

# Part 70 Operating Permit Amendment

Permit Amendment No.: **2873-245-0002-V-01-4**      Effective Date: **September 27, 2004**

**Facility Name:**            **PCS Nitrogen Fertilizer – Augusta Plant**  
733 Laney Walker Blvd Extension  
Augusta, Georgia 30903, Richmond County

**Mailing Address:**        P.O. Box 1483  
Augusta, Georgia 30903

**Parent/Holding Company:**      PCS Nitrogen Fertilizer, Inc.

**Facility AIRS Number:**    04-13-245-00002

In accordance with the provisions of the Georgia Air Quality Act, O.C.G.A. Section 12-9-1, et seq and the Georgia Rules for Air Quality Control, Chapter 391-3-1, adopted pursuant to and in effect under the Act, the Permittee described above is issued a construction permit for:

The expansion of the existing C-002 Nitric Acid Plant to a production capacity of 1,300 tons per day 100% nitric acid. This amendment is also for the modification of the parametric reportable ranges for the C-001 AN Neutralizer Scrubber and the C-002 AN Peabody Scrubber. This amendment incorporates approval for the installation and operation of a cooling tower, replacement of the low oxidation vessel, and replacement of the low pressure channel head at the C-002 Nitric Acid Plant.

This Permit Amendment is conditioned upon compliance with all provisions of The Georgia Air Quality Act, O.C.G.A. Section 12-9-1, et seq, the Rules, Chapter 391-3-1, adopted and in effect under that Act, or any other condition of this Permit Amendment and Permit No. 2873-245-0002-V-01-0. Unless modified or revoked, this Permit Amendment expires upon issuance of the next Part 70 Permit for this source.

This Permit Amendment may be subject to revocation, suspension, modification or amendment by the Director for cause including evidence of noncompliance with any of the above; or for any misrepresentation made in Application No. 14213 dated December 30, 2002 and Application No. 14234 dated July 30, 2002; any other applications upon which this Permit Amendment or Permit No. 2873-245-0002-V-01-0 are based; supporting data entered therein or attached thereto; or any subsequent submittal or supporting data; or for any alterations affecting the emissions from this source.

This Permit Amendment is further subject to and conditioned upon the terms, conditions, limitations, standards, or schedules contained in or specified on the attached **18** pages, which pages are a part of this Permit Amendment, and which hereby become part of Permit No. 2873-245-0002-V-01-0.

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Director  
Environmental Protection Division

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**PART 1.0 FACILITY DESCRIPTION**

**1.3 Process Description of Modification**

PCS Nitrogen Fertilizer – Augusta Plant will make various modifications to the C-002 Nitric Acid Plant at the facility. The proposed physical changes will allow the C-002 Nitric Acid Plant to operate at a higher air flow rate and at a slightly higher pressure which will increase nitric acid production. After completion of the project, the plant will have a capacity of 1,300 tons per day of 100% nitric acid.

The permit has also been modified to update the parametric reportable ranges for the C-001 AN Neutralizer Scrubber and the C-002 AN Peabody Scrubber.

The permit amendment incorporates approval for three projects at the C-002 Nitric Acid Plant, which were previously approved as “Off Permit Changes” in response to Application Nos. 14083 and 14476. The projects were the installation of a cooling tower for the reduction of heat exchanger fouling and the replacement of the low oxidation vessel and the low pressure boiler channel head.

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**PART 3.0 REQUIREMENTS FOR EMISSION UNITS**

Note: Except where an applicable requirement specifically states otherwise, the averaging times of any of the Emissions Limitations or Standards included in this permit are tied to or based on the run time(s) specified for the applicable reference test method(s) or procedures required for demonstrating compliance.

