

Facility Name: **King Finishing**
 City: Dover
 County: Screven
 AIRS #: 04-13-251-00008

Application #: TV-9024
 Date Application Received: October 5, 1996 (Updated November 3, 2000)
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 Date of Draft Permit:
 Permit No: 2261-251-0008-V-01-0

Program	Review Engineers	Review Managers
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Introduction

This narrative is being provided to assist the reader in understanding the content of the attached operating permit. Complex issues and unusual items are explained herein simpler terms and/or greater detail than is sometimes possible in the actual permit. This permit is being issued pursuant to: (1) Georgia Air Quality Act, O.C.G.A § 12-9-1, et seq. and (2) Georgia Rules for Air Quality Control, Chapter 391-3-1. Section 391-3-1-.03(10) of the Georgia Rules for Air Quality Control incorporates requirements of Part 70 of Chapter I of Title 40 of the Code of Federal Regulations promulgated pursuant to the Federal Clean Air Act. The following narrative is designed to accompany the draft permit and is presented in the same general order as the permit. The purpose of this narrative is to provide information only. Any revisions made to the permit in response to comments received during the public participation and EPA review process will be described in an addendum to this narrative.

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

1. Facility Name

King Finishing

2. Parent/Holding Company Name

Spartan Mills

3. Previous and/or Other Name(s)

No other names have been identified.

4. Facility Location

Highway 17, Dover, Georgia

5. Attainment or Non-attainment Area Location

This facility is located in Screven County, is in an attainment area for all criteria pollutants.

6. Class I Area Impacts

This facility is not located within 100 Km of Class I area.

B. Site Determination

There are no other facilities which could 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
2211-124-10321	10/20/89, 5/10/91, 3/9/92, 4/13/93	✓	
2211-124-7543-0	10/9/80	✓	
2211-251-0008-P-01-0	4/1/98	✓	

Table 2: Comments on Specific Permits

Permit Number	Comments
2211-124-10321	<p>Operation of a fabric manufacturing and finishing facility including two boilers</p> <p>Waste Lubrication oil generated may be burned as an alternate fuel</p> <p>Construction and operation of printing operation. Zimmer rotary screen printer, Aztec tubular jet print dryer Change VOC emission to less than 40 tons per year at all times</p> <p>Construct another printing operation with the VOC emission of both dryers is less than 40 tons per year.</p>
2211-124-7543-0	To install and operate a new corduroy fabric dyeing and finishing line
2211-251-0008-P-01-0	Construction and operation of 181 MMBtu/hr boiler firing natural gas and No. 2 fuel oil. This replaces a 233 MMBtu/hr coal boiler. Installing three 30,000 gal storage tanks for No. 2 fuel oil storage.

D. Process Description

1. SIC Code(s)

Major - 2261

Other - 2262

2. Description of Product(s)

The final products are dyed or printed cotton and manmade fabrics.

3. Overall Facility Process Description

This plant is involved in the bleaching, dyeing, finishing and printing of cotton and manmade fabrics. There are four primary areas: preparation, dyeing, finishing, and printing. Based on the specific product required portions of each sub process can/will be used in numerous combinations to meet a customer specification.

This plant uses two boilers, B001 burns natural gas and no.6 fuel oil, B002 burns natural gas, and no. 2 fuel oil, with heat input capacities of 150 MMBtu/hr and 181 MMBtu/hr, to provide the plant with the needed steam to run the process departments.

4. Overall Process Flow Diagram (optional)

There is one attached to the application.

E. Regulatory Status

1. PSD/NSR

This facility is a major source under PSD because it does have potential emissions of PSD regulated pollutants greater than 100 tpy and it is one of the 28 named source categories under PSD (Fossil-Fuel boilers with a combined heat input capacity greater than 250 MMBtu/hr).

2. Title V Major Source Status by Pollutant

The following table defines the major source status of the facility:

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	✓	✓		
PM ₁₀	✓	✓		
SO ₂	✓	✓		
VOC	✓	✓		
NO _x	✓	✓		
CO	✓	✓		
TRS	✓			✓
H ₂ S	✓			✓
Individual HAP	✓	✓		
Total HAPs	✓	✓		

3. MACT Standards

The King Finishing plant is not subject to a proposed or final MACT standard. A MACT standard for Fabric, Printing, Coating and Dyeing is currently being developed and is scheduled for publication in April 2001. This standard will be applicable only for affected sources at facilities, which are major sources of HAP emissions.

4. Program Applicability

Program Code	Applicable (y/n)
Program Code 6 - PSD	No
Program Code 8 – Part 61 NESHAP	No
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:

There are no facility wide emission and/or operating caps that apply.

B. Applicable Rules and Regulations

Georgia Rule 391-3-1-.02(2)(a)1. applies to all permitted facilities that are capable of emitting air contaminants, and in general prohibits any source from emitting air pollutants in quantities that might cause a condition of air pollution which is injurious or which unreasonably interferes with the enjoyment of life or use of property in the State of Georgia (regardless of the source's compliance status with respect to all other air quality rules).

Georgia Rule 391-3-1-.02(2)(a)10. applies to all permitted facilities that are capable of emitting air contaminants, and in general requires that the source, including all air pollution control equipment, be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions.

C. Compliance Status

All information available to the Division as of this date indicates that the facility is currently being operated in compliance with all applicable facility wide requirements.

D. Operational Flexibility

Refer to Section VII.A of this narrative.

E. Permit Conditions

The Title V Permit contains Condition 8.17.2 which subjects the facility to the specific requirements of Georgia Rule 391-3-1-.02(2)(a)1.

The Title V Permit contains Condition 8.17.1 which subjects the facility to the specified requirements of Georgia Rule 391-3-1-.02(2)(a)10.

