

Facility Name: **Pecan Row Landfill**
 City: Valdosta
 County: Lowndes
 AIRS #: 04-13-18500096

Application #: TV-10034
 Date Application Received: June 12, 1997
 Date Application Deemed
 Administratively Complete: July 16, 1997
 Date of Draft Permit:
 Permit No: 4953-185-0096-V-01-0

Program	Review Engineers	Review Managers
SSPP/ASU	Michael Roy	John Yntema
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ISMP	Bradley Belflower	Larry Webber
Toxics	N/A	N/A

Introduction

This narrative is being provided to assist the reader in understanding the content of the attached draft Part 70 operating permit. Complex issues and unusual items are explained in simpler terms and/or greater detail than is sometimes possible in the actual permit. This permit is being proposed pursuant to: (1) Section 391-3-1-.03(10) of the Georgia Rules for Air Quality Control, (2) Part 70 of Chapter I of Title 40 of the Code of Federal Regulations, and (3) Title V of the Clean Air Act Amendments of 1990. The primary purpose of this permit is to consolidate and identify existing state and federal air requirements applicable to Pecan Row Landfill and to provide practical methods for determining compliance with these requirements. The following narrative is designed to accompany the draft permit and is presented in the same general order as the permit. It initially describes the facility receiving the permit, then the applicable requirements and their significance, and finally the methods for determining compliance with those applicable requirements. This narrative is intended only as an adjunct for the reviewer and has no legal standing. Any revisions made to the permit in response to comments received during the public participation process will be described in an addendum to this narrative.

I. Facility Description**A. Facility Identification**

1. Facility Name: Pecan Row Landfill
2. Parent/Holding Company Name: Superior Services, Incorporated
3. Previous and/or Other Name(s): No previous names identified
4. Facility Location:

2995 Wetherington Lane
Valdosta, Georgia 31601

5. Attainment or Non-attainment Area Location:

The facility location is designated as an attainment area for ozone

6. Class I Area Impacts:

This facility is not located within 100 km of a Class I Area.

B. Site Determination

There are no applicable issues with regard to the site determination. There are no other facilities which could possibly be contiguous or adjacent and under common control.

C. Existing Permits**Table 1: List of Current Permits as Amended**

Permit Number and/or Purpose of Issuance	Date of Issuance and Date of Amendments (if any)	Comments	
		Yes	No
N/A	N/A		

Table 2: Comments on Specific Permits

Permit Number	Comments
N/A	N/A

D. Process Description

1. SIC Code(s): Major - 4953 (Operation of a municipal solid waste landfill)
Minor - None

2. Description of Product(s):

This facility does not have final products. The Pecan Row Landfill processes general waste.

3. Overall Facility Process Description

Pecan Row Landfill receives solid waste. The waste is deposited directly into the landfill, compacted, and then covered with fill dirt. The landfill gas produced from the decomposition of the deposited waste is collected using a gas collection and control system (GCCS) and flared onsite. The Pecan Row Landfill is required, based on NMOC Tier calculations, to operate a regulated GCCS.

4. Overall Process Flow Diagram (optional)

A landfill process flow diagram was provided in Appendix A, Figure 3, of the Pecan Row Landfill's Title V application.

E. Regulatory Status

1. PSD/NSR

The facility is considered a minor source with respect to PSD rules.

2. Title V Major Source Status by Pollutant

Table 3: Title V Major Source Status

Pollutant	Is the Pollutant Emitted?	If emitted, what is the facility's Title V status for the pollutant?		
		Major Source Status	Major Source Requesting SM Status	Non-Major Source Status
PM	x			x
PM ₁₀	x			x
SO ₂	x			x
VOC	x			x
NO _x	x			x
CO	x			x
TRS	x			x
H ₂ S	x			x
Individual HAP	x			x
Total HAPs	x			x

If the facility is requesting a Synthetic Minor (SM) Status through Title V Permit for any pollutant, indicate all applicable Title V Permit Conditions for that pollutant here.

