLOIWNG INFORMATION ON DEVIATIONS FROM ALL PERMIT REQUIREMENTS:

[I] DEVIATIONS

1. DESCRIPTIONS OF DEVIATIONS
2. DURATION OF DEVIATIONS
3. EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS
4. CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED
5. IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

PLEASE NOTE THAT THE DEVIATIONS CAUSED BY STARTUPS, SHUTDOWNS, AND MALFUNCTIONS ARE REQUIRED TO BE REPORTED IN THE SEMI-ANNUAL REPORTS AND ANNUAL COMPLIANCE CERTIFICATIONS.

[II] REQUIRED DATA NOT COLLECTED

PLEASE NOTE THAT TOTAL TIME(S) OF REQUIRED DATA THAT IS NOT COLLECTED (MISSING DATA) MUST BE REPORTED AS DEVIATION(S) IN THE SEMI-ANNUAL REPORTS.

[III] IF CONTINUOUS MONITORING IS REQUIRED:

IF CONTINUOUS MONITORING IS REQUIRED, THE REPORT MUST INCLUDE THE TOTAL OPERATING TIME OF THE EMISSIONS UNIT DURING THE REPORTING PERIOD, THE TOTAL DURATION OF EXCESS EMISSIONS OR PARAMETER EXCEEDANCES, AND THE TOTAL DOWNTIME OF THE CONTINUOUS MONITORING SYSTEM

SEMI-ANNUAL REPORT # 1 FOR COMPANY X

Reference no. XX-XXXX

Semi-annual period October 1, 1998 – March 31, 1999

SECTION # 1:

MONITORING AND RECORDKEEPING REQUIRED BY CONDITIONS E4-2, E5-1, E5-3, E6-2, E6-3, E6-7, E7-2, E7-3, and E8-1 of this permit.

VISIBLE EMISSION EVALUATION READINGS REQUIRED BY CONDITION E-3 of this permit

INCLUDES:

IDENTIFICATION OF ALL INSTANCES OF DEVIATIONS

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

SECTION # 2:

IDENTIFICATION OF ALL INSTANCES OF DEVIATIONS FROM THE REST OF THE PERMIT CONDITONS OR REQUIREMENTS.

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

SECTION # 1

MONITORING AND RECORDKEEPING REQUIRED BY CONDITIONS E4-2, E5-1,

E5-3, E6-2, E6-3, E6-7, E7-2, E7-3, and E8-1 of this permit.

VISIBLE EMISSION EVALUATION READINGS REQUIRED BY CONDITION E-3 of this permit

INCLUDES:

IDENTIFICATION OF ALL INSTANCES OF DEVIATIONS

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

(1) CONDITION # E4-2 (Source 01: Woodworking operation)

All the required readings were taken on all of the days of operation of this source. This source did not operate on 6 days (November 21 and December 23, 24, 25, 26 and 27).

All instances of deviations from permit requirement are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (pressure drop–inches of water)	DURATION OF DEVIATION
1	Oct 3, 1998	1.8	To Be Completed by the Company
2	Oct 4, 1998	1.7	To Be Completed by the Company
3	Nov 15, 1998	1.9	To Be Completed by the Company
4	Feb 11, 1999	1.6	To Be Completed by the Company

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1, 2, 3, and 4 are excursions

(2) CONDITION # E3 (Source 01: Woodworking operation)

Opacity was determined by a certified reader on January 15, 1999 for 30 minutes, and the highest 6 minute average was 8% by EPA Method 9. This will be read again prior to the permit expiration date according to the Opacity Matrix guidelines.

(3) CONDITION # E5-1 (Source 02: Surface coating operation-applying primer to window and door components)

A monthly log was kept and the monthly logs contain a record of the days that the dry filters were replaced for booth #1.

October 1998	Number of filters replaced
Oct 2	3
Oct 9	1
Oct 16	2
Oct 23	2
Oct 30	3
Nov 1998	
Nov.6	1
Nov 16	3
Nov 19	2
Nov 25	2
Dec. 1998	
Dec 3	3
Dec 9	1
Dec 15	2

Dec 21	3
Jan. 1999	
Jan 4	1
Jan 14	2
Jan 20	2
Jan 27	2
Feb. 1999	
Feb 4	2
Feb 11	3
Feb 16	2
Feb 24	3
March 1999	
March 4	2
March 10	3
March 17	3
March 24	3
March 31	1

Daily logs for other booths to be completed.

(4) CONDITION # E5-3 (Source 02: Surface coating operation-applying primer to window and door components)

1. Monthly log of VOCs and HAPs – to be completed as shown in permit
2. Yearly log of 12 consecutive months of VOCs - VOC column (*) for previous 12 consecutive months to be completed by the Company.
3. HAP total (**) for the annual emission fee period from for July 1, 1998 to June 30, 1999 - to be completed by the Company.

All instances of deviations from this permit requirement – To be completed by the Company

(5) CONDITION # E3 (Source 02: Surface coating operation-applying primer to window and door components)

Opacity was determined by a certified reader on January 15, 1999 for 30 minutes, and the highest 6 minute average was 5% by EPA Method 9. This will be read again prior to the permit expiration date according to the Opacity Matrix guidelines.

(6) CONDITION # E6-2 (Source 03: Fluid Bed Drying/Cooling)

All hours of source operation were recorded.

Annual operating hours log

Month/Year	Report of Operating hours
Oct 1998	352
Nov 1998	336
Dec 1998	320
Jan 1999	290
Feb 1999	336
March 1999	352

(7) CONDITION # E6-3 (Source 03: Fluid Bed Drying/Cooling)

Except for one instance in October, all the required readings were taken on all of the days of operation of this source. This source did not operate on 81 days (October 1 through 12, November 1 through 14, December 18 through 31, January 1 through 16, February 1 through 12, and March 10 through 24).

All instances of deviations from the permit requirement are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (pressure drop - inches of water)	DURATION OF DEVIATION
1	Oct 16, 1998	1.8	To Be Completed by the Company
2	Oct 21, 1998	No reading was taken	To Be Completed by the Company
3	Dec 10, 1998	1.7	To Be Completed by the Company
4	March 3, 1999	1.0	To Be Completed by the Company

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1, 2, 3, and 4 are excursions.

(8) CONDITION # E6-7 (Source 03: Fluid Bed Drying/Cooling)

All fuel oil receipts contained sulfur content. The No. 2 fuel oil received on October 1, 1998 contained 0.25% by weight of sulfur. The January 1, 1999 fuel oil shipment contained 0.3% by weight of sulfur. Exxon of Nashville was the distributor for both shipments of fuel. No Deviations.

(9) CONDITION # E3 (Source 03: Fluid Bed Drying/Cooling)

Opacity was determined by a certified reader on January 15, 1999 for 30 minutes, and the highest 6 minute average was 7% by EPA Method 9. This will be read again prior to the permit expiration date according to the Opacity Matrix guidelines.

(10) CONDITION # E7-2 (Source 04 Fuel burning with coal fired boiler)

All of the required daily calculations of SO_2 emissions were performed during all of the days of operation of this source. Periods that the source did not operate are noted in the below table for condition E7-3. No deviations from the permit requirement were recorded.

Example of daily compliance for the day with the highest hourly SO2 emissions:

Day	Tons of Coal Burned	Wt% Sulfur	Lbs of SO_2 emitted	Daily Operating Hours	Avg. lbs/hr of SO_2 emitted
December 4, 1998	33.3	1.1	1135	20	56.8

(11) CONDITION # E7-3 (Source 04 Fuel burning with coal fired boiler)

All of the required readings were taken on all of the days of operation of this source.

Boiler was not used during the entire months of October and November of 1998. Boiler was used only on 1 day in December of 1998. Boiler was used during the entire months of January and February, 1999. Boiler was used for 21 days in March of 1999.

All instances of deviations from the permit requirement are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (pressure drop - inches of water)	DURATION OF DEVIATION
1	February 7, 1999	1.8	To Be Completed by the Company

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviation #1 is an excursion.

(12) CONDITION # E3 (Source 04 Fuel burning with coal fired boiler)

Opacity was determined by a certified reader on January 15, 1999 for 30 minutes, and the highest 6 minute average was 18% by EPA Method 9. This will be read again during the next semiannual period according to the Opacity Matrix guidelines.

(13) CONDITION # E8-1 (Source 05: Manufacture of Esters)

All of the required readings were taken on all of the days of operation of this source. This source did not operate on 14 days (October 5, 6, and 7, November 12, 13, 14, and 15, December 24, 25, and 26, January 8 and 9, and February 15 and 16).

All instances of deviations from the permit requirement for Water Flow Rate are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (flow rate - gpm)	DURATION OF DEVIATION
1	Dec 05, 1998	3.9	24 Hours
2	Jan 20, 1999	4.5	24 Hours

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1and 2 are excursions.

All instances of deviations from the permit requirement for Acid Concentration are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (%)	DURATION OF DEVIATION
1	Oct 15, 1998	9.2	12 Hours
2	Nov 28, 1998	8.8	12 Hours
3	Dec 12, 1998	9.0	12 Hours
4	Jan 21, 1999	9.1	12 Hours

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1, 2, 3, and 4 are excursions.

(14) CONDITION # E3 (Source 05: Manufacture of Esters)

VOC emissions from the process are colorless and so, no visible emission readings are required based on the Opacity Matrix.

SECTION # 2

IDENTIFICATION OF ALL INSTANCES OF DEVIATIONS FROM THE REST OF THE PERMIT CONDITIONS

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

CONDITIONS E1, E2, E4-1, E5-2, E6-1, E6-4, E6-5, E6-6, E7-1, relevant conditions of Sections A and B, and all conditions in Section D.

NO DEVIATIONS HAVE OCCURRED FROM THE REQUIREMENTS IN SECTIONS A, B, AND D, AND CONDITIONS E1, E2, E4-1, E5-2, E6-1, E6-4, E6-5, E6-6, and E7-1 OF THIS PERMIT.

ANNUAL COMPLIANCE CERTIFICATION REPORTS MUST INCLUDE THE FOLLOWING INFORMATION:

[I] THE STATUS OF COMPLIANCE

The STATUS OF COMPLIANCE with the terms and conditions of the permit for the period covered by the certification. The certification shall identify each DEVIATION and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an EXCURSION OR EXCEEDANCE occurred.

[II] DEVIATIONS

1. DESCRIPTIONS OF DEVIATIONS
2. DURATION OF DEVIATIONS
3. EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS
4. CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED
5. IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS
6. DATES OF ANY REPORTS PREVIOUSLY SUBMITTED IDENTIFYING DEVIATIONS

PLEASE NOTE THAT THE DEVIATIONS CAUSED BY STARTUPS, SHUTDOWNS, AND MALFUNCTIONS ARE REQUIRED TO BE REPORTED IN THE SEMI-ANNUAL REPORTS AND ANNUAL COMPLIANCE CERTIFICATIONS.

[III] REQUIRED DATA NOT COLLECTED

PLEASE NOTE THAT TOTAL TIME(S) OF REQUIRED DATA THAT IS NOT COLLECTED (MISSING DATA) MUST BE REPORTED AS DEVIATION(S) IN THE SEMI-ANNUAL REPORTS.