**3.1.4 Additional Emission Units**

Emission Units		Specific Limitations/Requirements		Air Pollution Control Devices	
ID No.	Description	Applicable Requirements/Standards	Corresponding Permit Conditions	ID No.	Description
AN02	C-002 AN Neutralizer	391-3-1-.02(2)(b) 391-3-1-.02(2)(e)‡	3.4.1, 3.4.2, 3.2.3 (o & q), 4.2.12, 6.1.7c	VS02	Venturi Scrubber
N201	C-002 Nitric Acid Plant	40 CFR 60 Subpart G 40 CFR 52.21	3.3.4, 3.3.5, 3.3.10, 3.3.11, 4.2.1, 4.2.2, 4.2.8, 4.2.11, 4.2.12, 5.2.1a, 5.2.1b, 5.2.2.e, 5.2.5, 5.2.6, 6.1.7, 6.2.15 through 6.2.17	AP07	Catalytic Combustor

\* Generally applicable requirements contained in this permit may also apply to emission units listed above.  
 For determination of 391-3-1-.02(2)(e) the following Emission Units are to be grouped:  
 Group ‡ A201, A202, A204 & AN02

**3.3 Equipment Federal Rule Standards**

- 3.3.5 The Permittee shall not discharge into the atmosphere from the C-002 Nitric Acid Plant (Source Code N201) any gases which contain nitrogen oxides in excess of 3.0 pounds per ton of 100% nitric acid and which exhibit 10 percent opacity, or greater.  
[40 CFR 60 Subpart G; 40 CFR 52.21]
  
- 3.3.10 The Permittee shall not discharge into the atmosphere from the C-002 Nitric Acid Plant (Source Code N201) any gases which contain nitrogen oxides in excess of 507 tons per any 12 consecutive month period.  
[40 CFR 52.21]
  
- 3.3.11 The Permittee shall not discharge into the atmosphere from the C-002 Nitric Acid Plant (Source Code N201) any gases which contain carbon monoxide in excess of 30.0 pounds per ton of 100% nitric acid, on a 12 month rolling average.  
[40 CFR 52.21]

**PART 4.0 REQUIREMENTS FOR TESTING**

**4.2 Specific Testing Requirements**

- 4.2.2 The Permittee shall conduct or cause to be conducted an annual performance test for emissions of NO<sub>x</sub> and CO during the month of July or August as follows:
- a. NO<sub>x</sub> in the C-001 Nitric Acid Plant (Source Code N101).  
[391-3-1-.03(2)(c)]
  - b. NO<sub>x</sub> in the C-002 Nitric Acid Plant (Source Code N201).  
[40 CFR Part 60 Subpart G; 40 CFR 52.21]
  - c. CO in the C-002 Nitric Acid Plant (Source Code N201).  
[40 CFR 52.21]
- 4.2.8 A conversion factor shall be calculated each time a performance test is conducted to convert the ppm monitor output into units of the applicable standard (pounds NO<sub>x</sub> or CO per ton 100% acid) and shall be included in the test report for the C-001 and C-002 Nitric Acid Plants.  
[40 CFR 60 Subpart G; 391-3-1-.02(3); 391-3-1-.03(2)(c); 40 CFR 52.21]
- 4.2.11 Within 60 days after the completion of all of the projects and achieving the maximum production rate of nitric acid from the C-002 Nitric Acid Plant, but no later than 180 days after startup of the C-002 Nitric Acid Plant after the completion of all of the projects, the Permittee shall conduct performance tests for NO<sub>x</sub> and CO. The Permittee shall calculate conversion factors as required by Condition 4.2.8. On such date that the conversion factors are determined, the facility shall begin demonstration of compliance with the limits in Conditions 3.3.10 and 3.3.11. Following the performance test, the Permittee shall comply with the testing schedule found in paragraphs (b) and (c) of Condition 4.2.2.  
[40 CFR 60 Subpart G; 391-3-1-.02(3); 391-3-1-.03(2)(c); 40 CFR 52.21]
- 4.2.12 Within 60 days after the completion of all of the projects and achieving the maximum production rate of nitric acid from the C-002 Nitric Acid Plant, but no later than 180 days after startup of the C-002 Nitric Acid Plant after the completion of all of the projects, the Permittee shall conduct a performance test for particulate matter from the C-002 AN Neutralizer. If necessary, the Permittee shall submit an application, within 60 days after submittal of the test report, to revise the excursion values for the VS02 Venturi Scrubber.  
[391-3-1-.02(3), 391-3-1-.03(2)(c)]

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- 4.2.13 Within 90 days after startup of the CO CEMS required by Condition 5.2.1.b, the facility shall conduct performance tests for NO<sub>x</sub> and CO from the C-002 Nitric Acid Plant. The Permittee shall calculate conversion factors as required by Condition 4.2.8. Following the performance test, the Permittee shall comply with the testing schedule found in paragraphs (b) and (c) of Condition 4.2.2.