III. Regulated Equipment Requirements

A. Brief Process Description

There are four primary areas: preparation, dyeing, finishing, and printing. The purpose of preparation is to increase dimensional stability, to remove chemicals used in the weaving or fiber preparation, to improve dye affinity/uptake, and to improve strength of the fabric. There can be several steps involved including singeing, desizing, heat setting, mercerization, bleaching, and washing. The dyeing department is a continuous process and typically consists of dye application, dye fixation with chemicals or heat, washing, and drying. Finishing refers to any operations (other than preparation and coloring) that improve the appearance and/or usefulness of fabric after it has been woven or knitted. Finishing encompasses any of several mechanical and chemical processes performed on fiber, yarn, or fabric to improve its appearance, texture, or performance. The fabric then passes through the finish pad where the chemicals are applied, a pre-dryer and then another set of dry cans before entering the tenter house. The tenter house uses tension to stretch the fabric to the desired width. The finish desired and the placement in the overall process is dependant on the conditions given by the customer.

B. Equipment List for the Process

Emission Units		Specific Limitations/Requirements		Air Pollution Control Devices	
ID No.	Description	Applicable Requirements/Standards	Is the Rule or Regulation Federally Enforceable?	ID No.	Description
B001	Babcock & Wilcox Boiler rated at 150 MMBtu/hr	391-3-1-.02(2)(d) 391-3-1-.02(2)(g) 391-3-1-.02(2)(b)	Yes Yes	None	NA
B002	Babcock & Wilcox Boiler rated at 181 MMBtu/hr	391-3-1-.02(2)(d) 391-3-1-.02(2)(g) 40 CFR Part 60, subpart Db	Yes Yes Yes	None	NA
DNR1	Dye Narrow Range Application	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
DWR1	Dye Wide Range Application	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
FR40	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
FR51	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
FR58	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
FR59	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
PHS1	Heat Setting	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
POW1	Preparation Open Width Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e)	Yes Yes	None	NA
PRR1	Rope Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
PYP1	Yarn Preparation	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
P001	Zimmer Printer & Aztec Tubular Jet Print Dryer	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
P002	MBK Printer & Aztec Tubular Jet Print Dryer	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	Yes Yes Yes	None	NA
T003	Distillate Fuel Oil Storage Tanks	40 CFR 60 Subpart Kb	Yes	None	NA
T004	Distillate Fuel Oil Storage Tanks	40 CFR 60 Subpart Kb	Yes	None	NA
T005	Distillate Fuel Oil Storage Tanks	40 CFR 60 Subpart Kb	Yes	None	NA

C. Equipment & Rule Applicability

B001 - Babcock & Wilcox Boiler

This boiler is rated at 150 MMBtu/hr and is permitted to burn natural gas and #6 fuel oil backup. It was constructed before January 1, 1972; and therefore the allowable PM emission rate from the boiler is specified by Georgia Rule 391-3-1-.02(2)(d)1., which is stated as follows:

$$P = 0.7 \left(\frac{10}{R} \right)^{2.02}$$

Where P equals the allowable PM emission rate in pounds per million Btu and R is defined as the heat input in million Btu per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from the boiler to forty (40) percent, and this rule applies because each boiler is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 3%, by weight. They are subject because they meet the definition of fuel burning equipment in the Georgia Rules.

B002 – Babcock & Wilcox Boiler

This boiler is rated at 181 MMBtu/hr and is permitted to burn natural gas and #2 fuel oil backup. It was constructed after January 1, 1972; and therefore the allowable PM emission rate from the boiler is specified by Georgia Rule 391-3-1-.02(2)(d)2., which is stated as follows:

$$P = 0.5 \left(\frac{10}{R} \right)^{0.5}$$

Where P equals the allowable PM emission rate in pounds per million Btu and R is defined as the heat input in million Btu per hour.

Also, since this unit was constructed after January 1, 1972, the opacity limit for this boiler is expressed by Georgia Rule 391-3-1-.02(2)(d)3. instead of Georgia Rule 391-3-1-.02(2)(b). The Georgia Rule (d) opacity limit is 20 percent, except for one six-minute average, which can be up to 27 percent.

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 3%, by weight. They are subject because they meet the definition of fuel burning equipment in the Georgia Rules.

Boiler B002 is subject to New Source Performance Standard (NSPS) 40 CFR 60 Subpart Db – “Standards of Performance for Industrial-Commercial-Institutional Steam Generating

Units” because it was constructed after June 19, 1984 and has a heat input capacity greater than 100 million Btu/hr. When B002 is firing fuel oil or natural gas, the NO_x limit in Subpart Db is 0.20 lb/MMBtu. When B002 is firing fuel oil the unit is subject to 40 CFR 60.42b(j) and 40 CFR 60.43b (f), which requires King Finishing to combust fuel with a very low sulfur oil content (0.5%) or natural gas and shall not exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

DNR1, DWR1 - Dye Narrow, Wide Range Application

Dye Ranges DNR1, and DWR2 are used to dye either narrow or wide fabrics by passing them through a dye pad which transfers the color onto the fabric and squeezes off any excess liquid. The dyeing department is a continuous process typically consists of dye application, dye fixation with chemicals or heat, washing, and drying in which the all of the different process parts comprise one Georgia Rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because each process is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because they burn fuel (natural gas).

FR40, FR51, FR58, FR59- Aztec Finishing Ranges

Finishing Ranges FR40, FR51, FR58, and FR59 are all identical in nature other than two machines process narrow fabric and two machines process wide fabric. A continuous run of fabric in a finishing range begins by passing through a series of dry cans which pre heat the fabric to allow for a more optimal absorption of the finishing chemicals. The fabric then passes through the finish pad where the chemicals are applied, a pre-dryer and then another set of dry cans before entering the tenter house. The tenter house uses tension to stretch the fabric to the desired width. The finish desired and the placement in the overall process is dependant on the conditions given by the customer. All of the above comprise one Georgia Rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because each process is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because they burn fuel (natural gas).

PHS1 - Heat Setting

Heat setting involves applying high temperatures (350-400°F) to confer dimensional stability to the synthetic fabrics, or blends and is considered one Georgia rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because each process is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because they burn fuel (natural gas).