[IV] IF CONTINUOUS MONITORING IS REQUIRED:

IF CONTINUOUS MONITORING IS REQUIRED, THE REPORT MUST INCLUDE THE TOTAL OPERATING TIME OF THE EMISSIONS UNIT DURING THE REPORTING PERIOD, THE TOTAL DURATION OF EXCESS EMISSIONS OR PARAMETER EXCEEDANCES, AND THE TOTAL DOWNTIME OF THE CONTINUOUS MONITORING SYSTEM

The following is a suggested format from TNAPCD. This format is not required to be used by the Permittee. This format, however, will be made available to any one upon request. The most important thing to remember is to submit an Annual Compliance Certification that is in accordance with the TNAPCR 1200-3-9-.02 (11)(e)3(v)(III) and 40 CFR Part. 70.6(c)(5)(iii) as amended in the Federal Register Vol.62, No.204, October 22, 1997, pages 54946 and 54947.

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ANNUAL CERTIFICATION OF COMPLIANCE

Facility Owner/Company Name: _____

Facility Location: _____ Emission Source Reference Number: _____

Title V Permit Number	Reporting Period	Report Deadline
548219	October 1 of 1998 through September 30 of 1999	November 29 of 1999

This report is required pursuant to TNAPCR 1200-3-9-.02(11)(e)3(v)(III) and 40 CFR Part. 70.6(c)(5)(iii) as amended in the Federal Register Vol.62, No.204, October 22, 1997, pages 54946 and 54947.

COMPLIANCE STATEMENT

ITEM # 1: Identification of Each Term or Condition of the Permit	ITEM # 2: Identification of the method(s) for assurance of compliance and whether such method(s) provide continuous or intermittent data. If necessary, the permittee also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act , which prohibits knowingly making a false certification or omitting material information.	ITEM # 3: The status of compliance with the terms and conditions of the permit for the period covered by the certification. The certification shall identify each deviation* and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion** or exceedance*** occurred
Conditions in Sections A and B	Periodic Monitoring Methods - not specified in the Title V Permit	In compliance with all conditions
Conditions:- D1 through D9	Periodic Monitoring Methods - not specified in the Title V Permit	In compliance with conditions D1 through D9
E1	Method specified in the Title V Permit	In Compliance - fees paid in full
E2	Reporting requirements: (a) Semiannual Reports (b) Annual Compliance Certification	(a) In Compliance - submitted required reports on time (b) In Compliance - submitted required reports on time

E3	Method specified in the Title V Permit – Intermittent data	In Compliance for all sources
E4-1	Method not specified in the Title V Permit	In Compliance – No Deviations
E4-2	Method specified in the Title V Permit - Intermittent data	In Compliance with the exception of the deviations stated below.
E5-1	Method specified in the Title V Permit - Intermittent data	In Compliance with the exception of the deviations stated below.
E5-2	Method specified in the Title V Permit for record keeping of purchase orders and / or invoices	In Compliance – No Deviations
E5-3	Method specified in the Title V Permit – Intermittent data	In Compliance- No Deviations
E6-1	Method not specified in the Title V Permit	In Compliance – No Deviations
E6-2	Method specified in the Title V Permit – Intermittent data	In Compliance – No Deviations
E6-3	Method specified in the Title V Permit - Intermittent data	In Compliance with the exception of the deviations stated below.
E6-4	Method not specified in the Title V Permit	In Compliance – No Deviations
E6-5	Method not specified in the Title V Permit	In Compliance – No Deviations
E6-6	Method specified in the Title V Permit – Intermittent data	In Compliance – No Deviations
E6-7	Method specified in the Title V Permit - Intermittent data	In Compliance – No Deviations
E7-1	Method not specified in the Title V Permit	In Compliance – No Deviations
E7-2	Method specified in the Title V Permit - Intermittent data	In Compliance with the exception of the deviations stated below.
E7-3	Method specified in the Title V Permit - Intermittent data	In Compliance with the exception of the deviations stated below.
E8-1	Method specified in the Title V Permit - Intermittent data	In Compliance with the exception of the deviations stated below.

DEVIATIONS, EXCURSIONS AND EXCEEDANCES:

(1) CONDITION # E4-2 (Source 01: Woodworking operation)

All instances of deviations from permit requirement are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (pressure drop - inches of water)	DURATION OF DEVIATION
1	Oct 3, 1998	1.8	To Be Completed by the Company
2	Oct 4, 1998	1.7	To Be Completed by the Company
3	Nov 15, 1998	1.9	To Be Completed by the Company
4	Feb 11, 1999	1.6	To Be Completed by the Company

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1, 2, 3, and 4 are excursions. The information was submitted in the Semiannual Report for the period from October 1, 1998 to March 31, 1999.

(2) CONDITION # E5-3 (Source 02: Surface coating operation-applying primer to window and door components)

This item (2) is needed to be completed only if there are any deviations from the permit requirement in condition E5-3.

All instances of deviations from the permit requirement – To be completed by the Company

Identification of excursion and exceedances – To be completed by the Company

Dates of any reports previously submitted to the TN APCD identifying these deviations – To be completed by the Company

(3) CONDITION # E6-3 (Source 03: Fluid Bed Drying/Cooling)

All instances of deviations from the permit requirement are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (pressure drop – inches of water)	DURATION OF DEVIATION
1	Oct 16, 1998	1.8	To Be Completed by the Company
2	Oct 21, 1998	No reading was taken	To Be Completed by the Company
3	Dec 10, 1998	1.7	To Be Completed by the Company
4	March 3, 1999	10.0	To Be Completed by the Company

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1, 2, 3, and 4 are excursions. The information was submitted in the Semiannual Report for the period from October 1, 1998 to March 31, 1999.

(4) CONDITION # E7-3 (Source 04 Fuel burning with coal fired boiler)

All instances of deviations from the permit requirement are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (pressure drop - inches of water)	DURATION OF DEVIATION
1	February 7, 1999	1.8	To Be Completed by the Company

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviation #1 is an excursion. The information was submitted in the Semiannual Report for the period from October 1, 1998 to March 31, 1999.

(5) CONDITION # E8-1 (Source 05: Manufacture of Esters)

All instances of deviations from the permit requirement for Water Flow Rate are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (flow rate - gpm)	DURATION OF DEVIATION
1	Dec 05, 1998	3.9	24 Hours
2	Jan 20, 1999	4.5	24 Hours

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1 and 2 are excursions. The information was submitted in the Semiannual Report for the period from October 1, 1998 to March 31, 1999.

All instances of deviations from the permit requirement for Acid Concentration are the following:

DEVIATION NUMBER	DEVIATION DATE	DEVIATION READINGS (Acid Concentration %)	DURATION OF DEVIATION
1	Oct 15, 1998	9.2	12 Hours
2	Nov 28, 1998	8.8	12 Hours
3	Dec 12, 1998	9.0	12 Hours
4	Jan 21, 1999	9.1	12 Hours

EXPLANATION OR PROBABLE CAUSE FOR DEVIATIONS:

To be completed by the Company

CORRECTIVE ACTIONS OR PREVENTIVE MEASURES IMPLEMENTED

To be completed by the Company

IDENTIFICATION OF EXCURSIONS AND / OR EXCEEDANCES AMONG THE DEVIATIONS

The Deviations 1, 2, 3, and 4 are excursions. The information was submitted in the Semiannual Report for the period from October 1, 1998 to March 31, 1999.

RESPONSIBLE OFFICIAL CERTIFICATION

I, the undersigned, am the responsible official as defined in TAPCR 1200-3-9-.02 (11)(b)21. of the Title V source for which this document is being submitted. With the possible exception of those permit terms and conditions identified above (referring to a list of deviations, exceedances and excursions), the emission sources described in permit #_____ were in compliance with all permit terms and conditions over the previous year as determined by all required testing and monitoring in the permit and other material information.
I hereby certify, based on the information and belief formed after reasonable inquiry, that the statements made and data contained in this document are true, accurate, and complete.

_____ _____
(Signature) (Date)

Name: _____ Title: _____

{Note: Attachments, if required, are created by the Responsible Official and should consist of the information specified and any supporting records. The Responsible Official may also attach additional information when elaboration is required for clarity.}

PLEASE NOTE THAT THIS ANNUAL COMPLIANCE CERTIFICATION INCLUDES THE COMPLIANCE CERTIFICATION INFORMATION FOR THE FIRST 6 MONTHS (OCTOBER, 1998 TO MARCH, 1999) AND TO BE COMPLETE , IT SHOULD INCLUDE THE COMPLIANCE CERTIFICATION INFORMATION FOR 12 MONTHS (OCTOBER, 1998 TO SEPTEMBER, 1999).

“Deviations” - “Exceedances” - “Excursions” in the Semi-annual and Annual Compliance Certification Reports above are defined as follows:

“DEVIATIONS”

Deviation means any departure or any situation in which an emissions source fails to meet a permit term or condition.

A deviation is not always a violation.
A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in the Title V Major Source Operating Permit in accordance with TAPCR 1200-3-9-.02(11)(e).
For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation.

Included in the meaning of deviation are any of the following:

(1) A situation where emissions exceed an emission limitation or standard;

(2) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;

(3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit;

(4) A situation in which an exceedance or an excursion, as defined below, occurs.

(5) Required data that is not collected.

PLEASE NOTE THAT THE DEVIATIONS CAUSED BY STARTUPS, SHUTDOWNS, AND MALFUNCTIONS ARE REQUIRED TO BE REPORTED IN THE SEMI-ANNUAL REPORTS AND ANNUAL COMPLIANCE CERTIFICATIONS.

“EXCURSION”

** “Excursion” shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.

“EXCEEDANCE”

*** “Exceedance” shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

STARTUPS, SHUTDOWNS, AND MALFUNCTIONS
for the Semi-annual and Annual Compliance Certification Reports

The Tennessee Air Pollution Control Regulations makes due allowance for deviations caused by startups, shutdowns, and malfunctions. Specific provisions addressing these conditions are found in Chapter 1200-3-20 of the Tennessee Regulations.

Prior to attributing the cause of a deviation to a malfunction, consideration must be given to the official definition of malfunction contained in Paragraph 1200-3-2-.01 (z) of the regulations. Here malfunction is defined as follows:

Malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment, or for a process to operate in an abnormal and unusual manner. Failures that are caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Be advised also that the Title V regulations contain emergency provisions which can provide relief from enforcement actions for certain deviations. If a source owner or operator wishes to utilize these, the following information must be submitted:

Part 1200-3-9-.02 (11) (e) 7. Emergency Provisions

(i) Definition An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology based emission limitation under the permit issued pursuant to paragraph 1200-3-9-.02(11), due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. For the purposes of this definition, "permit issued pursuant to paragraph 1200-3-9-.02(11)" shall also include any construction permit issued under the provisions of rule 1200-3-9-.01 to a source subject to the permitting requirements of paragraph 1200-3-9-.02(11).

(ii) An emergency constitutes an affirmative defense to an enforcement action brought against a source for noncompliance with such technology based emission limitations if the conditions of subpart 1200-3-9-.02(II)(e)7(iii) are met.

(iii) The affirmative defense of the emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(I) An emergency occurred and that the permittee can identify the probable cause(s) of the emergency. "Probable" must be supported by a credible investigation into the

incident that seeks to identify the causes and results in an explanation supported by generally accepted engineering or scientific principles.