[40 CFR 60 Subpart G; 391-3-1-.02(3); 391-3-1-.03(2)(c)]

**PART 5.0 REQUIREMENTS FOR MONITORING (Related to Data Collection)**

**5.1 General Monitoring Requirements**

5.1.1 Any continuous monitoring system required by the Division and installed by the Permittee shall be in continuous operation and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Monitoring system response, relating only to calibration checks and zero and span adjustments, shall be measured and recorded during such periods. Maintenance or repair shall be conducted in the most expedient manner to minimize the period during which the system is out of service.  
[391-3-1-.02(6)(b)1]

**5.2 Specific Monitoring Requirements**

5.2.1 The Permittee shall install, calibrate, maintain, and operate a system to continuously monitor and record the indicated pollutants on the following equipment. Each system shall meet the applicable performance specification(s) of the Division's monitoring requirements.  
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

b. The Permittee shall install, calibrate, maintain and operate a continuous emission monitoring system (CEMS) for the measurement of Carbon Monoxide (CO) emissions from the C-002 Nitric Acid Plant (Source Code N201) and record the output of the system. The CEMS shall be installed and in operation no later than June 30, 2005.  
[40 CFR 52.21]

5.2.2 The Permittee shall install, calibrate, maintain, and operate a system to continuously monitor and record the indicated parameters on the following equipment. Where such performance specification(s) exist, each system shall meet the applicable performance specification(s) of the Division's monitoring requirements.  
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

e. Nitric Acid production rate for the C-002 Nitric Acid Plant (Source Code N201).

5.2.5 The following pollutant specific emission unit (PSEU) is subject to the Compliance Assurance Monitoring (CAM) Rule in 40 CFR 64.

Emission Unit	Pollutant
Source Code N201 – C-002 Nitric Acid Plant	NO <sub>x</sub>

Permit conditions in this permit for the PSEU(s) listed above with regulatory citation 40 CFR 70.6(a)(3)(i) are included for the purpose of complying with 40 CFR 64. In addition, the Permittee shall meet the requirements, as applicable, of 40 CFR 64.7, 64.8, and 64.9.  
[40 CFR 64]

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5.2.6 The Permittee shall comply with the performance criteria listed in the table below for the NO<sub>x</sub> emissions from the C-002 Nitric Acid Plant (Source Code N201).  
[40 CFR 64.6(c)(1)(iii)]

Performance Criteria [64.4(a)(3)]	Indicator No. 1 NO <sub>x</sub> Concentration
A. Data Representativeness [64.3(b)(1)]	NO <sub>x</sub> Continuous Emissions Monitor. The CEM is located in the C-002 Nitric Acid Stack.
B. Verification of Operational Status (new/modified monitoring equipment only) [64.3(b)(2)]	N/a.
C. QA/QC Practices and Criteria [64.3(b)(3)]	Calibrate, maintain, and operate a CEM per NSPS standard.
D. Monitoring Frequency [64.3(b)(4)]	Continuous.
Data Collection Procedures [64.3(b)(4)]	NO <sub>x</sub> concentration (ppm) will be converted to lb NO <sub>x</sub> per ton 100% nitric acid using the conversion factor calculated from the most recent NO <sub>x</sub> stack test. NO <sub>x</sub> emissions will be calculated hourly by multiplying the actual production rate by the lb NO <sub>x</sub> per ton 100% nitric acid emission rate. Hourly emissions will be added to determine compliance with the 507 ton per year limit.
Averaging Period [64.3(b)(4)]	3.0 lb NO <sub>x</sub> per ton 100% nitric acid – 3 hour average. 507 tpy NO <sub>x</sub> – 12 month rolling total.