POW1 - Preparation Open Width Range

Open Width Range POW1 is used to bleach narrow cloth. All cloth that is brought into the plant is initially bleached to ensure consistency among their products. The process consists of multiple parts, which are considered one Georgia rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because each process is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

PRR1 - Rope Range

Rope Range PRR1 is used to bleach wide fabrics. The process consists of multiple parts, which are considered one Georgia rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because each process is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because each burn fuel (natural gas).

PYP1 - Yarn Preparation

Yarn Preparation Dye Range PYP1 is now used for desizing or washing of fabrics and is considered one Georgia rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because it is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because each process burns fuel (natural gas).

P001 - Zimmer Printer, P002- MBK Printer & Aztec Tubular Jet Print Dryer

The Zimmer and MBK Printers, P001 and P002, used are a Rotary Screen Printer, which has a Tubular Jet Print Dryer following it. Similar to dyeing, the actual printing and drying of the fabric is considered to be one Georgia rule 391-3-1-.02(2)(e) process. The allowable PM emission rate from the Process Group is expressed by Georgia Rule 391-3-1-.02(2)(e)1. which is stated as the following:

For process input weight rates up to 30 tons per hour:
 $E=4.1P^{0.67}$

For process input weight rates above 30 tons per hour:
 $E=55P^{0.11} - 40$

Where E equals the allowable PM emission rate in pounds per hour and P equals the maximum process input weight rate in tons per hour.

Georgia Rule 391-3-1-.02(2)(b) limits opacity from this process to forty (40) percent, and this rule applies because each process is subject to an emission limitation under Georgia Rule 391-3-1-.02(2).

Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because each process burns fuel (natural gas).

King Finishing has agreed not discharge or cause the discharge into the atmosphere from sources P001 and P002 volatile organic compound (VOC) emissions of 40 tons or greater during any twelve consecutive months for the purpose of PSD avoidance.

T004, T005, and T006 – Distillate Fuel Oil Storage Tanks

These three 30,000-gallon No. 2 fuel oil tanks are subject to NSPS, Subpart KB – “Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification commenced after July 23, 1984.” However, the tanks are only subject to the requirements of 40 CFR 60.116b(a) and 40 CFR 60.116b(b); according to which the facility will have to maintain a record of the dimensions of the storage tanks and an analysis showing the capacity of the tanks, for the life of the source.

D. Compliance Status

All information available to the Division as of this date indicates that the facility is currently being operated in compliance with all other applicable requirements.

E. Operational Flexibility

Refer to Section VII.A of this narrative.

F. Permit Conditions

There are no unusual permit conditions that need further explanation in this section.

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

A. General Testing Requirements

This facility is not currently required to perform any emissions testing. However, a condition specifying that the Division can require emissions testing on any emissions unit is included. The test methods to be used to determine compliance with the limitations in Part 3 are listed and a general condition requiring notification of any test and submission of a test plan are also provided.

B. Specific Testing Requirements and Compliance Procedures:

Boiler B002 is subject to the emissions testing requirement contained in 40 CFR 60 Subpart Db for determining compliance with the applicable Nitrogen Oxides (NO_x) emission limitation and this requirement has been included in the Title V permit. Specifically, the Permittee must when requested by the Division, conduct a 30-day emissions test to determine compliance with the NO_x limitation using the Continuous Monitoring System required to be installed by Condition 5.2.1.

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

Condition 5.1.1 requires that all monitors be operated continuously except during breakdowns and repairs. Any repairs or maintenance should be completed in an expeditious manner so downtime is minimized. All data should be recorded during any calibration activity to help verify that the calibration was performed and completed properly.

B. Specific Monitoring Requirements

Boiler B002 is subject to Rules 391-3-1-.02(2)(d)2 for PM emissions and 391-3-1-.02(2)(d)3 and 40 CFR 60.43b(f) for visible emissions. Subpart Db requires that a Continuous Opacity Monitoring System (COMS) be installed on Boiler B002 while burning fuel oil. The COMS has previously been installed on the boiler and tested according to Performance Specification 1. A determination was made that the COMS could be used to ensure compliance with the PM standard and no additional monitoring will be required for PM. Proper operation of control equipment is necessary to ensure compliance with the particulate matter standard. The US Environmental Protection Agency, in developing New Source Performance Standards for fossil-fuel fired steam generators, established opacity as a surrogate for particulate matter and stipulate a 6-minute average opacity of 20 percent as appropriate for assuring good and proper operation of control equipment. Therefore, reliance on the COMS is considered adequate to ensure compliance with the particulate matter and opacity standards for the Db boiler.

Similarly, Subpart Db also requires a Continuous Monitoring System (CMS) for the monitoring of NO_x emissions (and diluent) for Boiler B002. Subpart Db does allow the use of a CMS to for the prediction of nitrogen oxides emissions with the approval of the Division. An approved CMS for predicting nitrogen oxide emissions is presently in operation on the Boiler and has met the appropriate performance criteria. The monitoring systems satisfy the monitoring requirements of Subpart Db and are, as of this time, the most stringent form of monitoring. Therefore, no additional monitoring will be required. Monitor downtime and exceedances from the standard are presently reported quarterly.

When Boiler B001 is fired with residual fuel oil, daily readings of visible emissions (opacity) are required to ensure compliance with Rule (d) particulate matter (PM) limitations. The boiler was constructed prior to January 1, 1972 and as such is subject to a forty (40) percent opacity standard under Rule (b). When the boiler is firing residual oil, the opacity action level shall be any occurrence of visible emissions that is equal to or greater than 30 percent. Occurrences of opacity greater than the trigger level are designated as excursions and are required to be reported.

The Dye Narrow (DNR1) and Wide Range (DWR1), Aztec Finishing Ranges (FR40, FR51, FR58, FR59), Heat Setting (PHS1), Preparation Open Width Range (POW1), Rope Range (PRR1), Yarn Preparation (PYP1), and the Zimmer Printer and MBK Printer (P001, P002) are all subject to rules (e) and (b) for particulate matter and visible emissions. Due to the materials and process operations utilized by these sources, inconsequential levels of

Particulate Matter are created. Compliance with allowable PM and Opacity limitations can be reasonably assured without requiring monitoring. Georgia Rule 391-3-1-.02(2)(g)2 limits the sulfur content of the fuel to 2.5%, by weight. They are subject because they burn fuel. Due to the low level of sulfur present in natural gas, compliance with Rule (g) can be reasonably assured without requiring monitoring.