(II) The permitted facility was at the time being properly operated. In determining whether or not a facility was being properly operated, the Technical Secretary shall examine the source's written standard operating procedures which were in effect at the time of the noncompliance and any other code as detailed below that would be relevant to preventing the noncompliance. Adherence to the source's standard operating procedures will be the test of adequate preventative maintenance, careless operation, improper operation or operator error to the extent that such adherence would prevent noncompliance. The source's failure to follow recognized standards of practice to the extent that adherence to such a standard would have prevented noncompliance will disqualify the source from any claim of an emergency and an affirmative defense. The Board will specifically recognize the National Fire Protection Association codes, the codes of the American National Standards Institute, the codes of the American Society of Testing Materials, the codes of the United States Department of Transportation, the codes of the United States Occupational Safety and Health Administration and any State of Tennessee statute or regulation if applicable. Recognition of these codes, statutes, regulations and standards of practice is limited to the test of determining whether or not a facility was operated properly for the purposes of preventing actual (<u>not potential</u>) noncompliance and in no way should it be viewed as the Board's imposition of the standards administered by other agencies, Boards, or organizations.

(III) During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

(IV) The permittee submitted notice of the emergency to the Technical Secretary according to the notification criteria for malfunctions in rule 1200-3-20-.03. For the purposes of this item 1200-3-9-.02(11)(e)7(iii)(IV), "emergency" shall be substituted for "malfunctions(s)" in rule 1200-3-20-.03 to determine the relevant notification threshold. The notice shall include a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(iv) In any enforcement proceeding the permittee seeking to establish the occurrence of an emergency has the burden of proof.

(v) The provisions of this part 1200-3-9-.02(11)(e)7 are in addition to any emergency, malfunction or upset requirement contained in Division 1200-3 or other applicable requirement.

SOME BACK GROUND INFORMATION FROM THE RULE MAKING

[Revisions to 40 CFR Part 70 and Part 71 (October 22, 1997 Fed Register pages 54936-38)]

Compliance Certification Requirements

First, the permit conditions being certified must be identified.

Second, the method(s) and other information used to determine compliance status of each term and condition must be identified. These method(s) will have to include at a minimum any testing and monitoring methods identified in the Title V Permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e., information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. This requirement merely emphasizes the general prohibition in section 113(c)(2) of the Act on knowingly making a false certification or omitting material information and the general criminal section on submitting false information to the government codified at 18 USC 1001. This does not impose a duty on the owner or operator to assess every possible piece of information that may have some undetermined bearing on compliance. The description of the methods relied on by the source owner also will have to indicate whether the methods provide continuous or intermittent data. In accordance with section 114 of the Act that specifies that the certification include whether compliance is continuous or intermittent, the Agency will interpret the compliance certification that is based on monitoring that provides intermittent data as compliance on an intermittent basis.

Third, the responsible official will have to certify compliance based on the results of the identified methods. The certification must state the compliance status with the Title V permit, taking into account any DEVIATIONS and noting as possible exceptions to compliance any DEVIATIONS OR EXCURSIONS/EXCEEDANCES as defined above or as defined in other underlying applicable requirements

The owner or operator may include information in the certification to document that compliance was achieved during any periods in which a possible exception is noted (such as information that an excursion or exceedance occurred during a period of startup or shutdown for which compliance with an emission limitation or standards was excused). The requirement to take into account DEVIATIONS, EXCURSIONS, AND EXCEEDANCES together with the requirement to identify whether the method used provides continuous or intermittent data ensures that the compliance certification will show whether compliance is continuous or intermittent. For example, a compliance certification based on a method providing intermittent data or that notes any DEVIATIONS or certain possible exceptions to compliance as a result of EXCEEDANCES OR EXCURSIONS based on monitoring required by this rule will be interpreted as showing intermittent compliance. The Agency does not interpret a certification of intermittent compliance to necessarily mean that the responsible official is certifying that there are periods of noncompliance. Such a certification can mean that there are periods of time in which the source's compliance status is unknown. When a responsible official certifies compliance based on a method providing continuous data and no DEVIATIONS, EXCURSIONS, OR EXCEEDANCES have occurred (or all such occurrences have been adequately addressed by

other information, as explained above), this will be interpreted as a certification of continuous compliance. The certification also will have to include any other facts required by the permitting authority. The rule allows the owner or operator to cross-reference the permit or previous reports to identify the various information elements required in a certification. This provision allows the actual certification to be a short, concise compliance statement that is not burdened by restating detailed information that has already been provided.

EXCURSIONS OR EXCEEDANCES raise questions about compliance status but may not confirm conclusively that a source is in noncompliance. The existence of these occurrences only indicates the need to review the compliance information provided in order to determine what, if any, compliance or enforcement actions may be warranted.

Operational Flexibility (cont')

- 502(b)(10) Changes
  - No permit shield
  - Required in title V program

OPERATIONAL FLEXIBILITY

502 (b) (10) CHANGES UNDER OPERATIONAL FLEXIBILITY

TAPCR 1200-3-9-.02 (11) (a) 4 (i)

The owner or operator of a source subject to paragraph 1200-3-9-.02(11) may make certain changes at their facility that are contrary to or not addressed by the permit as provided in part 1200-3-9-.02(11)(a)4.

(i) The following changes can be made by the permittee without requiring a permit revision, if the changes are not modifications under Title I of the federal Act or Division 1200-3 and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in the terms of total emissions): Provided, that the facility provides the Administrator and Technical Secretary with written notification as required below in advance of the proposed changes, which shall be a minimum of 7 days. The Technical Secretary may waive the 7 day advance notice in instances where the source demonstrates in writing that an emergency necessitates the change. Emergency shall be demonstrated by the criteria of part 1200-3-9-.02(11)(e)7 and in no way shall it include changes solely to take advantages of an unforeseen business opportunity. The source, Technical Secretary and EPA shall attach each such notice to their copy of the relevant permit:

(I) The source may make a Section 502(b)(10) change if their written notification:

I. contains a brief description of the change within the permitted facility;

II. specifies the date on which the change will occur;

III. declares any change in emissions; and

IV. declares any permit term or condition that is no longer applicable as a result of the change.

A. The permit shield provisions of part 1200-3-9-.02(11)(e)6 shall not apply to Section 502(b)(10) changes.

Title V Operational Flexibility Notifications

[This notification must be provided to EPA and the permitting authority at least seven days in advance of the proposed change.]

Re: Permit #**000000**, Reference # **County - company- emission point**

TO:: The Technical Secretary, Tennessee Air Pollution Control Division, 9th floor, L & C annex, 401 Church Street, Nashville, Tennessee 37243-1531

TO:: Ms. DAPHNE WILSON, Operating Permits Section, EPA Region IV (APTMD), 61 Forsyth Southwest, Atlanta, Georgia 30303.

The facility plans to make the following change on **(anticipated date of change)** pursuant to TAPCR 1200-3-9-.02 (11) (a) 4 (i) (State regulation governing operational flexibility changes):

1. Brief description of the change

2. Change in emissions as a result of the change

3. Any permit term or condition that is no longer applicable as a result of the change

This change does not exceed the allowable emission rate for **(regulated pollutants affected by the change)** and does not constitute a title I modification. This change does not violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

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

Sincerely,

Responsible official for Title V

PLEASE NOTE THAT ALL THE BOLD AND UNDERLINED VARIABLES IN THE CERTIFICATION ABOVE ARE TO BE FILLED IN BY THE TITLE V SOURCE.

MINOR MODIFICATIONS

TAPCR 1200-3-9-.02 (11) (f) 5 (ii)

(ii) Minor permit modification procedures:

(I) Minor permit modification procedures may be used only for those permit modifications that:

I. Do not violate any applicable requirement;

II. Do not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the permit;

III. Do not require or change a case-by-case determination of an emission limitation or other standard required by the federal Act, or a source-specific determination for temporary sources of ambient impacts as required by the federal Act, or a visibility or increment analysis as required by the federal Act;

IV. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:

A. A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the federal Act. Further, federally enforceable emission caps assumed to avoid classification as a modification under chapter 1200-3-11, chapter 1200-3-16, Chapter 1200-3-31, paragraph 1200-3-9-.01(4) or paragraph 1200-3-9-.01(5) are included in the criteria of this section 1200-3-9-.02(11)(f)5(ii)(I)IV A.

B. An alternate emission limit approved pursuant to section 112(i)(5) of the federal Act or rule 1200-3-31-.06;

V. Are not modifications under Title I of the federal Act or the federal regulations promulgated pursuant thereto. Further, the minor permit modification process may be used only for changes that are not modifications under chapter 1200-3-11, Chapter 1200-3-31, chapter 1200-3-16, paragraph 1200-3-9-.01(4) or paragraph 1200-3-9-.01(5); and

VI. Are not otherwise required in paragraph 1200-3-9-.02(11) to be processed as a significant modification.

(II) Application

An application requesting the use of minor permit modification procedures shall meet the requirements of part 1200-3-9-.02(11)(d)3 and shall include the following:

I. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

II. The source's suggested draft permit;

III. Certification by a responsible official, consistent with part 1200-3-9-.02(11)(d)4, that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and

IV. Completed forms for the Technical Secretary to use to notify the Administrator and affected States as required under subparagraph 1200-3-9-.02(11)(g).

(III) EPA and affected State notification.

Within 5 working days of receipt of a complete permit modification application the Technical Secretary shall notify the Administrator and affected States of the requested permit modification consistent with the provisions of subpart 1200-3-9-.02(11)(g)1(i) and subpart 1200-3-9-.02(11)(g)2(i). The Technical Secretary shall promptly send any notice required under subpart 1200-3-9-.02(11)(g)2(ii) to the Administrator.

(IV) The Technical Secretary shall not issue a final permit modification until after EPA's 45-day review period or until EPA has notified the Technical Secretary that EPA will not object to the issuance of the permit modification, whichever is first, although the Technical Secretary can approve the permit modification prior to that time. Within 90 days of the Technical Secretary's receipt of an application under minor permit modification procedures or 15 days after the end of the Administrator's 45-day review period under the provisions of subpart 1200-3-9-.02(11)(g)3, whichever is later, the Technical Secretary shall:

I. Issue the permit modifications as proposed; or

II. Deny the permit modification application; or

III. Determine that the requested modification does not meet the minor permit modification criteria and should be reviewed under the significant modification procedures; or

IV. Revise the draft permit modification and transmit to the Administrator the new proposed permit modification as required by part 1200-3-9-.02(11)(g)1.

(V) The source may make the change proposed in its minor permit modification immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the Technical Secretary takes any of the actions specified in sub items 1200-3-9-.02(11)(f)5(ii)(IV)I-III the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

(VI) Permit Shield - The permit shield under part 1200-3-9-.02(11)(e)6 may not extend to minor permit modifications.

Title V Minor Permit Modification Procedures

TO:: The Technical Secretary, Tennessee Air Pollution Control Division, 9th floor, L & C annex, 401 Church Street, Nashville, Tennessee 37243-1531

Re: Permit #**000000**, Reference # **County - company- emission point**

The facility plans to make the following change(s) pursuant to TAPCR 1200-3-9-.02(11)(f)5.(ii) (State regulation governing minor permit modification procedures).

1. Brief description of the change, and

2. The emissions resulting from the change

3. Any new applicable requirements that will apply if the change occurs

The proposed change(s) at this facility meets the criteria for use of minor permit modification procedures and I request that such procedures be used. The modification does not violate any applicable requirement. The change is not a modification under Title I of the federal act.