3. MACT Standards

The Pecan Row Landfill is not currently subject to any MACT standards.

4. Program Applicability

Program Code	Applicable (y/n)
Program Code 6 - PSD	No
Program Code 8 – Part 61 NESHAP	Yes
Program Code 9 - NSPS	Yes
Program Code M – Part 63 NESHAP	No
Program Code V – Title V	Yes

Regulatory Analysis

II. Facility Wide Requirements

A. Emission and Operating Caps:

The facility currently does not have any emission or operating limits.

B. Applicable Rules and Regulations

Rules and Regulations Assessment -

The facility is currently subject to 40 CFR Part 60, Subpart WWW - NSPS for Municipal Solid Waste Landfills. The Pecan Row Landfill has a design capacity of 4.9 Mmyrd³ and was reconstructed or modified after the May 30, 1991 Subpart WWW effective date. Using Tier 1, the facility calculated their NMOC emissions rate to be 128 Mg/year (calculated using NSPS factors). This exceeds the Subpart WWW 50 Mg NMOC threshold limit. Rather than recalculating the NMOC emissions using Tier 2, the Pecan Row Landfill proceeded with the installation of a landfill gas collection and control system (GCCS).

Because the Pecan Row Landfill Title V application denotes that they accept asbestos, the facility is subject to 40 CFR Part 61, Subpart M, NESHAP. As long as the Pecan Row Landfill remains active it is required to comply with the provision of 40 CFR 61.154 - "Standard for Active Waste Disposal Sites" including all reporting and record keeping requirements, if asbestos waste is accepted. Upon closure, the facility will be required to comply with 40 CFR 61.151 - "Standard for Inactive Waste Disposal Sites for Asbestos Mills and Manufacturing and Fabricating Operations," if asbestos waste has been accepted.

The facility's leachate storage tank(s) (also called vessel(s)) is possibly subject to 40 CFR Part 60, Subpart Kb for Volatile Organic Liquid Storage Vessels. The tank will not be subject to the entire rule due to the low vapor pressure of leachate; however, if the tank is greater than 40 m³ (1, 413 ft³) and was constructed, reconstructed, or modified after July 23, 1984 it is subject to 60.11b (a) and (b). Paragraphs 60.116b (a) and (b) require the Permittee to keep readily accessible records showing the dimensions and an analysis showing the capacity of the tank. The Permit contains the above mentioned record keeping requirements associated with Subpart Kb.

Also, the facility is subject to the following Georgia Air Quality Rules:

Georgia Rule 391-3-1-.02(2)(b) Visible Emissions

Georgia Rule 391-3-1-.02(2)(n) Fugitive Emissions

Georgia Rule 391-3-1-.02(3) Sampling

Georgia Rule 391-3-1-.02(5) Open Burning

Georgia Rule 391-3-1-.02(6) Source Monitoring

Emission and Operating Standards –

Georgia Rule 391-3-1-.02(2)(b) Visible Emissions

The facility shall not allow emissions from any air contaminant source the opacity of which is equal to or greater than forty (40) percent.

Georgia Rule 391-3-1-.02(2)(n) Fugitive Emissions

This rule requires the facility to minimize fugitive dust from the facility. This includes using water or chemicals for controlling dust on construction operations, grading of roads, and the clearing of land; covering at all times, when in motion, open bodied trucks transporting material likely to give rise to airborne dust; application of suitable dust suppressing material to dirt roads, materials, stockpiles, and other similar surfaces.

Georgia Rule 391-3-1-.02(3) Sampling

Any sampling, computation, and analysis to determine the compliance with any emission limit or standards must be in accordance with the Georgia-DNR, Procedures for Testing and Monitoring Sources of Air Pollutants, or by methods or procedures approved by the Director. The facility must provide safe and adequate sampling ports, and the facility must operate at maximum capacity during test periods.