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.

VI. Other Record Keeping and Reporting Requirements

A. General Record Keeping and Reporting Requirements

Quarterly 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.

Records, as required by Subpart Db, including exceedances from the NO_x standards are required to be kept by the Permittee and the reporting is required on a quarterly basis.

B. Specific Record Keeping and Reporting Requirements

King Finishing will maintain, for the distillate fuel oil storage tanks (source codes T003, T004, and T005), a record on the dimensions of the tanks and an analysis showing the capacity of the tanks to be maintained for the life of the source. This is in accordance with 40 CFR 60.116b(b).

In accordance with 40 CFR 60.49b(g) boiler B002, King Finishing will maintain records including the following information: Calander date, the average hourly nitrogen oxides emission rates measured or predicated, the 30-day average nitrogen oxides emissions rates calculated at the end of each operating day from measure or predicted hourly nitrogen oxide emission rates for the preceding 30 operating days, Identification of the operating days for which pollutant data have not been obtained including reasons and corrective actions taken, identification of the times when emission data have been excluded from the calculation of average emission rates and reasons.

All fuel-burning sources are subject to Georgia Rule (g) for sulfur dioxide emissions. Boiler B002 burns natural gas and No. 2 fuel oil. B002 is also subject to 40 CFR 60.42b(j) for No. 2 fuel oil (0.5% sulfur content). Boiler B001 burns natural gas or No. 6 fuel oil. Since natural gas is a processed fuel (cleaned), which has a negligible amount of sulfur, monitoring is not required while either boiler is firing natural gas. The permit limits the fuel oil fired in Boiler B002 to No. 1 or No. 2 fuel oil, which is limited to a sulfur content of 0.5 percent by weight. This limitation will be monitored by fuel supplier certifications, which the Permittee

is required to obtain from the fuel oil supplier. Therefore, no additional monitoring is required for Boiler B002 burning fuel oil. The permit also limits Boiler B001 to 3.0% sulfur by weight (rule (g)). Monitoring for this limit is also achieved through fuel supplier certifications. Certifications are required to be submitted quarterly.

The printers (P001 and P002) are subject to a 40 tons per year VOC PSD avoidance limit. King Finishing will maintain monthly usage records of all materials containing volatile organic compounds used in the Zimmer Printer and MBK Printer, P001 and P002. These records shall include the total weight of each material used, the volatile organic compound content of each material (expressed as a weight percentage), and the weight of any material disposed as waste. All calculations used to figure usages should be kept as part of the monthly record. These usage records shall be kept available for inspection or submittal for two years from the date of record.

King Finishing will also use the monthly usage records to calculate total monthly volatile organic compound emissions and will notify the Division in writing if the volatile organic compound emissions exceed 3.33 tons during any calendar month. This notification shall be postmarked by the fifteenth day of the following month and shall include an explanation of how King Finishing intends to maintain compliance the emission limit.

VII. Specific Requirements

A. Operational Flexibility

Not Applicable.

B. Alternative Requirements

King Finishing did not request any alternative requirements.

C. Insignificant Activities

A list of insignificant activities is attached at the end of the Title V permit. These insignificant emission units may also be seen in Sections 4.10 and 4.50 of the Title V permit application.

D. Temporary Sources

This section is not applicable to this facility. 40 CFR 70.6(e) requires Georgia EPD to provide for the permitting of certain types of temporary sources. This facility currently has no such sources and is unlikely to have such sources in the future. However, they may add temporary sources provided that the facility follows any necessary regulatory procedures for the operation of such sources. This may include amending the Title V permit, if necessary.

E. Short-Term Activities

None Applicable.

F. Compliance Schedule/Progress Reports

The facility is in compliance with all Air Quality Regulations. Therefore, no compliance schedule or progress reports are necessary.

G. Emissions Trading

The facility is not involved in any emissions trading programs.

H. Acid Rain Requirements

This facility is not subject to any requirements of Title IV of the Clean Air Act.

I. Prevention of Accidental Releases

An Accidental Release Prevention Program is necessary for Propane.

J. Stratospheric Ozone Protection Requirements

Not Applicable.

K. Pollution Prevention

There are no pollution prevention provisions incorporated into this Title V permit.

L. Specific Conditions

None 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

EPD issued draft Title V Permit 2261-251-0008-V-01-0 for King Finishing in Dover, Georgia on March 30, 2001. The public notice for this permit was published in The Sylvania Telephone Newspaper on April 26, 2001. The public comment period expired May 29, 2001. Comments were received from King Finishing and the Georgia Center for Law in the Public Interest on May 31, 2001 and May 28, 2001 respectively; however, no comments were received from EPA. The comments are summarized below followed by a discussion of the comment and any changes made to the permit as a result.

Below are EPD's responses to questions and issues raised by King Finishing.

1. Condition 1.3

The sentence that reads, "Some basic print patterns can be produced from the dye machines using a dye pad application." is incorrect and should be deleted.

Response: EPD has updated the permit in reference to these comments.

2. Condition 1.3

The sentence that reads, "A continuous run of fabric in a finishing range begins by passing through a series of dry cans which pre heat the fabric to allow for a more optimal absorption of the finishing chemicals." Is incorrect and should be changed or deleted.

Response: EPD has updated the permit in reference to these comments.

3. Condition 3.1

Emissions Unit P002; change "Zimmer" to "MBK". Make the same change throughout the document.

Response: EPD has updated the permit in reference to these comments.

4. Condition 3.4.2

On the third line, delete the word "Pad" from between Range and DNR1. On fourth line, change "F49" to "F40". On last line, refer to P002 as "MBK" Printer. Open Width Range, POW1, is not listed in this paragraph; is this an oversight, or is it excluded?