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

Sincerely,

Responsible official for Title V

name (signature)
Name (typed or printed)
Title (typed or printed)
Date(typed or printed)

PLEASE NOTE THAT ALL THE BOLD AND UNDERLINED VARIABLES IN THE CERTIFICATION ABOVE ARE TO BE FILLED IN BY THE TITLE V SOURCE

PLEASE ATTACH:

(1) YOUR SUGGESTED DRAFT PERMIT OR PROPOSED PERMIT CONDITIONS

(2) TITLE V APPLICATION FORMS, IF NEEDED

OWNERSHIP CHANGE

Procedure for Issuing a Title V Permit to a New Owner of a Facility which already has had a Title V Permit Issued and there are no Operational Changes

New owner must submit the following statement:

Major Source Operating Permit (permit number) was issued on (issue date) to (previous owner's name, Emission Source Reference No.). Ownership of this facility was transferred to (new owner) on (date). I have reviewed Title V permit (permit no.) and any modifications to this Title V Permit, and, to the best of my knowledge, and based on information and belief formed after reasonable inquiry, Pursuant to Tennessee Air Pollution Control regulation 1200-3-9-.02(11)(d)4., I believe that this facility is being operated in compliance with all the terms of this permit. The (new owner) agrees to continue operating under the terms of this permit. Under the provisions of 1200-3-9-.02(11)(f)4. and 1200-3-9-.03(6) of the Tennessee Air Pollution Control Regulations, I am requesting an Administrative Permit Amendment of permit (permit no.) to indicate a change in ownership of this facility. I, the undersigned, am the "Responsible Official"as defined in Tennessee Air Pollution Control Regulations[TAPCR 1200-3-9-.02(11)(b)21.] of the Title V Source for which this document is being submitted.

Name of responsible official (print)_____

Signature _____

Title _____

Date _____

Regulatory Basis for Administrative Amendment for Ownership Change
(do not include with statement)
1200-3-9-.02(11)(f)4.

The following rules deal with administrative permit amendments:

4. Administrative Permit Amendments

(i) An "administrative permit amendment" is a permit revision that:

(I) Corrects typographical errors;

(II) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;

(III) Requires more frequent monitoring or reporting by the permittee;

(IV) Allows for a change of ownership or operational control of a source where the Technical Secretary determines that no other change in the permit is necessary, provided that a transfer of ownership permit application is filed consistent with the provisions of paragraph 1200-3-9-.03(6) and further provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Technical Secretary;

1200-3-9-.03(6) GENERAL PROVISIONS

(6) An operation and/or construction permit is not transferable from one person to another person, nor from one air contaminant source to another air contaminant source, nor from one location to another location. Applications for construction permits by the new owner or operator of the new air contaminant source, or by the owner or operator of the air contaminant source at the new location shall be required as if there had been no previous construction permit issued. The new construction permit will address only rules in effect at the time of its issuance.

OWNERSHIP CHANGE

ITEMS REQUIRED FOR OWNERSHIP CHANGE FOR A (TITLE V) MAJOR SOURCE IN CASES WHERE THE ORIGINAL OWNER HAS APPLIED FOR BUT HAS NOT YET RECEIVED A TITLE V PERMIT

ITEM #1

I have examined the entire Major Source Title V application for _____ _____ dated _____ and signed by _____ _____as the responsible official. This application consists of ___ pages numbered _____ through _____. Based on information contained in the application and belief formed after reasonable inquiry, I have concluded that the statements contained in this application are true, accurate, and complete. The status of this facility's compliance with all applicable air pollution control requirements, including the compliance assurance monitoring and compliance certification requirements of the Federal Clean Air Act, is reported in this application along with the methods to be used for compliance.
Ownership of _____ was transferred to _____ _____ on _____. I, the undersigned, am the "Responsible Official"as defined in Tennessee Air Pollution Control Regulations[TAPCR 1200-3-9-.02(11)(b)21.] of the Title V Source for which this document is being submitted. The copies of the above referenced Major Source Title V application which were submitted to your Division are valid with the exception of the change in ownership and responsible official.

Name of responsible official (print)_____
Signature _____
Title _____
Date _____

ITEM #2

PLEASE SEND AN APC-20 FORM FOR EACH ONE THE EXISTING OPERATING PERMITS REQUESTING OPERATING PERMITS FOR THE NEW OWNER. UNDER ITEM #8 OF THE APC-20, PLEASE INDICATE IF YOU CONTINUE TO OPERATE THE WAY IT WAS UNDER THE PREVIOUS OWNER.

REGULATORY BASIS FOR ITEM # 2:

1200-3-9-.03(6) GENERAL PROVISIONS

An operation and/or construction permit is not transferable from one person to another person, nor from one air contaminant source to another air contaminant source, nor from one location to another location. Applications for construction permits by the new owner or operator of the new air contaminant source, or by the owner or operator of the air contaminant source at the new location shall be required as if there had been no previous construction permit issued. The new construction permit will address only rules in effect at the time of its issuance.

TITLE V RENEWAL APPLICATIONS

A Title V Source may choose to submit

[I] An **Entirely** new complete application or

[II] A **Short** application which must consist of the following:

(a) APC V. INDEX form which defines the renewal application and a statement referencing materials that are still valid from previous Title V applications, revisions, operational flexibility(s), minor modification(s), significant modification(s) and other submittals, if any.
(b) APC V.1 form requesting permit renewal
(c) A Statement of the Applicable Requirements that the Title V Source is subject to. The applicable requirements in the Title V permit may be referenced (for example, E3-1, E3-2, E3-3…. etc).

(d) APC V.31 form (Compliance Plan and Compliance Certification)

BASIS FOR THE ABOVE GUIDANCE:

Page 32254 of the July 21, 1992, of the preamble to the final rulemaking for the part 70 regulations discusses how cross-referencing an initial part 70 application may work instead of submitting a new title V application. This reference is in the 3rd column over about 1/2 of the page down and goes as follows:

"Each permit application must, at a minimum, include a completed standard application form (or forms) and a compliance plan. The permitting authority can, however, allow the application to cross-reference relevant materials where they are current and clear with respect to information required in the permit application. Such might be the case where a source is seeking to update its title V permit based on the same information used to obtain an NSR permit or where a source is seeking renewal of its title V permit and no change in source operation has occurred."

Construction of Insignificant Emissions Units / Insignificant Activities

Title V Facilities will sometimes want to construct new processes which fall under the definition of Insignificant Emissions Units/ Insignificant Activities found at 1200-3-9-.04(5)(a)4 of the regulations, as specified below.

If the proposed new process can be classified as an insignificant emissions unit / insignificant activity, it will not need a permit to be constructed. However, in some cases, the Division will need to be notified of the new construction.

APPLICATION REQUIRED

For items that are defined under (i), (iv), and (v) below, notification must be submitted to the Division. The company should submit a new V.2 form which lists the new insignificant activities (or emissions unit) and a "truth and accuracy" statement. This "Truth and Accuracy" statement is included on the V.INDEX form, as well as on the Certification of Completeness statement (attached, next page); either one of these forms will be acceptable.

APPLICATION NOT REQUIRED

For items that are defined under (ii) and (iii) below, notification to the Division is not required and you may commence construction without any notification to the Division.

Part 1200-3-9-.04(5)(a)4. of the Tennessee Air Pollution Control Regulations

This regulation specifies whether or not a source is an insignificant activity and if an application needs to be made. The text in bold letters indicates whether or not an application is required for the source. Please review the following rules to see, first, if the new process qualifies as an insignificant emissions unit, and, second, if it does qualify, if an application is required. Please note that you will need to consult the list of activities found at 1200-3-9-.04(5)(f) and (g) to determine applicability. These are not included here because of their length.

> 1200-3-9-.04(5)(a)4. Major Source Operating Permits Insignificant Emissions Units
>
> "Insignificant activity" or "insignificant emissions unit" means any activity or emissions unit which qualifies as insignificant based on any one of the following:

(i) Any air emissions from an air emissions unit or activity at a stationary source for which the emissions unit or activity has a potential to emit less than 5 tons per year of each regulated air pollutant that is not a hazardous air pollutant, and less than 1,000 pounds per year of each hazardous air pollutant. **Such emission units and activities or types of emission units and activities must be listed in the permit application.**

(ii) **The emission unit or activity, with the exception of parts 19. and 84., is listed in subparagraph (5)(f) as not having to be included in a Title V application.** For an activity listed in subparagraph (5) (f), with the exception of parts 1., 2., 19., and 84., the emissions unit or activity must have a potential to emit less than 5 tons per year of each regulated air pollutant that is not a hazardous air pollutant, and less than 1,000 pounds per year of each hazardous air pollutant.

(iii) **The emission unit or activity is listed in subparagraph (5)(g) as not having to be included in a Title V application.**

(iv) Any emission unit with the potential to emit radionuclides which will result in a dose to the most exposed member of the public of less than 0.1 millirem per year**. Such emission unit must be listed in the permit application .**

(v) Any emission units or activities considered by the Division to be insignificant and approved by EPA. The Division shall maintain a list of emission units or activities which are considered to be insignificant by the Division and EPA**. Such emission units or activities must be listed in the permit application**

DEPARTMENT OF ENVIRONMENT AND CONSERVATION
AIR POLLUTION CONTROL, 9TH FLOOR, L & C ANNEX
401 CHURCH STREET
NASHVILLE, TENNESSEE 37243-1531

CERTIFICATION OF COMPLETENESS

Company Name :_____
Emission Source Reference Number :_____

Pursuant to Tennessee Air Pollution Control regulation 1200-3-9-.02(11)(d)4, I have reviewed the additional information contained in this revision (supplement and/or correction) to my facility's Title V operating permit application dated_____ in its entirety. To the best of my knowledge, and based on information and belief formed after reasonable inquiry, the statements and information contained in this revision are true, accurate, and complete. This revision(supplement and/or correction) is made on pages numbered:

_____

_____

_____

_____

_____

Name of Responsible Official	Title of Responsible Official
Signature of Responsible Official	Date of Revision

CN-1144 RDA 1298

SEMI-ANNUAL REPORT - ALTERNATE STYLE

Section #1:

Monitoring and Recordkeeping required by Conditions E4-2, E5-1, E5-3, E6-2, E6-3, E6-7, E7-3 and E8-1 of this permit.
Visible Emission Evaluations (VEEs) required by Condition E-3 of this permit.