Georgia Rule 391-3-1-.02(5) Open Burning

This regulation sets the requirements for open burning of vegetative matter that is generated from the site, and defines the rules necessary for any ground clearing operations. Open burning operations must also be conducted in accordance with any local regulations.

Georgia Rule 391-3-1-.02(6) Source Monitoring

The facility must comply with monitoring and related requirements specified in the applicable standard, unless the Director specifies additional or more stringent requirements, in which case all requirements must be met. Also, this section gives EPD the authority to require a company to install, maintain, and use emission monitoring devices to sample emissions.

C. Compliance Status

The facility did not submit a Section 11.10 form with the initial Title V application or application update. This indicates that the source believes itself to be in compliance with all Air Quality Rules as of the application dates.

D. Operational Flexibility

There were no operational flexibility requests in the Title V application.

E. Permit Conditions

All of the permit conditions for the facility will be facility wide conditions.

III. Regulated Equipment Requirements

A. Brief Process Description

The facility accepts municipal solid waste from the local area and deposits it into the ground. This waste is then covered with a medium to reduce the chance of any particulates becoming airborne. Once the waste is covered, the material starts a natural process of decomposition. The emissions generated from this decomposition process are regulated by Subpart WWW.

B. Equipment List for the Process

The facility has a landfill that is represented by Emission Unit ID (LF01). The landfill operates a GCCS (Emission Unit ID LF05) which utilizes a flare for gas control.

C. Equipment & Rule Applicability

Emission and Operating Caps –

The facility is not subject to any emission or operating caps.

Applicable Rules and Regulations –

Since the Pecan Row Landfill was constructed after the Subpart WWW applicability date of May 30, 1991, and the landfill has a design capacity greater than 3.2 MMyrd³, it is subject to 40 CFR Part 60, Subpart WWW. The NSPS Subpart WWW regulation requires that the facility report any modification to the size of the landfill, an annual emissions estimate must be calculated, and once the emission estimate exceeds 50 Mg per year of NMOC's, then a control and collection system must be put into place. The Pecan Row Road Landfill exceeded the 50 Mg per year of NMOC threshold with their Tier 1 emission estimate calculation and now operate a landfill GCCS. The NSPS Subpart WWW regulation contains requirements for installation, operation, monitoring, record keeping, reporting, and closure of landfill GCCS.

Emission and Operating Standards:

The facility is subject to the Asbestos NESHAP because it can accept this type of waste at the landfill. The Asbestos NESHAP is a work practice standard that contains reporting and record keeping requirements. The NESHAP also denotes how areas that accept asbestos must not emit visible emissions or must be covered by the end of the day, and what kind of signage and barriers must be placed around the area.

The facility may also be subject to NSPS Subpart Kb for storage vessel(s) containing volatile organic liquids (VOL). The tank(s) is exempt from all parts of this rule except 60.116b (a) and (b) which require record keeping of the dimensions and capacity of such storage vessel(s).

D. Compliance Status

According to the Title V application, the facility is currently operating in compliance.

E. Operational Flexibility

Not Applicable.

F. Permit Conditions

The permit conditions that were incorporated in Section 3 of the Title V application have been developed out of the requirements of the Georgia Air Quality Rules, including NSPS and NESHAP which had been adopted by reference. There is not an existing permit to incorporate into this section.

IV. Testing Requirements (with Associated Record Keeping and Reporting)

A. General Testing Requirements

Condition 4.1.1 specifies that a performance test may be required at any specified emission point. The test methods to be used to determine compliance are listed in Condition 4.1.3. A general condition to require notification of any test and for the submission of a test plan is included.

B. Specific Testing Requirements

The Pecan Row Landfill uses an open flare to control NMOC emissions from the landfill. The Permittee is required to conduct an initial performance test on the open flare exit velocity and visible emissions.