**PART 6.0 OTHER RECORD KEEPING AND REPORTING REQUIREMENTS**

**6.1 General Record Keeping and Reporting Requirements**

6.1.7 For the purpose of reporting excess emissions, exceedances or excursions in the report required in Condition 6.1.4, the following excess emissions, exceedances, and excursions shall be reported:

[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

- a. Excess emissions: (means for the purpose of this Condition and Condition 6.1.4, any condition that is detected by monitoring or record keeping which is specifically defined, or stated to be, excess emissions by an applicable requirement)
  - 3. Any 12-month rolling period during which the nitrogen oxide emissions from the C-002 Nitric Acid Plant (Source Code N201) measured and recorded in accordance with Condition 5.2.1.a and calculated in accordance with Condition 6.2.15 is in excess of 507 tons.  
[40 CFR 52.21]
  - 4. Any 12-month rolling period during which the average emissions of carbon monoxide from the C-002 Nitric Acid Plant (Source Code N201) measured and recorded in accordance with Condition 5.2.1.b and calculated in accordance with Condition 6.2.16 is in excess of 30.0 pounds CO per ton 100% nitric acid.  
[40 CFR 52.21]
- c. Excursions: (means for the purpose of this Condition and Condition 6.1.4, any departure from an indicator range or value established for monitoring consistent with any averaging period specified for averaging the results of the monitoring)
  - 6. C-001 AN Neutralizer Scrubbers - Any eight hour period when the average of parameter measured in condition 5.2.3.m, o, q & s falls outside the following ranges during hours of process operation.
    - A. Pump flow outside the range 95 – 145 gpm.
  - 8. Peabody Scrubber (HD) - Any eight hour period when the average of parameter measured in 5.2.3.h-i falls outside the following ranges during hours of process operation.
    - A. Stack temperature outside the range of 65<sup>0</sup>F to 105<sup>0</sup>F.
    - C. Scrubber pump discharge B pressure outside the range of 25 - 50 psig.

**6.2 Specific Record Keeping and Reporting Requirements**

- 6.2.15 The Permittee shall maintain records of nitrogen oxide emissions from the operation of the C-002 Nitric Acid Plant (Source Code N201). The Permittee shall calculate emissions using the CEMS data that is collected in accordance with Condition 5.2.1.a, the conversion factor determined in accordance with Condition 4.2.8, and the production data collected in accordance with Condition 5.2.2.e. The monthly NO<sub>x</sub> emission totals shall be determined by summing the hourly NO<sub>x</sub> emission totals. The records shall include monthly emission totals and 12-month rolling totals for each calendar month. The Permittee shall submit the monthly emission totals and 12-month rolling totals calculated during each reporting period with the quarterly report required by Condition 6.1.4.  
[40 CFR 52.21]
- 6.2.16 The Permittee shall maintain records of carbon monoxide emissions from the operation of the C-002 Nitric Acid Plant (Source Code N201). The Permittee shall calculate emissions using the CEMS data that is collected in accordance with Condition 5.2.1.b, the conversion factor determined in accordance with Condition 4.2.8, and the production data collected in accordance with Condition 5.2.2.e. The Permittee shall calculate the CO emission rate for each hour. The monthly emission rate shall be determined by summing the hourly CO emission rates and dividing by the total number of hours that the C-002 Nitric Acid Plant was operated that month. The records shall include the monthly emission average and the 12-month rolling averages for each calendar month. The Permittee shall submit the monthly emission averages and 12-month rolling averages calculated during each reporting period with the semiannual report required by Condition 6.1.4.  
[40 CFR 52.21]
- 6.2.17 The Permittee shall commence construction of the proposed C-002 Nitric Acid Plant (Source Code N201) modifications within 18 months of the effective date of this permit amendment.  
[40 CFR 52.21]