Response: EPD has updated the permit in reference to these comments. The Open Width Range was omitted by an oversight and has been added to Condition 3.4.2.

5. Condition 3.4.4

Make same changes as in para. 3.4.2

Response: EPD has updated the permit in reference to these comments. The Open Width Range was omitted by an oversight and has been added to Condition 3.4.4.

6. Condition 3.4.6

Delete the word “Pad” from between the words Range and DNR1.

Response: EPD has updated the permit in reference to these comments.

7. Conditions 3.4.6 through 3.4.12

What is the basis for the rate of 30 tons/hr?

Response: This comes directly from Georgia Rule391-3-1-.02(2)(e).

8. Condition 3.4.12

Refer to P002 as “MBK” Printer

Response: EPD has updated the permit in reference to these comments.

9. Condition 4.2.1

On second line, change condition “3.3.3 (b)” to “3.3.3 (a)”

Response: EPD has updated the permit in reference to these comments.

10. Condition 5.1.1

The sentence “Data shall be recorded during calibration checks and span adjustments.” requires explanation or clarification.

Response: If the facility were doing any calibrations or span adjustments on any monitoring systems that are required by the permit such as required by 5.2.1 then the facility needs to record data during that time.

11. Conditions 6.1.3 & 6.1.4

The contents of the semi-annual reports required by 6.1.3 appear to be the same as the contents of the quarterly reports required by 6.1.4. The content and necessity for these two reports needs to be clarified; otherwise, it appears that the two reports are a duplication of effort. Which emission units listed in 3.1 do these paragraphs apply to? Paragraph 6.1.7 seems to imply that only boiler B002, and the print ranges P001 and P002 requires quarterly reports.

Response: Concerning 6.1.3, this condition is for reporting a failure to meet an emission limitation or standard contained in this permit and/or any failure to complete a work practice standard that are required by the permit that is not otherwise described in Conditions 6.1.2 and 6.1.7.

Concerning 6.1.4, this condition describes the content of the report for the excess emissions, exceedances or excursions that are defined in Condition 6.1.7. Under 6.1.4 the facility would only report excess emissions, exceedances or excursions to Boiler B001, Boiler B002 (inadvertently omitted from 6.1.7 in draft permit), Printers P001 and P001.

12. Condition 6.1.7b.ii.

Refer to P002 as “MBK” Printer

Response: EPD has updated the permit in reference to these comments.

13. Condition 6.2.2

This requirement is currently in affect for boiler B002. Clarification is needed to specifically state which emission units this paragraph applies to.

Response: Boiler B002 is the only equipment that is subject to Condition 6.2.2. The source code was omitted by an oversight and Condition 6.2.2 has been updated.

14. Condition 6.2.3

Reference to 3.4.6 for fuel sulfur limits is an error, and should be removed.

Response: EPD has updated the permit in reference to these comments.

15. Condition 6.2.5

Refer to P002 as “MBK” Printer

Response: EPD has updated the permit in reference to these comments.

16. Condition 6.2.6

Refer to P002 as “MBK” Printer

Response: EPD has updated the permit in reference to these comments.

17. Condition 6.2.7

Refer to P002 as “MBK” Printer

Response: EPD has updated the permit in reference to these comments.

18. Conditions 3.4.2, 8.18.1, & 8.19.3

Paragraphs 3.4.2 & 8.18.1 agree concerning the stated opacity limit of 40%: however, paragraph 8.19.3 states that the opacity for fuel burning equipment constructed or modified after January 1, 1972 is 20%. The following emission units use fuel-burning equipment that was constructed or modified after 1 January, 1972: 1) Boiler B002 2) Finishing Ranges, FR40, FR51, FR58, & FR59 3) Heat Set Range, PHS1 4) Rope Range, PRR1 5) Yarn Preparation Range, PYP1 6) Preparation Open Width Range, POW1 7) Zimmer Printer, P001, and 8) MBK Printer, P002. Clarification of the opacity limits for each emission unit is needed.

Response: Fuel burning equipment built after 1972 is subject to the 20% opacity limit in Georgia Rule 391-3-1-.02(2)(d)3. "Fuel-burning Equipment" means equipment the primary purpose of which is the production of thermal energy from the combustion of any fuel. Such equipment is generally that used for, but not limited to, heating water, generating or super heating steam, heating air as in warm air furnaces, furnishing process heat indirectly, through transfer by fluids or transmissions through process vessel walls. By this definition, Boiler B002 is subject to the 20% opacity limit by this definition, all other process equipment are subject to the 40% opacity limit under Georgia Rule 391-3-1-.02(2)(b)1.

Below are EPD's responses to questions and issues raised by Georgia Center for Law in the Public Interest.

General Comments

1. EPD'S PUBLIC NOTICE PROCEDURES ARE NOT ADEQUATE

The Environmental Protection Division (EPD) did not undertake the required public participation activities for this draft permit. Therefore, EPD may not issue the final permit. 40 CFR § 70.7(a)(1)(ii). Rather, EPD must re-notice the draft permit for a new public comment period that follows, at a minimum, the public participation processes specified in the law.

Response: For this draft Title V permit, EPD carried out its standard procedure for public participation that it has used for draft Title V permits for the past few years. EPD has reviewed its Title V public participation process and has determined that it conforms to the Part 70 requirements, except as may be noted below. However, EPD is currently considering incorporating some of the changes suggested by the commenter in order to improve the public participation process.

For example, 40 CFR § 70.7(h)(1) requires that EPD give notice of this draft permit by mailing such notice to a mailing list that includes people that have requested to be on that mailing list. EPD did not mail notice to people on the mailing list. In fact, EPD has not yet created such a mailing list.

Response: The commenter is correct and the Division has created this mailing list. It went into effect in June 2001.