Before the removal of the collection and control system, the Permittee is required to meet several tests. One of these tests is that the uncontrolled NMOC emission rate be less than 50

megagrams per year. The methods and procedures for determining the NMOC emission rate are included in the permit.

V. Monitoring Requirements (with Associated Record Keeping and Reporting)

A. General Monitoring Requirements

This permit specifies that any monitoring systems installed should be in continuous operation and that downtime due to maintenance should be minimized.

B. Specific Monitoring Requirements

The Pecan Row Landfill is subject to Subpart WWW. Subpart WWW was promulgated in March 1996 and presumably contains monitoring sufficient to comply with Title V periodic monitoring requirements.

The landfill uses an open flare to control NMOC emissions. Subpart WWW requires that a heat sensing device be used to continuously monitor the presence of a flame within the open flare. The landfill is also required to monitor for the bypass flow of the control device by either installing a continuous (at least one reading every 15 minutes) flow monitor or by securing the bypass line valve and conducting a monthly inspection.

For each wellhead in the collection system, the landfill is required to install a sample port and a temperature measuring device or access port. Once each month, the landfill is required to determine the gauge pressure, the temperature, and oxygen or nitrogen concentration in each wellhead. Excessive pressure, temperature, or gas concentration must be reported as an exceedance. For each exceedance, corrective action and remonitorings must be conducted on a prescribed schedule.

Once per quarter, the landfill is required to monitor methane concentrations on the surface of the landfill. Discovery of excessive concentrations (more than 500 ppm above background concentration) results in a requirement to report each exceedance, the corrective action taken, and remonitoring on a prescribed schedule. A program to monitor for cover integrity and make repairs on a monthly basis is also required.

C. Record Keeping and Reporting Requirements:

Records, including identification of any deviations from applicable monitoring triggers, the cause of such occurrence, and the corrective action taken, are required to be kept and reported by the Permittee. The Permittee is also required to report excessive periods of control device (1 hour) and collection system (5 days) downtime, expansions of the collection system, and surface methane remonitoring results. Subpart WWW requires most reporting on an annual basis, but 40 CFR Part 70 specifies, "Submittal of reports of any required monitoring at least every 6 months." All reports generated due to monitoring activities are, therefore, required by this permit to be submitted on a semiannual basis.

VI. Other Record Keeping and Reporting Requirements**A. General Record Keeping and Reporting Requirements**

The Permit contains general requirements for the maintenance of all records for a period of five years following the date of entry and requires the prompt reporting of all information related to deviations from the applicable requirements are in the permit. Also included is a general condition to submit a written report of any failure to meet an applicable emissions limitation or standard and/or the failure to comply with or complete a work practice standard or equipment contained in the permit.

Semiannual reports that include the identification of any excess emissions, excursions, and exceedances from applicable monitoring triggers, the cause of such occurrence, and the corrective action taken are required.

B. Specific Record Keeping and Reporting Requirements

Subpart WWWW requires that uncontrolled landfills submit an annual NMOC emission rate estimate. The permit requires that this emission rate estimate be submitted by January 31 of each year. If the emission rate estimate submitted to the Division is greater than or equal to 50 Megagrams per year, a Collection and Control Plan is required to be submitted within one year of the initial exceedance determination.

There are two exceptions where the landfill may not be required to submit the Collection and Control Plan. (1) If the emission rate was calculated using Tier 1 and the landfill chooses to recalculate the emission rate using Tier 2. (2) If the emission rate was calculated using Tier 2 and the landfill chooses to recalculate the emission rate using Tier 3. If the landfill chooses either of these options and the recalculated emission rate is less than 50 megagrams per year, the landfill will resume submitting annual emission rate estimates. The deadlines for submitting the recalculated emission rates are 180 days for the first exception and a total of one year for the second exception. Regardless of the option used to recalculate the emission rate, if the recalculated emission rate is greater than or equal to 50 megagrams per year, the landfill must submit a Collection and Control Plan within one year of the date of the original emission rate calculation, not the date of the recalculated emission rate.