**PART 7.0 OTHER SPECIFIC REQUIREMENTS**

**7.1 Operational Flexibility**

7.1.1 The Permittee may make Section 502(b)(10) changes as defined in 40 CFR 70.2 without requiring a Permit revision, if the changes are not modifications under any provisions of Title I of the Federal Act and the changes do not exceed the emissions allowable under the Permit (whether expressed therein as a rate of emissions or in terms of total emissions). For each such change, the Permittee shall provide the Division and the EPA with written notification as required below in advance of the proposed changes and shall obtain any Permits required under Rules 391-3-1-.03(1) and (2). The Permittee and the Division shall attach each such notice to their copy of this Permit.  
[391-3-1-.03(10)(b)5 and 40 CFR 70.4(b)(12)(i)]

- a. For each such change, the Permittee’s written notification and application for a construction Permit shall be submitted well in advance of any critical date (typically at least 6 months in advance of any commencement of construction, Permit issuance date, etc.) involved in the change, but no less than seven (7) days in advance of such change and shall include a brief description of the change within the Permitted facility, the date on which the change is proposed to occur, any change in emissions, and any Permit term or condition that is no longer applicable as a result of the change.
- b. The Permit shield described in Condition 8.16.1 shall not apply to any change made pursuant to this condition.

**7.2 Off-Permit Changes**

7.2.1 The Permittee may make changes that are not addressed or prohibited by this Permit, other than those described in Condition 7.2.2 below, without a Permit revision, provided the following requirements are met:  
[391-3-1-.03(10)(b)6 and 40 CFR 70.4(b)(14)]

- a. Each such change shall meet all applicable requirements and shall not violate any existing Permit term or condition.
- b. The Permittee must provide contemporaneous written notice to the Division and to the EPA of each such change, except for changes that qualify as insignificant under Rule 391-3-1-.03(10)(g). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- c. The change shall not qualify for the Permit shield in Condition 8.16.1.
- d. The Permittee shall keep a record describing 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.

**7.10 Prevention of Accidental Releases (Section 112(r) of the 1990 CAAA)**

[391-3-1-.02(10)]

- 7.10.1 When and if the requirements of 40 CFR Part 68 become applicable, the Permittee shall comply with all applicable requirements of 40 CFR Part 68, including the following.
- a. The Permittee shall submit a Risk Management Plan (RMP) as provided in 40 CFR 68.150 through 68.185. The RMP shall include a registration that reflects all covered processes.
  - b. For processes eligible for Program 1, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a. and the following additional requirements:
    - i. Analyze the worst-case release scenario for the process(es), as provided in 40 CFR 68.25; document that the nearest public receptor is beyond the distance to a toxic or flammable endpoint defined in 40 CFR 68.22(a); and submit in the RMP the worst-case release scenario as provided in 40 CFR 68.165.
    - ii. Complete the five-year accident history for the process as provided in 40 CFR 68.42 and submit in the RMP as provided in 40 CFR 68.168
    - iii. Ensure that response actions have been coordinated with local emergency planning and response agencies
    - iv. Include a certification in the RMP as specified in specified in 40 CFR 68.12(b)(4)
  - c. For processes subject to Program 2, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a., 7.10.1.b. and the following additional requirements:
    - i. Develop and implement a management system as provided in 40 CFR 68.15
    - ii. Conduct a hazard assessment as provided in 40 CFR 68.20 through 68.42
    - iii. Implement the Program 2 prevention steps provided in 40 CFR 68.48 through 68.60 or implement the Program 3 prevention steps provided in 40 CFR 68.65 through 68.87
    - iv. Develop and implement an emergency response program as provided in 40 CFR 68.90 through 68.95
    - v. Submit as part of the RMP the data on prevention program elements for Program 2 processes as provided in 40 CFR 68.170
  - d. For processes subject to Program 3, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a., 7.10.1.b. and the following additional requirements:
    - i. Develop and implement a management system as provided in 40 CFR 68.15
    - ii. Conduct a hazard assessment as provided in 40 CFR 68.20 through 68.42
    - iii. Implement the prevention requirements of 40 CFR 68.65 through 68.87
    - iv. Develop and implement an emergency response program as provided in 40 CFR 68.90 through 68.95
    - v. Submit as part of the RMP the data on prevention program elements for Program 3 as provided in 40 CFR 68.175