Furthermore, the Implementation Agreement between EPD and US EPA Region 4 for the Title V Operating Permit Program (IA) provides that EPD will put the end date for EPA's review period in addition to the end date for the public comment period in the public notice. IA at 16. The end date for the public comment period placed on the web is inaccurate. EPD states on its web page that the public comment period ends on May 26, 2001. However, May 26, 2001 is a Saturday. The following Monday, May 28, 2001, is Memorial Day. Under Georgia law, if the end date of a public comment period is a weekend or holiday, the public comment period is extended to the next working day. O.C.G.A. § 1-3-1(d)(3). Therefore, EPD should have listed the end of the public comment period as May 29, 2001. Similarly, the end date for the public notice in the newspaper because it is actually 33 days and not 30 days after the notice appears in the newspaper.

Response: The Division disagrees with the commenter regarding the necessity of dating the public notice announcements. Official public notices for draft Title V operating permits are published in the legal organ of the county in which the Title V source is located and on the Division's web page. The notice that is published in the legal organ is dated, since each edition of a newspaper is dated and carries the date of publication on each and every page. The public notice clearly states that comments must be received by the EPD no later than 30 days after the date on which this notice is published in the newspaper. Since the newspaper itself is dated, the reader can clearly deduce the comment period deadline. The Public Notice that is published on the Division's web site is an exact copy of the one published in the legal organ. Although this version of the Public Notice is not dated in the manner that the print version is dated, the web site does clearly indicate the deadline by which all comments from the public must be submitted to the Division. The Division takes care to ensure that the posting of a public notice on the web site coincides with or precedes the publication of the printed notice in the legal organ. Concerning the language in the IA, it must be pointed out that the IA is intended to facilitate EPA review; EPA uses our website so EPD

considers that requirement to be met. Finally, it must also be pointed out that EPD has always put the end date on our web site.

As to the end date of EPA's review period, it is not sufficient for EPD to put this date in the public notice as 45 days after the public comment period begins. The reality is that the end date for EPA's review period changes. As such, by stating that the review period ends "45 days" after the public comment period commences, EPD could potentially provide inaccurate information. Failing to provide accurate information regarding EPA's review of the proposed permit greatly inhibits the ability of the public to participate in the permitting process because the end date of EPA's review period is the first day of the public's 60-day period to petition EPA to object to the permit. It is important that the public know when this time period begins and whether EPA has already objected to the permit in order for them to be able to determine whether to file a petition to EPA. To remedy this dilemma and provide accurate information, we recommend that EPD add two more entries on its web page. First, EPD should provide a timely entry indicating whether or not EPA has objected to the permit with the following possible answers: yes, no and has not decided. Second, EPD should create an entry indicating the precise date that EPA's review period ends. While EPD can initially calculate this date as 45 days after the date the public comment period begins, in order to comply with the IA and 40 CFR § 70.7(h), EPD must continue to update this information on day 46 and thereafter depending on whether EPA's review period has truly expired.

Response: The Division maintains that its policy and procedures reflect the Clean Air Act requirements. Further, the Division does not believe that the possible benefits derived from putting these dates on the web page justify the added web maintenance burden, which would require updating the dates in a timely manner. However, in order to satisfy the concerns of the commenter, the Division has initiated a practice of notifying members of the public who comment on the draft permit, as to whether or not EPD intends to re-propose, as soon as possible after the end of the 30 day public comment period. Those individuals are then notified when the permit is re-proposed to EPA which starts EPA's 45 day comment period. The Georgia Center for Law in the Public Interest was notified as such for this permit.

The commenter implies that the date of the end of the EPA comment period is ill defined. That is not the case, as indicated below.

1. For a draft Title V permit for which there have been no comments received, and when the Division does not need to modify the permit and so does not need to re-propose the permit, the public petitioning deadline is 135 days from the date of publication of the public notice. That is the 30-day public notice period plus the 45-day EPA review plus the 60-day petition period. The period is 135 days even if the permit undergoes parallel review by EPA.

2. If a draft Title V permit must be modified after the draft is issued, that Title V permit must be re-proposed to EPA. At that point, EPA's 45 day review period is started. This is done nearly every time the Division receives comments from the company or the public. Shortly after the end of the comment period of each draft permit, the Division determines whether the permit must be modified, in response to comments, and thus will be re-proposed to EPA. The Division has initiated a process to inform any member of the public who comments on a permit, shortly after the end of the comment period, whether the Division is likely to re-propose the permit. Upon re-proposal, the public petition deadline will occur 105 days afterwards, which includes 45 days for the second EPA review plus 60 days. The commenter is then notified of the date that the permit is re-proposed, thus allowing that individual to determine precisely when

the petition deadline occurs. As indicated above, the Georgia Center for Law in the Public Interest was notified as described above for this permit.

In addition, 40 CFR § 70.7(h)(2) states that the public notice will explain where the public can review all relevant supporting documents. EPD's public notice states that all relevant information is available at the Air Protection Branch in Suite 120. This may not be accurate. For example, relevant information may be located in an EPD regional office. In addition, information relevant to accidental releases under Clean Air Act § 112(r) may be located at other agencies. EPD has recently stated an intent to provide the public with a list of where all of the information is available. However, we are unaware that such information has been made available.

Response: All information used in the development of the draft Title V permit is located at the Air Protection Branch as indicated in the public notice.

Finally, the public notice also contains inaccurate information. For example, the notice states "[t]his permit will be enforceable by the Georgia EPD and the U.S. Environmental Protection Agency." This statement is incomplete. The permit will also be enforceable by any "person." 42 U.S.C. § 7604(a). The Clean Air Act defines "person" to include an individual, corporation, partnership, association, State, municipality, and a political subdivision of a state. 42 U.S.C. § 7602(e).

Response: The commenter correctly noted that the permit, when issued, will be enforceable by the public. The Division believes that the current, standardized public notice is correct as published and fulfills all the requirements for such notices as set forth by the Act and the U.S. EPA. However, the Division will examine the wording of the public notice in light of this comment to determine if any changes or possible improvements are warranted in order to properly encourage the participation of all persons.