The Pecan Row Landfill chose to install a landfill gas control and collection system after the Tier 1 emission rate calculation was determined to be above the NSPS Subpart WWWW threshold limit of 50 Mg of NMOC. Subpart WWWW requires that a facility operating an active collection system shall submit an annual report within 180 days of the installation and start-up of the collection and control system and shall include the initial performance test report. The annual report must include the required information listed in 40 CFR 60.757(f) and (g).

The Asbestos NESHAP has several record keeping and recording requirements. These require that the facility maintain waste records from the generators and transporters. The landfill facility must also maintain records containing the quantity and location of all the asbestos placed in the landfill. The landfill is responsible for reporting any discrepancies in quantity of waste received. The landfill is responsible for maintaining these records for two

years. Once the facility is closed, the records should be submitted to the administrator of the asbestos NESHAP program.

If the facility's VOL storage vessel(s) is greater than 40 m³ and constructed, reconstructed, or modified after July 23, 1984, the vessel(s) has two record keeping requirements. These require the facility to maintain a record containing each vessel's dimensions and an analysis of the vessel's capacity. These records shall be maintained for the life of the vessel.

VII. Specific Requirements

A. Operational Flexibility

Not Applicable.

B. Alternative Requirements

Application did not specify any alternative operating scenarios.

C. Insignificant Activities

A complete list of insignificant activities is included at the end of the Title V Permit as Attachment B. These insignificant units may also be found in sections 4.10 and 4.50 of the Title V application.

D. Temporary Sources

Not Applicable.

E. Short-Term Activities

Not Applicable.

F. Compliance Schedule/Progress Reports

Not Applicable.

G. Emissions Trading

Not Applicable.

H. Acid Rain Requirements

Not Applicable.

I. Prevention of Accidental Releases

Not Applicable.

J. Stratospheric Ozone Protection Requirements

The Pecan Row Landfill listed no equipment that uses CFC's, HCFC's, or other stratospheric ozone depleting substances as listed in 40 CFR Part 82, Subpart A, Appendices A and B.

K. Pollution Prevention

Not Applicable.

L. Specific Conditions

Not Applicable.

VIII. General Provisions

Generic provisions have been included in this permit to address the requirements in 40 CFR Part 70 that apply to all Title V sources, and the requirements in Chapter 391-3-1 of the Georgia Rules for Air Quality Control that apply to all stationary sources of air pollution.

Addendum to Narrative

The public comment period ended on November 11, 2000. Written comments were received from Golder Associates Inc., Environmental Consultants for Pecan Row Landfill, by letter dated October 18, 2000. No comments were received from the public or EPA. The comments are summarized below followed by a discussion of the comments and any changes made to the permit as a result.

5.2 Specific Monitoring Requirements and Other Compliance Provisions

The facility has requested a specific variance from the NSPS for Municipal Solid Waste Landfills (40 CFR Part 60, Subpart WWW); the section which sets limits on nitrogen and oxygen content of landfill gas (LFG) at the wellhead.

Division Response

As per Subpart WWW, a MSW landfill facility is required to operate each LFG wellhead, comprising the gas collection and control system (GCCS), at a gas temperature less than 55 degree C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. Therefore, as per Condition No. 5.2.5, the Permittee is required to measure and record the temperature and oxygen or nitrogen concentration in each wellhead in the collection system; for each exceedance of temperature and oxygen or nitrogen concentration, the Permittee is required to initiate action to correct the exceedance (Condition No. 5.2.6). However, the Permittee has proposed to measure only the temperature at each extraction point, and not to measure the oxygen concentration. The Permittee has further proposed to monitor the oxygen concentration at the flare. This would be used to verify the satisfactory operation of the GCCS.