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- e. All reports and notification required by 40 CFR Part 68 must be submitted electronically (e.g., diskette or compact disc) to:

MAIL

**Attention: RMP\*Submit**  
**Risk Management Program (RMP) Reporting Center**  
**P.O. Box 1515**  
**Lanham-Seabrook, MD 20703-1515**

COURIER & FEDEX

**Risk Management Program (RMP) Reporting Center**  
**C/O CSC**  
**Suite 300**  
**8400 Corporate Drive**  
**New Carrollton, MD 20785**

Compliance with all requirements of this condition, including the registration and submission of the RMP, shall be included as part of the compliance certification submitted in accordance with Condition 8.14.1.

**PART 8.0 GENERAL PROVISIONS**

**8.2 EPA Authorities**

8.2.1 Except as identified as “State-only enforceable” requirements in this Permit, all terms and conditions contained herein shall be enforceable by the EPA and citizens under the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.  
[40 CFR 70.6(b)(1)]

**8.5 Permit Renewal and Expiration**

8.5.1 This Permit shall remain in effect for five (5) years from the effective date. The Permit shall become null and void after the expiration date unless a timely and complete renewal application has been submitted to the Division at least six (6) months, but no more than eighteen (18) months prior to the expiration date of the Permit.  
[391-3-1-.03(10)(d)1(i), (e)2, and (e)3(ii) and 40 CFR 70.5(a)(1)(iii)]

8.5.3 Notwithstanding the provisions in 8.5.1 above, if the Division has received a timely and complete application for renewal, deemed it administratively complete, and failed to reissue the Permit for reasons other than cause, authorization to operate shall continue beyond the expiration date to the point of Permit modification, reissuance, or revocation.  
[391-3-1-.03(10)(e)3(iii)]

**8.8 Submissions**

8.8.3 Any application form, report, or compliance certification submitted pursuant to this Permit shall contain a certification by a responsible official of its 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.  
[391-3-1-.03(10)(c)2, 40 CFR 70.5(d) and 40 CFR 70.6(c)(1)]

**8.10 Modifications**

8.10.1 Prior to any source commencing a modification as defined in 391-3-1-.01(pp) that may result in air pollution and not exempted by 391-3-1-.03(6), the Permittee shall submit a Permit application to the Division. The application shall be submitted sufficiently in advance of any critical date involved to allow adequate time for review, discussion, or revision of plans, if necessary. Such application shall include, but not be limited to, information describing the precise nature of the change, modifications to any emission control system, production capacity of the plant before and after the change, and the anticipated completion date of the change. The application shall be in the form of a Georgia air quality Permit application to construct or modify (otherwise known as a SIP application) and shall be submitted on forms supplied by the Division, unless otherwise notified by the Division.  
[391-3-1-.03(1) through (8)]

**8.11 Permit Revision, Revocation, Reopening and Termination**

- 8.11.1 This Permit may be revised, revoked, reopened and reissued, or terminated for cause by the Director. The Permit will be reopened for cause and revised accordingly under the following circumstances:  
[391-3-1-.03(10)(d)1(i)]
- a. If additional applicable requirements become applicable to the source and the remaining Permit term is one (1) year or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the Permit is due to expire;  
[391-3-1-.03(10)(e)6(i)(I)]
  - b. If any additional applicable requirements of the Acid Rain Program become applicable to the source;  
[391-3-1-.03(10)(e)6(i)(II)] (Acid Rain sources only)
  - c. The Director determines that the Permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Permit; or  
[391-3-1-.03(10)(e)6(i)(III) and 40 CFR 70.7(f)(1)(iii)]
  - d. The Director determines that the Permit must be revised or revoked to assure compliance with the applicable requirements.  
[391-3-1-.03(10)(e)6(i)(IV) and 40 CFR 70.7(f)(1)(iv)]
- 8.11.2 Proceedings to reopen and reissue a Permit shall follow the same procedures as applicable to initial Permit issuance and shall affect only those parts of the Permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable.  
[391-3-1-.03(10)(e)6(ii)]
- 8.11.3 Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Director at least thirty (30) days in advance of the date the Permit is to be reopened, except that the Director may provide a shorter time period in the case of an emergency.  
[391-3-1-.03(10)(e)6(iii)]
- 8.11.4 All Permit conditions remain in effect until such time as the Director takes final action. The filing of a request by the Permittee for any Permit revision, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance, shall not stay any Permit condition.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(iii)]
- 8.11.5 A Permit revision shall not be required for changes that are explicitly authorized by the conditions of this Permit.