All instances of Deviations are identified as follows:

Deviation Number	Condition	Date	Deviation Description	Duration of Deviation	**Reason** Or Probable Cause	Corrective Action	Exceedance Or Excursion
1	E4-2	10/3/98	Pressure drop below minimum (1.8 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Removed pluggage	Excursion
2	E4-2	10/4/98	Pressure drop below minimum (1.9 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Rerouted lines	Excursion
3	E4-2	11/15/98	Reading not taken	24 hours	Operator out sick	Determined a backup person	Excursion
4	E4-2	2/11/99	Reading not taken	24 hours	Operator out sick	Fired backup person	Excursion
5	E6-3	10/13/98	Reading not taken	24 hours	Operator out sick	Hired backup person	Excursion
6	E6-3	10/14/98	Pressure drop below minimum (1.8 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Removed pluggage	Excursion
7	E6-3	10/16/98	Pressure drop below minimum (1.9 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Rerouted lines	Excursion
8	E6-3	2/11/99	Reading not taken	24 hours	Operator out sick	Delegated a backup person	Excursion
9	E7-3	2/7/99	Reading not taken	24 hours	Operator out sick	Delegated a backup person	Excursion
10	E8-1	12/5/98	4.5 gpm water flow rate < 5.0	24 hours	Low water pressure	Supply line repaired	Excursion
11	E8-1	12/6/98	4.5 gpm water flow rate < 5.0	24 hours	Low water pressure	Supply line repaired	Excursion

12	E8-1	12/5/98	8.8% acid concentration > 8.5%	24 hours	Low water pressure	Supply line repaired	Exceedance
13	E8-1	12/6/98	8.8% acid concentration > 8.5%	24 hours	Low water pressure	Supply line repaired	Exceedance

The following is analysis of Conditions that require reporting.

1. Condition E4-2 (Source 01: Woodworking Operation)

The compliance method of this condition requires daily pressure drop readings with a minimum value of 2.0 inches of water. Readings were taken on all days of operation with the exception of those deviations listed below. This source did not operate on 6 days (November 21, and December 23-27, 1998). The logs are maintained on site.

Deviation Number	Condition	Date	Deviation Description	Duration of Deviation	Reason Or Probable Cause	Corrective Action	Exceedance Or Excursion
1	E4-2	10/3/98	Pressure drop below minimum (1.8 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Removed pluggage	Excursion
2	E4-2	10/4/98	Pressure drop below minimum (1.9 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Rerouted lines	Excursion
3	E4-2	11/15/98	Reading not taken	24 hours	Operator out sick	Determined a backup person	Excursion
4	E4-2	2/11/99	Reading not taken	24 hours	Operator out sick	Fired backup person	Excursion

2. Condition E5-1 (Source 02: Surface coating operation – apply primer to window and door components)

The compliance method of this condition requires a monthly log to be kept which records the days that the dry filter were replaced in any booth. The actual logs are included as attachment 1. However, they are summarized below. There were no deviations of permit conditions for this source.

Filter Replacement log for Booth 1

Date	Number of filters replaced
October 2, 1998	3
October 9, 1998	1
October 16, 1998	2
October 23, 1998	2
October 30, 1998	3
November 6, 1998	1
November 16, 1998	3
November 19, 1998	2
November 25, 1998	2
December 3, 1998	3
December 9, 1998	3
December 15, 1998	1
December 3, 1998	2
December 21, 1998	3

Date	Number of filters replaced
January 4, 1999	1
January 14, 1999	2
January 20, 1999	2
January 27, 1999	2
February 4, 1999	2
February 11, 1999	3
February 16, 1999	2
February 24, 1999	3
March 4, 1999	2
March 10, 1999	3
March 17, 1999	3
March 24, 1999	3
March 31, 1999	1

Remaining logs have been removed for this workbook.

4. Condition E5-3 (Source 02: Surface coating operation – apply primer to window and door components)

The compliance method of this condition requires a monthly log of VOC and HAP to be kept. The actual logs are maintained on site. The log demonstrates that the VOC emissions total 73 tons per year. There were no deviations of permit conditions for this source. (A Tabulated summary to be included)

5. Condition E6-2 (Source 03: Fluid Bed Drying/Cooling)

The compliance method of this condition requires an operating time log to be kept. The actual logs are maintained on site. The logs are summarized below. There were no deviations of permit conditions for this source.

Month/Year	Total Operating Time (hours)
October 1998	352
November 1998	336
December 1998	320
January 1999	290
February 1999	336
March 1999	352

6. Condition E6-3 (Source 03: Fluid Bed Drying/Cooling)

The compliance method of this condition requires daily pressure drop readings with a minimum value of 2.0 inches of water. Readings were taken on all days of operation with the exception of those deviations listed below. This source did not operate on 81 days (October 1-12, November 1-14, December 18-31, 1998, January 1-16, February 1-12, and March 10-24, 1999). The logs are maintained on site.

Deviation Number	Condition	Date	Deviation Description	Duration of Deviation	Reason Or Probable Cause	Corrective Action	Exceedance Or Excursion
5	E6-3	10/13/98	Reading not taken	24 hours	Operator out sick	Hired backup person	Excursion
6	E6-3	10/14/98	Pressure drop below minimum (1.8 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Removed pluggage	Excursion
7	E6-3	10/16/98	Pressure drop below minimum (1.9 inches of water below 2.0)	24 hours	Plugging problem with pitot lines	Rerouted lines	Excursion

7. Condition E6-7 (Source 03: Fluid Bed Drying/Cooling)

The compliance method of this condition requires purchase records of each #2 fuel oil shipment with sulfur content by weight to be maintained at the facility. These records are maintained at the facility. These records demonstrate that the sulfur content is ≤ 0.5% by weight. There were no deviations of permit conditions for this source.

8. Condition E7-2 (Source 04: Fuel burning with coal fired boiler)

The compliance method of this condition requires a daily log of the weight of coal burned and sulfur content of each shipment of coal to be maintained at the facility. These records are maintained at the facility. The actual logs are included as attachment 2. There were no deviations of permit conditions for this source.

9. Condition E7-3 (Source 04: Fuel burning with coal fired boiler)

The compliance method of this condition requires daily pressure drop readings with a minimum value of 2.0 inches of water. Readings were taken on all days of operation with the exception of those deviations listed below. This source did not operate in October and November 1998. It operated one day in December 1998, all of January and February and 21 days in March 1999. The logs are maintained on site.

Deviation Number	Condition	Date	Deviation Description	Duration of Deviation	Reason Or Probable Cause	Corrective Action	Exceedance Or Excursion
9	E7-3	2/7/99	Reading not taken	24 hours	Operator out sick	Delegated a backup person	Excursion

10. Condition E8-1 (Source 05: Manufacture of Esters: Scrubber control)

The compliance method of this condition requires the water flow rate to be measured every 15 minutes by instrumentation (24-hr block average) and the acid concentration to be measured twice per day and recorded in electronic format. Measurements were taken on all days of operation with the exception of those deviations listed below. The logs are maintained on site.

Deviation Number	Condition	Date	Deviation Description	Duration of Deviation	Reason Or Probable Cause	Corrective Action	Exceedance Or Excursion
10	E8-1	12/5/98	4.5 gpm water flow rate < 5.0	24 hours	Low water pressure	Supply line repaired	Excursion
11	E8-1	12/6/98	4.5 gpm water flow rate < 5.0	24 hours	Low water pressure	Supply line repaired	Excursion

12	E8-1	12/5/98	8.8% acid concentration > 8.5%	24 hours	Low water pressure	Supply line repaired	Exceedance
13	E8-1	12/6/98	8.8% acid concentration > 8.5%	24 hours	Low water pressure	Supply line repaired	Exceedance

11. Condition E3 (All sources listed below)

Opacity was determined by a certified reader on the date specified by the method specified in the table. The results displayed are based on the outcome according to the opacity decision tree.

Source Number	Date of reading	Method	Highest 6-minute average	Results	Deviations
-01	1/15/1999	EPA - 9	8%	A reading required before permit expiration	None
-02	1/15/1999	EPA - 9	5%	A reading required before permit expiration	None
-03	1/15/1999	EPA - 9	7%	A reading required before permit expiration	None
-04	1/15/1999	EPA - 9	18%	A reading required during next semiannual period	None
-05	N/A	N/A	N/A	VOC emissions are colorless and no readings are required	None

Section #2

Identification of all instances of deviations from the rest of the permit conditions:

Identification of excursions and/or exceedances among the deviations: This applies to conditions E1, E2, E4-1, E5-3, E6-4, E6-5, E6-6, E7-1, relevant conditions of Sections A and B, and all conditions in Section D.

No deviations have occurred from the permit requirements in these conditions.

Typical problems with semiannual reports (SAR)

1. Failure to submit semiannual reports on time. Semiannual reports are due within 60 days after the reporting period ends; however, some MACT reports are due within 30 days after the reporting period ends.

2. Improper certification. The SAR was not certified by a responsible official; or signed by a person who qualified as a responsible official, the certification statement did not contain the proper language for truth, accuracy, and completeness; or no statement was included in the SAR as required.

3. Failure to certify compliance with all the permit conditions that were designated for reporting.

4. Incorrect dates within the report. E.g. the month/year does not match the appropriate period.

5. Failure to address the deviations for the entire six-month period. Failure to list the deviations, duration, and actual instances of exceedances or excursions. Sometimes, deviations are overlooked altogether. Failure to state no deviations occurred.

6. Providing no explanation for reasons of why a deviation occurred, e.g. not explaining why a low reading for a baghouse pressure drop (ΔP) resulted. Plausible or valid reasons for a reading outside the acceptable range will be considered and reviewed for possible excusal provided adequate information is submitted and explained.

7. Missing data for certain days with no explanations.

8. Failure to include visible emission readings as required by the Opacity Matrix, failure to explain why visible readings were not included in the report, or why readings did not have to be submitted according to the Opacity Matrix.

9. Statements which state compliance had been attained for specific conditions but no documentation of compliance assurance or justification or proof of compliance were supplied such as calculations, emission factors, analyses for sulfur content, or sufficient supporting data, worst case scenario, etc.

10. Including logs that do not provide all the information required and do not resemble the logs specified on the permit.

11. Sending voluminous and superfluous data that does not apply to the compliance method of assurance. Some facilities submit hourly readings when not required. A summary report of the required readings is often sufficient.

12. Faulty readings, misinterpreting data, or inaccurate math/calculations may result in the wrong compliance determination. Some faulty readings have resulted from broken or stuck gauges or gauges that are not properly operating for various reasons.

13. The data for MACT sources show that the parameters established during the initial compliance test were not accurate due to problems with instrument calibrations, faulty gauges, etc.

Typical problems with annual certifications

1. Failure to certify compliance with each condition for Sections A, B, D & E of the Title V permit.

2. Failure to list the deviations and explain them.

3. Sections A, B, and D are not included at all.

4. Failure to include what compliance method was used and whether the method is continuous or intermittent.

5. Misuse of the terms continuous and intermittent.

6. No certification statement was provided by a responsible official for truth, accuracy, and completeness.

7. Visible emission readings are not included.

8. The logs for the second semi-annual report accompanying annual certification do not contain enough information to show compliance; however, the annual certification states the facility is in compliance.

9. The ACC and SAR are not submitted as two distinct documents. The ACC may refer to the SAR, but they must be separate documents. Only the ACC is submitted to EPA.

SECTION A

GENERAL PERMIT CONDITIONS

A permit issued under the provisions of paragraph 1200-3-9-.02(11) is a permit issued pursuant to the requirements of Title V of the Federal Act and its implementing Federal regulations promulgated at 40 CFR, Part 70.

A1. **Definitions.** Terms not otherwise defined in the permit shall have the meaning assigned to such terms in the referenced regulation.

TAPCR 1200-3

A2. **Compliance requirement.** All terms and conditions in a permit issued pursuant to paragraph 1200-3-9-.02(11) including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Federal Act.