The EPD has determined that the measurement of all parameters in accordance with Subpart WWW is necessary in order to identify the particular area where there might be problem of infiltration of ambient air into the landfill causing aerobic conditions, to avoid subsurface fires. Therefore, Division's determination is that the alternative monitoring scheme proposed by the Permittee cannot be allowed.

Therefore, the permit has not been changed in response to this comment.

NOTE: The Golder Associates, a consultant for the facility, indicated in their letter dated Aug. 16, 2000, that the Superior Services, Inc. have purchased GeoWaste, Inc., who was the owner of the Pecan Row Landfill. In view of this, the name of the parent/holding company has been changed from GeoWaste, Inc. to Superior Services, Inc. in the permit.

Additional changes made to the final permit in order to conform to the current Title V template conditions agreed to with EPA Region IV are summarized below:

- 1. Condition 5.1.1:** To be a more accurate, the language to condition 5.1.1 of the Title V template is changed.

It had read:

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. Data shall be recorded during calibration checks and zero and span adjustments. 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]

It now reads:

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]

- 2. Condition 7.10.1:** To be a more accurate reflection of the requirements of Part 68, the condition is revised.

It had read:

“The Permittee shall submit a Risk Management Plan (RMP) in accordance with the 40 CFR Part 68, when and if, such requirement becomes applicable. All reports and notifications required by 40 CFR Part 68 must be submitted electronically (e.g. diskette or compact disc) to:”

It now reads:

“When and if the requirements of 40 CFR Part 68 become applicable, the Permittee shall comply will 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 Part 68.150 through 68.185. The RMP shall include a registration that reflects all covered processes.

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

**Attention: RMP*Submit
RMP Reporting Center
P.O. Box 3346
Merrifield, VA 22116-3346**

3. **Condition 7.12:** To be a more accurate, the language to condition 7.12 of the Title V template is changed.

It had read:

The following Air Quality Permits and Amendments are hereby revoked:

It now reads:

The following Air Quality Permits and Amendments are subsumed by this permit and are hereby revoked:

4. **Condition 8.2.1:** To be a more accurate reflection of the requirements of Part 70, the phrase “of the United States” is removed.

It had read:

“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 of the United States under the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.”

It now reads:

“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.”

5. **Condition 8.8.3:** The reference 40 CFR 70.6(c)(1) is added to the list of authority statements, so it will be:

[391-3-1-.03(10)(c)2, 40 CFR 70.5(d), and 40 CFR 70.6(c)(1)]

6. **Condition 8.11.1:** The reference 391-3-1-.03(10)(d)1(i) is added to the condition as an authority statement, so it will be:

[391-3-1-.03(10)(d)1(i)]

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7. **Condition 8.11.3:** The word "Division" is replaced by the word "Director".

It had read:

“Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division 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.”

It now reads:

“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.”

8. **Condition 8.20.1:** This condition is changed to more closely reflect the standard language used for emission limits. Also, the sulfur limit for sources above 100 MMBtu/hour input heat capacity has been removed because units that large would always have potential emissions high enough to be required to be listed as sources in Table 3.1 of the Title V permit and would therefore not need to be addressed by the “GENERAL PROVISIONS” of the Title V permit.

It had read:

Except as may be specified in other provisions of this Permit, the Permittee shall not:
[391-3-1-.02(2)(g)]

- a. burn fuel containing more than 2.5 percent sulfur, by weight, in any fuel burning sources rated below 100 million BTU’s of heat input per hour;
- b. burn fuel containing more than 3 percent sulfur, by weight, in any fuel burning sources rated at or above 100 million BTU’s of heat input per hour.

It now reads:

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)]

9. **Condition 8.23:**

As per requirements of U.S. EPA, a new permit condition 8.23.1, which relates to credible evidence and information, is added in the “Part 8.0 General Provisions.”

It reads:

8.23 Use of Any Credible Evidence or Information

- 8.23.1 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)]