- 8.11.6 A Permit revision shall not be required for changes that are part of an approved economic incentive, marketable Permit, emission trading, or other similar program or process for change which is specifically provided for in this Permit.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(8)]

## **8.14 Compliance Requirements**

### **8.14.1 Compliance Certification**

The Permittee shall provide written certification to the Division and to the EPA, at least annually, of compliance with the conditions of this Permit. The annual written certification shall be postmarked no later than January 30 of each year and shall be submitted to the Division and to the EPA. The certification shall include, but not be limited to, the following elements:

[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(5)]

- a. The identification of each term or condition of the Permit that is the basis of the certification;
- b. The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent, based on the method or means designated in paragraph c below. 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 under 40 CFR Part 64 occurred;
- c. 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;
- d. Any other information that must be included to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information; and
- e. Any additional requirements specified by the Division.

### **8.14.2 Inspection and Entry**

- a. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the Division to perform the following:  
[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(2)]
  - i. Enter upon the Permittee's premises where a Part 70 source is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;

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- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
  - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this Permit; and
  - iv. Sample or monitor any substances or parameters at any location during operating hours for the purpose of assuring Permit compliance or compliance with applicable requirements as authorized by the Georgia Air Quality Act.
- b. No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for Permit revocation and assessment of civil penalties.  
[391-3-1-.07 and 40 CFR 70.11(a)(3)(i)]

### 8.14.3 Schedule of Compliance

- a. For applicable requirements with which the Permittee is in compliance, the Permittee shall continue to comply with those requirements.  
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(A)]
- b. For applicable requirements that become effective during the Permit term, the Permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.  
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(B)]
- c. Any schedule of compliance for applicable requirements with which the source is not in compliance at the time of Permit issuance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.  
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(C)]

### 8.14.4 Excess Emissions

- a. Excess emissions resulting from startup, shutdown, or malfunction of any source which occur though ordinary diligence is employed shall be allowed provided that:  
[391-3-1-.02(2)(a)7(i)]
  - i. The best operational practices to minimize emissions are adhered to;
  - ii. All associated air pollution control equipment is operated in a manner consistent with good air pollution control practice for minimizing emissions; and
  - iii. The duration of excess emissions is minimized.
- b. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction are prohibited and are violations of Chapter 391-3-1 of the Georgia Rules for Air Quality Control.  
[391-3-1-.02(2)(a)7(ii)]

- c. The provisions of this condition and Georgia Rule 391-3-1-.02(2)(a)7 shall apply only to those sources which are not subject to any requirement under Georgia Rule 391-3-1-.02(8) – New Source Performance Standards or any requirement of 40 CFR, Part 60, as amended concerning New Source Performance Standards.  
[391-3-1-.02(2)(a)7(iii)]

**8.17 Operational Practices**

- 8.17.1 At all times, including periods of startup, shutdown, and malfunction, the Permittee shall maintain and operate the source, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on any information available to the Division that may include, but is not limited to, monitoring results, observations of the opacity or other characteristics of emissions, review of operating and maintenance procedures or records, and inspection or surveillance of the source.  
[391-3-1-.02(2)(a)10]

**8.20 Sulfur Dioxide**

- 8.20.1 Except as may be specified in other provisions of this Permit, the Permittee shall not burn fuel containing more than 2.5 percent sulfur, by weight, in any fuel burning source that has a heat input capacity below 100 million Btu's per hour.  
[391-3-1-.02(2)(g)]

**8.22 Fugitive Dust**

[391-3-1-.02(2)(n)]

- 8.22.1 Except as may be specified in other provisions of this Permit, the Permittee shall take all reasonable precautions to prevent dust from any operation, process, handling, transportation or storage facility from becoming airborne. Reasonable precautions that could be taken to prevent dust from becoming airborne include, but are not limited to, the following:
  - a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces that can give rise to airborne dusts;
  - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods can be employed during sandblasting or other similar operations;
  - d. Covering, at all times when in motion, open bodied trucks transporting materials likely to give rise to airborne dusts; and

- e. The prompt removal of earth or other material from paved streets onto which earth or other material has been deposited.