The permittee shall comply with all conditions of its permit. Except for requirements specifically designated herein as not being federally enforceable (State Only), non-compliance with the permit requirements is a violation of the Federal Act and the Tennessee Air Quality Act and is grounds for enforcement action; for a permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. Non-compliance with permit conditions specifically designated herein as not being federally enforceable (State Only) is a violation of the Tennessee Air Quality Act and may be grounds for these actions.

TAPCR 1200-3-9-.02(11)(e)2(i) and 1200-3-9-.02(11)(e)1(vi)(I)

A3. **Need to halt or reduce activity.** The need to halt or reduce activity is not a defense for noncompliance. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. However, nothing in this item shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations.

TAPCR 1200-3-9-.02(11)(e)1(vi)(II)

A4. **The permit.** The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

TAPCR 1200-3-9-.02(11)(e)1(vi)(III)

A5. **Property rights.** The permit does not convey any property rights of any sort, or any exclusive privilege.

TAPCR 1200-3-9-.02(11)(e)1(vi)(IV)

A6. **Submittal of requested information.** The permittee shall furnish to the Technical Secretary, within a reasonable time, any information that the Technical Secretary may request in writing to determine whether cause exists for modifying, revoking and reissuing, or termination of the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Technical Secretary copies of records required to be kept by the permit. If the permittee claims that such information is confidential, the Technical Secretary may review that claim and hold the information in protected status until such time that the Board can hear any contested proceedings regarding confidentiality disputes. If the information is desired by EPA, the permittee may mail the information directly to EPA. Any claims of confidentiality for federal purposes will be determined by EPA.

TAPCR 1200-3-9-.02(11)(e)1(vi)(V)

A7. **Severability clause.** The requirements of this permit are severable. A dispute regarding one or more requirements of this permit does not invalidate or otherwise excuse the permittee from their duty to comply with the remaining portion of the permit.

TAPCR 1200-3-9.02(11)(e)1(v)

A8. **Fee payment.**

(a) The permittee shall pay an annual major source emission fee based upon the responsible official's choice of actual emissions or allowable emissions. An emission cap of 4,000 tons per year per regulated pollutant per major source SIC Code shall apply to actual or allowable based emission fees. A major source annual emission fee will not be charged for emissions in excess of the cap (s) or for carbon monoxide.

(b) Major sources who have filed a timely, complete operating permit application in accordance with 1200-3-9-.02(11), shall pay allowable emission based fees until the beginning of the next annual accounting period following receipt of their major source operating permit. At that time, the permittee shall begin paying their annual emission fee based upon their choice of actual or allowable based fees, or mixed actual and allowable based fees as stated under SECTION E of this permit. Once permitted, altering the existing choice shall be accomplished by a written request of the major source, filed in the office of the Technical Secretary at least one hundred eighty days prior to the expiration or reissuance of the major source operating permit.

(c) Major sources must conform to the following requirements with respect to fee payments:

1. If a major source choosing an allowable based annual emission fee wishes to restructure its allowable emissions for the purposes of lowering its annual emission fees, a mutually agreed upon, more restrictive regulatory requirement may be established to minimize the allowable emissions and thus the annual emission fee. The more restrictive requirement must be specified on the permit, and must include the method used to determine compliance with the limitation. The documentation procedure to be followed by the major source must also be included to insure that the limit is not exceeded. Restructuring the allowable emissions is permissible only in the annual accounting periods of eligibility and only, if the written request for restructuring is filed with the Technical Secretary at least 120 days prior to the beginning of the annual accounting period of eligibility. These periods of eligibility occur upon expiration of the initial major source operating permit, renewal of an expired major source operating permit or reissuance of a major source operating permit.

2. Beginning with the annual accounting period beginning July 1, 1997 to June 30, 1998, major sources paying on allowable based emission fees will be billed by the Division no later than April 1 prior to the end of the accounting period. The major source annual emission fee is due July 1 following the end of the accounting period.

3. Beginning with the annual accounting period beginning July 1, 1997 to June 30, 1998, major sources choosing an actual based annual emission fee shall file an actual emissions analysis with the Technical Secretary which summarizes the actual emissions of all regulated pollutants at the air contaminant sources of their facility. Based upon the actual emissions analysis, the source shall calculate the fee due and submit the payment and the analysis each July 1st following the end of the annual accounting period.

4. Beginning with the annual accounting period beginning July 1,1997 to June 30, 1998, major sources choosing a mixture of allowable and actual based emission fees shall file an actual emissions and allowable emissions analysis with the Technical Secretary which summarizes the actual and allowable emissions of all regulated pollutants at the air contaminant sources of their facility. Based upon the analysis, the source shall calculate the fee due and submit the payment and the analysis each July 1st following the end of the annual accounting period.

The mixed based fee shall be calculated utilizing the 4,000 ton cap specified in subparagraph 1200-3-26-.02(2)(i). In determining the tonnages to be applied toward the regulated pollutant 4,000 ton cap in a mixed based fee, the source shall first calculate the actual emission based fees for a regulated pollutant and apply that tonnage toward the regulated pollutant's cap. The remaining tonnage available in the 4,000 ton category of a regulated pollutant shall be subject to allowable emission based fee calculations for the sources that were not included in the actual emission based fee calculations. Once the 4,000 ton cap has been reached for a regulated pollutant, no additional fee shall be required.

5. Major sources choosing to pay their major source annual emission fee based on actual based emissions or a mixture of allowable and actual based emissions may request an extension of time to file their emissions analysis with the Technical Secretary. The extension may be granted by

the Technical Secretary up to ninety (90) days. The request for extension must be postmarked no later than July 1 or the request for extension shall be denied. The request for extension to file must state the reason and give an adequate explanation.

An estimated annual emission fee payment of no less than eighty percent (80%) of the fee due July 1 must accompany the request for extension to avoid penalties and interest on the underpayment of the annual emission fee. A remaining balance due must accompany the emission analysis. If there has been an overpayment, a refund may be requested in writing to the Division or be applied as a credit toward next year's major source annual emission fee. The request for extension of time is not available to major sources choosing to pay their major source annual emission fee based on allowable emissions.

6. Newly constructed major sources or minor existing sources modifying their operations such that they become a major source in the midst of the standard July 1st to June 30th annual accounting period, shall pay allowable based annual emission fees for the fractional remainder of the annual accounting period commencing upon their start-up. At the beginning of the next annual accounting period, the "responsible official" of the source may choose to pay annual emission fees based on actual or allowable emissions or a mixture of the two as provided for in this rule 1200-3-26-.02.

(d) Where more than one (1) allowable emission limit is applicable to a regulated pollutant, the allowable emissions for the regulated pollutants shall not be double counted. Major sources subject to the provisions of paragraph 1200-3-26-.02(9) shall apportion their emissions as follows to ensure that their fees are not double counted.

1. Sources that are subject to federally promulgated hazardous air pollutant standards that can be imposed under Chapter 1200-3-11 or Chapter 1200-3-31 will place such regulated emissions in the specific hazardous air pollutant under regulation. If the pollutant is also in the family of volatile organic compounds or the family of particulates, the pollutant shall not be placed in that respective family category.

2. A miscellaneous category of hazardous air pollutants shall be used for hazardous air pollutants listed at part 1200-3-26-.02(2)(i)12 that do not have an allowable emission standard. A pollutant placed in this category shall not be subject to being placed in any other category such as volatile organic compounds or particulates.

3. Each individual hazardous air pollutant and the miscellaneous category of hazardous air pollutants is subject to the 4,000 ton cap provisions of subparagraph 1200-3-26-.02(2)(i).

4. Major sources that wish to pay annual emission fees for PM_{10} on an allowable emission basis may do so if they have a specific PM_{10} allowable emission standard. If a major source has a total particulate emission standard, but wishes to pay annual emission fees on an actual PM_{10} emission basis, it may do so if the PM_{10} actual emission levels are proven to the satisfaction of the Technical Secretary. The method to demonstrate the actual PM_{10} emission levels must be made as part of the source's major source operating permit in advance in order to exercise this option. The PM_{10} emissions reported under these options shall not be subject to fees under the family of particulate emissions. The 4,000 ton cap provisions of subparagraph 1200-3-26-.02(2)(i) shall also apply to PM_{10} emissions.

TAPCR 1200-3-26-.02 (3) and (9) and 1200-3-9-.02(11)(e)1(vii)

A9. **Permit revision not required.** A permit revision will not be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or process for changes that are provided for in the permit.

TAPCR 1200-3-9-.02(11)(e)1(viii)

A10. **Inspection and entry.** Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Technical Secretary or his authorized representative to perform the following for the purposes of determining compliance with the permit applicable requirements:

(a) Enter upon, at reasonable times, the permittee's premises where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(d) As authorized by the Clean Air Act and Chapter 1200-3-10 of TAPCR, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(e) "Reasonable times" shall be considered to be customary business hours unless reasonable cause exists to suspect noncompliance with the Act, Division 1200-3 or any permit issued pursuant thereto and the Technical Secretary specifically authorizes an inspector to inspect a facility at any other time.

TAPCR 1200-3-9-.02(11)(e)3.(ii)

A11. **Permit shield.**

(a) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date of permit issuance, provided that:

1. Such applicable requirements are included and are specifically identified in the permit; or

2. The Technical Secretary, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

(b) Nothing in this permit shall alter or affect the following:

1. The provisions of section 303 of the Federal Act (emergency orders), including the authority of the Administrator under that section. Similarly, the provisions of T.C.A. §68-201-109 (emergency orders) including the authority of the Governor under the section;

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

3. The applicable requirements of the acid rain program, consistent with section 408(a) of the Federal Act; or

4. The ability of EPA to obtain information from a source pursuant to section 114 of the Federal Act.

(c) Permit shield is granted to the permittee.

A12. **Permit renewal and expiration.**

(a) Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted at least 180 days, but no more than 270 days prior to the expiration of this permit.

(b) Provided that the permittee submits a timely and complete application for permit renewal the source will not be considered in violation of paragraph 1200-3-9-.02(11) until the Technical Secretary takes final action on the permit application, except as otherwise noted in paragraph 1200-3-9-.02(11).

(c) This permit, its shield provided in Condition A11, and its conditions will be extended and effective after its expiration date provided that the source has submitted a timely, complete renewal application to the Technical Secretary.

TAPCR 1200-3-9-.02(11)(f)3 and 2, 1200-3-9-.02(11)(d)1(i)(III), and 1200-3-9-.02(11)(a)2

A13. **Reopening for cause.**

(a) A permit shall be reopened and revised prior to the expiration of the permit under any of the circumstances listed below:

1. Additional applicable requirements under the Federal Act become applicable to the sources contained in this permit provided the permit has a remaining term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the permit expiration date of this permit, unless the original has been extended pursuant to 1200-3-9-.02(11)(a)2.

2. Additional requirements become applicable to an affected source under the acid rain program.

3. The Technical Secretary or EPA 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.

4. The Technical Secretary or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(b) Proceedings to reopen and issue a permit shall follow the same proceedings as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists, and not the entire permit. Such reopening shall be made as expeditiously as practicable.

(c) Reopenings for cause shall not be initiated before a notice of such intent is provided to the permittee by the Technical Secretary at least 30 days in advance of the date that the permit is to be reopened except that the Technical Secretary may provide a shorter time period in the case of an emergency. An emergency shall

be established by the criteria of T.C.A. 68-201-109 or other compelling reasons that public welfare is being adversely affected by the operation of a source that is in compliance with its permit requirements.