While this oversight may appear insignificant, correcting this misstatement is important for at least two reasons. To begin with, it is inherently important for the government to always provide the public with accurate information regarding implementation of air pollution laws. In addition, EPD has recognized that public involvement in the Operating Permit program has been limited. The onus is on the state agency to involve people in this regulatory process. 40 C.F.R. § 70.7(h). It is only with full and meaningful public participation that we can hope to have clean air here in Georgia. See generally Ashley Schannauer, Science and Policy in Risk Assessment: The Need for Effective Public Participation, 24 Vermont Law Review 31 (1999). In order to involve the public in the Operating Permit program, an important first step is to convince the public that this program is a legitimate means by which the public can participate to achieve the goal of attaining clean air. If the public is aware of their right to enforce a permit, they are more likely to put effort into ensuring that the permit is adequately protective of the environment.

Furthermore, the public notice states that "[a]fter the comment period has expired, the EPD will consider all comments, make any necessary changes and issue the Title V operating permit." This statement is inaccurate. Specifically, the statement suggests that, while changes may be made, in the end, the permit *will* be issued. However, under certain circumstances, EPD is required to refuse to issue a Title V permit. 40 CFR § 70.7(a). As such, the aforementioned statement could be interpreted as an indication of EPD's predisposition to issue Title V permits regardless of whether the permit complies with the law. See American Wildlands v. Forest Service, CV 97-160-M-DWM (D.Mont. Apr. 16, 1999)(Denying government deference because of evidence of predisposition

towards a predetermined outcome). Therefore, we suggest that EPD include an additional statement that it will make a determination of whether to issue the permit.

Response: EPD has determined that the language in the public notice meets the Public Notification requirements of 40 CFR 70.7(h)(2). EPD has not received any information to indicate that a Part 70 operating permit should be denied for this facility.

2. THE PERMIT IMPERMISSIBLY LIMITS ENFORCMENT TO “CITIZENS OF THE UNITED STATES.”

Section 8.2.1. of the draft permit claims to limit enforcement to citizens of the United States. However, the Clean Air Act states that any person can take an enforcement action. 42 U.S.C. § 7604(a). Therefore, the permit must be changed to state that any person can enforce this permit. Furthermore, the permit is misleading by including mention of the public’s right to sue under a section entitled “EPA Authority.” We recommend that EPD create a separate section which discusses the public’s right to sue under a heading such as “Public’s Enforcement Authority.”

Sierra Club has raised this issue in prior comments on other Title V proposed permits. Nevertheless, no changes have been made to the permit template. This may be an indication that EPD needs to establish or improve a system to capture and implement lessons learned.

Response: The language of Condition 8.2.1 was derived from 40 CFR ' 70.6(b)(1), which states that Part 70 permits are enforceable by the Administrator and citizens under the Act. Neither the public notice nor the language in Condition 8.2.1 of the permit affects the fact that any person, as authorized by the Act, can enforce the permit. Thus the statement in Condition 8.2.1, indicating that citizens can enforce the permit, is not an incorrect statement, nor is the statement in the public notice incorrect. The permit has therefore not been modified in response to this comment.

3. THE PERMIT MUST REQUIRE THE PERMITTEE TO SUBMIT ALL MONITORING INFORMATION TO EPD

40 CFR § 70.6(a)(3)(iii)(A) and 42 U.S.C. § 7661(c)(a) require that permits issued by state agencies include a requirement for submittal of reports of any required monitoring at least every 6 months. The permit does not contain any such requirement.

EPD may claim that condition 5.3.1 of the permit satisfies the requirements of § 70.6(a)(3)(iii)(A). However, condition 5.3.1 requires reporting of excess emissions, exceedances and/or excursions. The reporting of these deviations is required by § 70.6(a)(iii)(B). However, § 70.6(a)(iii)(A) requires reporting of all monitoring. It is a cardinal rule of statutory and regulatory interpretation that a regulation should be interpreted in such a manner as to not render any provision of the regulation meaningless. However, EPD’s claim that reporting of deviations constitutes reporting of any required monitoring renders § 70.6(a)(iii)(A) meaningless as it would be redundant to § 70.6(a)(iii)(B).

It is true that Condition 6.1.4.b does require bi-annual reporting of total process operating time during each reporting period. While this certainly is a small step towards compliance with § 70.6(a)(iii)(A), that subsection requires reporting of *all* monitoring. Total processing time is just one monitoring requirement. However, Condition 5.3.2.b requires daily recording of the average hourly

nitrogen oxides emission rates for Boiler B002. This is exactly the type of monitoring that § 70.6(a)(iii)(A) requires to be reported at least bi-annually and that King Finishing's permit does not require. Therefore EPD should change the draft permit to include a requirement for bi-annual reporting of all monitoring data.

Response: The section of the United States Code cited by the commenter requires that the Permittee submit, no less than every six months, the results of any required monitoring. 40 CFR 40 ' 70.6(a)(3)(iii) and Georgia Rule 391-3-1-.03(10)(d)1.(i), which incorporates the federal requirements by reference, require the submittal, at least every six months, of reports of any required monitoring. These citations do not require the submittal of copies of all monitoring data recorded by the Permittee; rather, they require submittal of reports on the results of this monitoring. Condition 5.3.1 of the permit, for which these comments were submitted, requires such reports to be submitted semi-annually, by July 30 and January 30, for the preceding calendar semi-annual periods of each year. The permit has therefore not been modified in response to this comment.

4. THE PERMIT CANNOT LIMIT CREDIBLE EVIDENCE FROM BEING USED IN AN ENFORCEMENT ACTION

As emphasized by the United States Environmental Protection Agency's (EPA) Credible Evidence Rule, 62 FR 8314 (Feb. 24, 1997), the Clean Air Act (CAA) allows the public, EPD, EPA, and the regulated facility to rely upon any credible evidence to demonstrate violations of or compliance with the terms and conditions of a Title V operating permit. Specifically, EPA revised 40 CFR § 51.212, 51.12. 52.30, 60.11 and 61.12 to "make clear that enforcement authorities can prosecute actions based exclusively on any credible evidence, without the need to rely on any data from a particular reference test." 62 FR at 8316. EPD must ensure that no permit purports to limit the use of credible evidence. Moreover, the permit should include standard language stating that all credible evidence may be used.