8.22.2 The opacity from any fugitive dust source shall not equal or exceed 20 percent.

### **8.23 Solvent Metal Cleaning**

8.23.1 Except as may be specified in other provisions of this Permit, the Permittee shall not cause, suffer, allow, or permit the operation of a cold cleaner degreaser unless the following requirements for control of emissions of the volatile organic compounds are satisfied:  
[391-3-1-.02(2)(ff)1]

- a. The degreaser shall be equipped with a cover to prevent escape of VOC during periods of non-use,
- b. The degreaser shall be equipped with a device to drain cleaned parts before removal from the unit,
- c. If the solvent volatility is 0.60 psi or greater measured at 100 °F, or if the solvent is heated above 120 °F, then one of the following control devices must be used:
  - i. The degreaser shall be equipped with a freeboard that gives a freeboard ratio of 0.7 or greater, or
  - ii. The degreaser shall be equipped with a water cover (solvent must be insoluble in and heavier than water), or
  - iii. The degreaser shall be equipped with a system of equivalent control, including but not limited to, a refrigerated chiller or carbon adsorption system.
- d. Any solvent spray utilized by the degreaser must be in the form of a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which will not cause excessive splashing, and
- e. All waste solvent from the degreaser shall be stored in covered containers and shall not be disposed of by such a method as to allow excessive evaporation into the atmosphere.

### **8.24 Incinerators**

8.24.1 Except as specified in the section dealing with conical burners, no person shall cause, let, suffer, permit, or allow the emissions of fly ash and/or other particulate matter from any incinerator, in amounts equal to or exceeding the following:  
[391-3-1-.02(2)(c)1-4]

- a. Units with charging rates of 500 pounds per hour or less of combustible waste, including water, shall not emit fly ash and/or particulate matter in quantities exceeding 1.0 pound per hour.

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- b. Units with charging rates in excess of 500 pounds per hour of combustible waste, including water, shall not emit fly ash and/or particulate matter in excess of 0.20 pounds per 100 pounds of charge.
- 8.24.2 No person shall cause, let, suffer, permit, or allow from any incinerator, visible emissions the opacity of which is equal to or greater than twenty (20) percent except for one six minute period per hour of not more than twenty-seven (27) percent opacity.
- 8.24.3 No person shall cause or allow particles to be emitted from an incinerator which are individually large enough to be visible to the unaided eye.
- 8.24.4 No person shall operate an existing incinerator unless:
- a. It is a multiple chamber incinerator;
  - b. It is equipped with an auxiliary burner in the primary chamber for the purpose of creating a pre-ignition temperature of 800°F; and
  - c. It has a secondary burner to control smoke and/or odors and maintain a temperature of at least 1500°F in the secondary chamber.

### 8.25 Volatile Organic Liquid Handling and Storage

- 8.25.1 The Permittee shall ensure that each storage tank subject to the requirements of Rule 391-3-1-.02(2)(vv) “Volatile Organic Liquid Handling and Storage” is equipped with submerged fill pipes. For the purposes of this condition and the permit, a submerged fill pipe is defined as any fill pipe with a discharge opening which is within six inches of the tank bottom.  
[391-3-1-.02(2)(vv)(1)]

### 8.26 Use of Any Credible Evidence or Information

- 8.26.1 Notwithstanding any other provisions of any applicable rule or regulation or requirement of this permit, for the purpose of submission of compliance certifications or establishing whether or not a person has violated or is in violation of any emissions limitation or standard, nothing in this permit or any Emission Limitation or Standard to which it pertains, shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.  
[391-3-1-.02(3)(a)]