(d) If the Administrator finds that cause exists to terminate, modify, or revoke and reissue a permit as identified in A13, he is required under federal rules to notify the Technical Secretary and the permittee of such findings in writing. Upon receipt of such notification, the Technical Secretary shall investigate the matter in order to determine if he agrees or disagrees with the Administrator's findings. If he agrees with the Administrator's findings, the Technical Secretary shall conduct the reopening in the following manner:

1. The Technical Secretary shall, within 90 days after receipt of such notification, forward to EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate. If the Administrator grants additional time to secure permit applications or additional information from the permittee, the Technical Secretary shall have the additional time period added to the standard 90 day time period.

2. EPA will evaluate the Technical Secretary's proposed revisions and respond as to their evaluation.

3. If EPA agrees with the proposed revisions, the Technical Secretary shall proceed with the reopening in the same manner prescribed under Condition A13 (b) and Condition A13 (c).

4. If the Technical Secretary disagrees with either the findings or the Administrator that a permit should be reopened or an objection of the Administrator to a proposed revision to a permit submitted pursuant to Condition A13(d), he shall bring the matter to the Board at its next regularly scheduled meeting for instructions as to how he should proceed. The permittee shall be required to file a written brief expressing their position relative to the Administrator's objection and have a responsible official present at the meeting to answer questions for the Board. If the Board agrees that EPA is wrong in their demand for a permit revision, they shall instruct the Technical Secretary to conform to EPA's demand, but to issue the permit under protest preserving all rights available for litigation against EPA.

TAPCR 1200-3-9-.02(11)(f)6 and 7.

A14. **Permit transference.** An administrative permit amendment allows for a change of ownership or operational control of a source where the Technical Secretary determines that no other change in the permit is necessary, provided that the following requirements are met:

(a) Transfer of ownership permit application is filed consistent with the provisions of 1200-3-9-.03(6), and

(b) written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Technical Secretary.

TAPCR 1200-3-9-.02(11)(f)4(i)(IV) and 1200-3-9-.03(6)

A15. **Air pollution alert.** When the Technical Secretary has declared that an air pollution alert, an air pollution warning, or an air pollution emergency exists, the permittee must follow the requirements for that episode level as outlined in TAPCR 1200-3-9-.03(1) and TAPCR 1200-3-15-.03.

A16. **Construction permit required.** Except as exempted in TAPCR 1200-3-9-.04, TAPCR 1200-3-9-.02(11)(f)5, and sources considered insignificant under TAPCR 1200-3-9-.04(5), this facility shall not begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Secretary a construction permit for the construction or modification of such air contaminant source.

TAPCR 1200-3-9-.01(1)(a)

A17. **Notification of changes.** The permittee shall notify the Technical Secretary 30 days prior to commencement of any of the following changes to an air contaminant source which would not be a modification requiring a construction permit.

(a) change in air pollution control equipment

(b) change in stack height or diameter

(c) change in exit velocity of more than 25 percent or exit temperature of more than 15 percent based on absolute temperature.

TAPCR 1200-3-9-.02(7)

A18. **Schedule of compliance.** The permittee will comply with any applicable requirement that becomes effective during the permit term on a timely basis. If the permittee is not in compliance the permittee must submit a schedule for coming into compliance which must include a schedule of remedial measure(s), including an enforceable set of deadlines for specific actions.
TAPCR 1200-3-9-.02(11)(d)3 and 40 CFR Part 70.5(c)

A19. **Title VI.**

(a) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR, Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:

1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to Section 82.156.

2. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to Section 82.158.

3. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to Section 82.161.

(b) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone depleting substance refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR, Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

(c) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program(SNAP) promulgated pursuant to 40 CFR, Part 82, Subpart G, Significant New Alternatives Policy Program.

A20. **112 (r).** The permittee shall comply with the requirement to submit to the Administrator or designated State Agency a risk management plan, including a registration that reflects all covered processes, by June 21, 1999, if the permittee's facility is required pursuant to 40 CFR, 68, to submit such a plan.

SECTION B

GENERAL CONDITIONS for MONITORING, REPORTING, and ENFORCEMENT

B1. **Recordkeeping.** Monitoring and related record keeping shall be performed in accordance with the requirements specified in the permit conditions for each individual permit unit. In no case shall reports of any required monitoring and record keeping be submitted less frequently than at least 180 days.

(a) Where applicable, records of required monitoring information include the following:

1. The date, place as defined in the permit, and time of sampling or measurements;
2. The date(s) analyses were performed;
3. The company or entity that performed the analysis;
4. The analytical techniques or methods used;
5. The results of such analyses; and
6. The operating conditions as existing at the time of sampling or measurement.

(b) Digital data accumulation which utilizes valid data compression techniques shall be acceptable for compliance determination as long as such compression does not violate an applicable requirement and its use has been approved in advance by the Technical Secretary.

TAPCR 1200-3-9-.02(11)(e)1(iii)

B2. **Retention of monitoring data.** The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, 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 the permit.

TAPCR 1200-3-9.02(11)(e)1(iii)(II)II

B3. **Reporting.** Reports of any required monitoring and record keeping shall be submitted to the Technical Secretary in accordance with the frequencies specified in the permit conditions for each individual permit unit. Reporting periods will be dated from the end of the first complete calendar quarter following issuance of this permit unless otherwise noted. Reports shall be submitted within 60 days of the close of the reporting period unless otherwise noted. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official. Reports required under "State only requirements" are not required to be certified by a responsible official.

TAPCR 1200-3-9-.02(11)(e)1(iii)

B4. **Certification.** Except for reports required under “State Only” requirements, any application form, report or compliance certification submitted pursuant to the requirements of this permit shall contain certification by a responsible official of truth, accuracy and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

TAPCR 1200-3-9-.02(11)(d)4

B5. **Annual compliance certification.** The permittee shall submit annually compliance certifications with terms and conditions contained in Sections A, B, D and E of this permit, including emission limitations, standards, or work practices. This compliance certification shall include all of the following (provided that the identification of applicable information may cross-reference the permit or previous reports, as applicable):

(a) The identification of each term or condition of the permit that is the basis of the certification;

(b) The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period;

(c) Whether such method(s) or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required by this permit If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Act, which prohibits knowingly making a false certification or omitting material information;

(d) The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in B5(b) above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify

as possible exceptions to compliance any periods during which compliance is required and in which an excursion* or exceedance** as defined below occurred; and

(e) Such other facts as the Technical Secretary may require to determine the compliance status of the source.

* "Excursion" shall mean a departure from an indicator range established for monitoring under this paragraph, consistent with any averaging period specified for averaging the results of the monitoring.
** "Exceedance" shall mean a condition that is detected by monitoring that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) are greater than the applicable emission limitation or standard (or less than the applicable standard in the case of a percent reduction requirement) consistent with any averaging period specified for averaging the results of the monitoring.

40 CFR Part 70.6(c)(5)(iii) as amended in the Federal Register Vol.62, No.204, October 22, 1997, pages 54946 and 54947

B6. **Submission of compliance certification.** The compliance certification shall be submitted to:

The Technical Secretary
Enforcement Branch
Division of Air Pollution Control
ATTN: Operating Permits Program
9th Floor, L & C Annex
401 Church Street
Nashville, Tennessee 37243-1531,

and Air and EPCRA

US EPA Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303

TAPCR 1200-3-9-.02(11)(e)3(v)(IV)

B7. **Emergency provisions.** An emergency constitutes an affirmative defense to an enforcement action brought against this source for noncompliance with a technology based emission limitation due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

(a) The affirmative defense of the emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

1. An emergency occurred and that the permittee can identify the probable cause(s) of the emergency. "Probable" must be supported by a credible investigation into the incident that seeks to identify the causes and results in an explanation supported by generally accepted engineering or scientific principles.

2. The permitted source was at the time being properly operated. In determining whether or not a source was being properly operated, the Technical Secretary shall examine the source's written standard operating procedures which were in effect at the time of the noncompliance and any other code as detailed below that would be relevant to preventing the noncompliance. Adherence to the source's standard operating procedures will be the test of adequate preventative maintenance, careless operation, improper operation or operator error to the extent that such adherence would prevent noncompliance. The source's failure to follow recognized standards of practice to the extent that adherence to such a standard would have prevented noncompliance will disqualify the source from any claim of an emergency and an affirmative defense.

3. During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.

4. The permittee submitted notice of the emergency to the Technical Secretary according to the notification criteria for malfunctions in rule 1200-3-20-.03. For the purposes of this condition, "emergency" shall be substituted for "malfunction(s)" in rule 1200-3-20-.03 to determine the relevant notification threshold. The notice shall include a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding the permittee seeking to establish the occurrence of an emergency has the burden of proof.

(c) The provisions of this condition are in addition to any emergency, malfunction or upset requirement contained in Division 1200-3 or other applicable requirement.

TAPCR 1200-3-9-.02(11)(e)7

B8. **Excess emissions reporting.**

(a) The permittee shall promptly notify the Technical Secretary when any emission source, air pollution control equipment, or related facility breaks down in such a manner to cause the emission of air contaminants in excess of the applicable emission standards contained in Division 1200-3 or any permit issued thereto, or of sufficient duration to cause damage to property or public health. The permittee must provide the Technical Secretary with a statement giving all pertinent facts, including the estimated duration of the breakdown. Violations of the visible emission standard which occur for less than 20 minutes in one day (midnight to midnight) need not be reported. Prompt notification will be within 24 hours of the malfunction and shall be provided by telephone to the Division's Nashville office. The Technical Secretary shall be notified when the condition causing the failure or breakdown has been corrected. In attainment and unclassified areas if emissions other than from sources designated as significantly impacting on a nonattainment area in excess of the standards will not and do not occur over more than a 24-hour period (or will not recur over more than a 24-hour period) and no damage to property and or public health is anticipated, notification is not required.

(b) Any malfunction that creates an imminent hazard to health must be reported by telephone immediately to the Division's Nashville office and to the State Civil Defense.

(c) A log of all malfunctions, startups, and shutdowns resulting in emissions in excess of the standards in Division 1200-3 or any permit issued thereto must be kept at the plant. All information shall be entered in the log no later than
twenty-four (24) hours after the startup or shutdown is complete, or the malfunction has ceased or has been corrected. Any later discovered corrections can be added in the log as footnotes with the reason given for the change. This log must record at least the following:

1. Stack or emission point involved

2. Time malfunction, startup, or shutdown began and/or when first noticed

3. Type of malfunction and/or reason for shutdown

4. Time startup or shutdown was complete or time the air contaminant source returned to normal operation

5. The company employee making entry on the log must sign, date, and indicate the time of each log entry

The information under items 1. and 2. must be entered into the log by the end of the shift during which the malfunction or startup began. For any source utilizing continuous emission(s) monitoring, continuous emission(s) monitoring collection satisfies the above log keeping requirement.

TAPCR 1200-3-20-.03 and .04

B9. **Malfunctions, startups and shutdowns - reasonable measures required.** The permittee must take all reasonable measures to keep emissions to a minimum during startups, shutdowns, and malfunctions. These measures may include installation and use of alternate control systems, changes in operating methods or procedures, cessation of operation until the process equipment and/or air pollution control equipment is repaired, maintaining sufficient spare parts, use of overtime labor, use of outside consultants and contractors, and other appropriate means. Failures that are caused by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions. This provision does not apply to standards found in 40 CFR, Parts 60(Standards of performance for new stationary sources), 61(National emission standards for hazardous air pollutants) and 63(National emission standards for hazardous air pollutants for source categories).

TAPCR 1200-3-20-.02

B10. **Sources located in non-attainment areas or having significant impact on air quality in a non-attainment area.** The owner or operator of all sources located in non-attainment areas or having a significant impact on air quality in a non-attainment area (for the pollutant designated) must submit a report to the Technical Secretary within thirty (30) days after the end of each calendar quarter listing the times at which malfunctions, startups and/or shutdowns, which resulted in emissions greater than any applicable emission limits and the estimated amount of emissions discharged during such times. This report shall also include total emissions during the quarter and be reported in a format specified by the Technical Secretary.

TAPCR 1200-3-20-.04(2)

B11. **Report required upon the issuance of a notice of violation for excess emissions.** The permittee must submit within twenty (20) days after receipt of the notice of violation, the data shown below to assist the Technical Secretary in deciding whether to excuse or validate the violation. If this data has previously been

available to the Technical Secretary prior to the issuance of the notice of violation no further action is required of the violating source. However, if the source desires to submit additional information, then this must be submitted within the same twenty (20) day time period. The minimum data requirements are:

(a) The identity of the stack and/or other emission point where the excess emission(s) occurred;

(b) The magnitude of the excess emissions expressed in pounds per hour and the units of the applicable emission limitation and the operating data and calculations used in determining the magnitude of the excess emissions;

(c) The time and duration of the emissions;

(d) The nature and cause of such emissions;

(e) For malfunctions, the steps taken to correct the situation and the action taken or planned to prevent the recurrence of such malfunctions;

(f) The steps taken to limit the excess emissions during the occurrence reported, and

(g) If applicable, documentation that the air pollution control equipment, process equipment, or processes were at all times maintained and operated in a manner consistent with good operating practices for minimizing emissions.

Failure to submit the required report within the twenty (20) day period specified shall preclude the admissibility of the data for consideration of excusal for malfunctions.

TAPCR 1200-3-20-.06(2),(3) and (4)

SECTION C

PERMIT CHANGES

C1. **Operational flexibility changes.** The source may make operational flexibility changes that are not addressed or prohibited by the permit without a permit revision subject to the following requirements:

(a) The change cannot be subject to a requirement of Title IV of the Federal Act or Chapter 1200-3-30.

(b) The change cannot be a modification under any provision of Title I of the federal Act or Division 1200-3.

(c) Each change shall meet all applicable requirements and shall not violate any existing permit term or condition.

(d) The source must provide contemporaneous written notice to the Technical Secretary and EPA of each such change, except for changes that are below the threshold of levels that are specified in Rule 1200-3-9-.04.

(e) The change shall not qualify for a permit shield under the provisions of part 1200-3-9-.02(11)(e)6.

(f) The permittee shall keep a record describing the changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. The records shall be retained until the changes are incorporated into subsequently issued permits.

TAPCR 1200-3-9-.02(11)(a)4 (ii)

C2. **Section 502(b)(10) changes.**

(a) The permittee can make certain changes without requiring a permit revision, if the changes are not modifications under Title I of the Federal Act or Division 1200-3 and the changes do not exceed the emissions allowable under the permit. The permittee must, however, provide the Administrator and Technical Secretary with written notification within a minimum of 7 days in advance of the proposed changes. The Technical Secretary may waive the 7 day advance notice in instances where the source demonstrates in writing that an emergency necessitates the change. Emergency shall be demonstrated by the criteria of TAPCR 1200-3-9-.02(11)(e)7 and in no way shall it include changes solely to take advantages of an unforeseen business opportunity. The Technical Secretary and EPA shall attach each such notice to their copy of the relevant permit.

(b) The written notification must include the following:

1. brief description of the change within the permitted facility;

2. specifies the date on which the change will occur;

3. declares any change in emissions; and

4. declares any permit term or condition that is no longer applicable as a result of the change.

(c) The permit shield provisions of TAPCR 1200-3-9-.02(11)(e)6 shall not apply to Section 502(b)(10) changes.

TAPCR 1200-3-9-.02(11)(a)4 (i)

C3. **Administrative amendment.**

(a) Administrative permit amendments to this permit shall be in accordance with 1200-3-9-.02(11)(f)4. The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.

(b) The permit shield shall be extended as part of an administrative permit amendment revision consistent with the provisions of TAPCR 1200-3-9-.02(11)(e)6 for such revisions made pursuant to item (c) of this condition which meet the relevant requirements of TAPCR 1200-3-9-.02(11)(e), TAPCR 1200-3-9-.02(11)(f) and TAPCR 1200-3-9-.02(11)(g) for significant permit modifications.

(c) Proceedings to review and grant administrative permit amendments shall be limited to only those parts of the permit for which cause to amend exists, and not the entire permit.

TAPCR 1200-3-9-.02(11)(f)4

C4. **Minor permit modifications.**

(a) The permittee may submit an application for a minor permit modification in accordance with TAPCR 1200-3-9-.02(11)(f)5(ii).

(b) The permittee may make the change proposed in its minor permit modification immediately after an application is filed with the Technical Secretary.

(c) Proceedings to review and modify permits shall be limited to only those parts of the permit for which cause to modify exists, and not the entire permit.

(d) Minor permit modifications do not qualify for a permit shield.

TAPCR 1200-3-9-.02(11)(f)5(ii)

C5. **Significant permit modifications.**

(a) The permittee may submit an application for a significant modification in accordance with TAPCR 1200-3-9-.02(11)(f)5(iv).

(b) Proceedings to review and modify permits shall be limited to only those parts of the permit for which cause to modify exists, and not the entire permit.

TAPCR 1200-3-9-.02(11)(f)5(iv)

C6. **New construction or modifications.**

Future construction at this source that is subject to the provisions of TAPCR 1200-3-9-.01 shall be governed by the following:

(a) The permittee shall designate in their construction permit application the route that they desire to follow for the purposes of incorporating the newly constructed or modified sources into their existing operating permit. The Technical Secretary shall use that information to prepare the operating permit application submittal deadlines in their construction permit.

(b) Sources desiring the permit shield shall choose the administrative amendment route of TAPCR 1200-3-9-.02(11)(f)4 or the significant modification route of TAPCR 1200-3-9-.02(11)(f)5(iv).

(c) Sources desiring expediency instead of the permit shield shall choose the minor permit modification procedure route of TAPCR 1200-3-9-.02(11)(f)5(ii) or group processing of minor modifications under the provisions of TAPCR 1200-3-9-.02(11)(f)5(iii) as applicable to the magnitude of their construction.

TAPCR 1200-3-9-.02(11)(d) 1(i)(V)

SECTION D

GENERAL APPLICABLE REQUIREMENTS

D1. **Visible emissions.** With the exception of air emission sources exempt from the requirements of TAPCR Chapter 1200-3-5 and air emission sources for which a different opacity standard is specifically provided elsewhere in this permit, the permittee shall not cause, suffer, allow or permit discharge of a visible emission from any air contaminant source with an opacity in excess of twenty (20) percent for an aggregate of more than five (5) minutes in any one (1)hour or more than twenty (20) minutes in any twenty-four (24) hour period; provided, however, that for fuel burning installations with fuel burning equipment of input capacity greater than 600 million btu per hour, the permittee shall not cause, suffer, allow, or permit discharge of a visible emission from any fuel burning installation with an opacity in excess of twenty (20) percent (6-minute average) except for one six minute period per one (1) hour of not more than forty (40) percent opacity. Sources constructed or modified after July 7, 1992 shall utilize 6-minute averaging.

Consistent with the requirements of TAPCR Chapter 1200-3-20, due allowance may be made for visible emissions in excess of that permitted under TAPCR 1200-3-5 which are necessary or unavoidable due to routine startup and shutdown conditions. The facility shall maintain a continuous, current log of all excess visible emissions showing the time at which such conditions began and ended and that such record shall be available to the Technical Secretary or his representative upon his request.

TAPCR 1200-3-5-.01(1), TAPCR 1200-3-5-.03(6) and TAPCR 1200-3-5-.02(1)

D2. **General provisions and applicability for non-process gaseous emissions.** Any person constructing or otherwise establishing a non-portable air contaminant source emitting gaseous air contaminants after April 3, 1972, or relocating an air contaminant source more than 1.0 km from the previous position after November 6, 1988, shall install and utilize the best equipment and technology currently available for controlling such gaseous emissions.

TAPCR 1200-3-6-.03(2)

D3. **Non-process emission standards.** The permittee shall not cause, suffer, allow, or permit particulate emissions from non-process sources in excess of the standards in TAPCR 1200-3-6.

D4. **General provisions and applicability for process gaseous emissions.** Any person constructing or otherwise establishing an air contaminant source emitting gaseous air contaminants after April 3, 1972, or relocating an air contaminant source more than 1.0 km from the previous position after November 6, 1988, shall install and utilize equipment and technology which is deemed reasonable and proper by the Technical Secretary.

TAPCR 1200-3-7-.07(2)

D5. **Particulate emissions from process emission sources.** The permittee shall not cause, suffer, allow, or permit particulate emissions from process sources in excess of the standards in TAPCR 1200-3-7.

D6. **Sulfur dioxide emission standards.** The permittee shall not cause, suffer, allow, or permit Sulfur dioxide emissions from process and non-process sources in excess of the standards in TAPCR 1200-3-14. Regardless of the specific emission standard, new process sources shall utilize the best available control technology as deemed appropriate by the Technical Secretary of the Tennessee Air Pollution Control Board.

D7. **Fugitive Dust.**

(a) The permittee shall not cause, suffer, allow, or permit any materials to be handled, transported, or stored; or a building, its appurtenances, or a road to be used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, but not be limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in demolition of existing buildings or structures, construction operations, grading of roads, or the clearing of land;

2. Application of asphalt, oil, water, or suitable chemicals on dirt roads, material stock piles, and other surfaces which can create airborne dusts;

3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations.

(b) The permittee shall not cause, suffer, allow, or permit fugitive dust to be emitted in such manner to exceed five (5) minutes per hour or twenty (20) minutes per day as to produce a visible emission beyond the property line of the property on which the emission originates, excluding malfunction of equipment as provided in Chapter 1200-3-20.

TAPCR 1200-3-8

D8. **Open burning.** The permittee shall comply with the TAPCR 1200-3-4-.04 for all open burning activities at the facility.

TAPCR 1200-3-4

D9. **Asbestos.** Where applicable, the permittee shall comply with the requirements of 1200-3-11-.02(d) when conducting any renovation or demolition activities at the facility.

TAPCR 1200-3-11-.02(d) and 40 CFR, Part 61

D10. **Annual certification of compliance.** The generally applicable requirements set forth in Section D of this permit are intended to apply to activities and sources that are not subject to source-specific applicable requirements contained in State of Tennessee and U.S. EPA regulations. By annual certification of compliance, the permittee shall be considered to meet the monitoring and related record keeping and reporting requirements of TAPCR 1200-3-9-.02(11)(e)1.(iii) and 1200-3-10-.04(2)(b)1 and compliance requirements of TAPCR 1200-3-9-.02(11)(e)3.(i). The permittee shall submit compliance certification for these conditions annually.