A. EPD Must Remove Language that Purports to Limit Credible Evidence

EPD must ensure that its Title V permits contain no language that could be interpreted to limit credible evidence. For example, condition 4.1.3. in King Finishing's permit states that "[t]he methods for the determination of compliance with emissions limits listed under Sections 3.2, 3.3, 3.4 and 3.5 which pertain to the emission units listed in Section 3.1 are as follows:" One could read this provision to stand for the proposition that when a government agency or member of the public takes an enforcement action for a permittee violating its permit, the enforcer can only rely on information from the methods of determination listed in the permit. This position is directly contrary to the Clean Air Act requirements in CAA §§ 113(a), 113(e)(1) and 40 CFR § 51.212, 51.12. 52.30, 60.11 and 61.12 which allow anyone taking an enforcement action to rely on any credible evidence. Therefore, the aforementioned sentence in Section 4.1.3 should be stricken.

Another example of the permit's attempt to limit credible evidence is found in the second sentence of condition 8.17.1. This condition claims to limit usable evidence to information that is available to EPD. Of course, the public or EPA may obtain information about a facility from sources other EPD such as information from a "whistleblower" or from people that live near the facility. As such, it is inappropriate to limit credible evidence to exclude such information. Therefore, the aforementioned

provision must be removed from the permit. Of course, the preferred option is to simply remove the sentence. A less desirable option is to re-write it to state that “EPD may determine . . .”

Similarly, Condition 6.1.3 of the permit, which states that “failures shall be determined through observation, data from any monitoring protocol, or by any other monitoring which is required by the permit,” could be considered to limit the use of credible evidence. To correct the problem, this Condition should include an additional clause requiring reporting of any failure based on any credible evidence, as well as observation, data from monitoring protocols and other monitoring required by the permit.

B. EPD Should Include Standard Language in the Permit that Explicitly States that Anyone Can Use Any Credible Evidence

The permit does not affirmatively state that any credible evidence may be used in an enforcement action. EPA supports the inclusion of credible evidence language in all Title V permits. As explained by the Acting Chief of US EPA’s Air Programs branch:

It is the United States Environmental Protections Agency’s position that the general language addressing the use of credible evidence is necessary to make it clear that despite any other language contained in the permit, credible evidence can be used to show compliance or noncompliance with applicable requirements. . . . [A] regulated entity could construe the language to mean that the methods for demonstrating compliance specified in the permit are the only methods admissible to demonstrate violation of the permit terms. It is important that Title V permits not lend themselves to this improper construction.

Letter from Cheryl L. Newton, Acting Chief, Air Programs Branch, EPA, to Robert F. Hodanbosi, Chief, Division of Air Pollution Control, Ohio Environmental Protection Agency, dated October 30, 1998. In fact, EPA apparently sent a letter in May 1998 specifically directing EPD to amend its SIP to include language clarifying that any credible evidence may be used. Nevertheless, while three years have elapsed since EPA’s request, the permit does not contain the necessary language.

While anyone may rely on *all* credible evidence regardless of whether this condition appears in the permit, EPD should include credible evidence language in the permits and permit template to make the point clear. Specifically, EPA has recommended that the following language be included in all Title V permits:

Notwithstanding the conditions of this permit that state specific methods that may be used to assess compliance or noncompliance with applicable requirements, other credible evidence may be used to demonstrate compliance or noncompliance.

Letter from Stephen Rothblatt, Acting Director, Air and Radiation Division, US EPA, to Paul Deubenetzky, Indiana Department of Environmental Management, dated July 28, 1998. We request that EPD include this provision in the permit to clarify the availability of any credible evidence to demonstrate noncompliance with permit requirements.

Response: The Division believes that adequate provisions for consideration of credible evidence have been included in Condition 8.17.1, which states, in part, that A determination of whether acceptable operating and maintenance procedures are being used will be based on any information available to the Division which 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.@

Furthermore, the prescribed performance test methods and procedures, which are incorporated in the Georgia Rules for Air Quality Control, contain clear provisions that, by prescribing such procedures, nothing would preclude the additional use of other credible evidence, either for compliance certifications or for establishing whether or not a source is in violation of any emissions limitation or standard. [See Rule 391-3-1.02(3)(a) and the referenced Procedures for Testing and Monitoring Sources of Air Pollutants at Section 1.3(g).] Even without this direct inclusion, the Rules themselves are cited in all permits issued by the Division.

The Division has elected not to include any additional language beyond the Rules cited above because it is our belief that any attempt to clarify the rule or define credible evidence will generally produce an impression of limiting of the scope of the rule. This we do not wish to do. The Division believes that any challenge to the authority of the U.S. EPA, State of Georgia, or any citizen with standing to use any credible evidence would easily be turned away. On the other hand, if limiting language such as that offered in the referenced EPA text were to be used, arguments to use such statements to Awhither away@ at the general principle could and most probably would be made. For instance, petitioners might suggest that the statement was only meant to apply to stated test methods and not work practice or other parts of the applicable standards, including the general provisions to the rules. Therefore, for the benefit of the enforceability of the standards by using any credible evidence available, the permit need not and is not being modified.

5. THE PERMIT MUST REQUIRE THE PERMITTEE TO REPORT ALL EXCEEDANCES, EXCURSIONS AND EXCESS EMISSIONS.

Condition 6.1.7. limits the exceedances, excursions and excess emissions that the facility must report. This needs to be removed because 40 C.F.R. § 70.6(a)(3)(iii)(B) and (6)(i) mandates that the permit require the permittee to report all exceedances, excesses and excursions.

Response: The Division agrees that all exceedances, excursions and excesses be reported and therefore Condition 6.1.4 of the proposed permit states AThe Permittee shall submit a written report containing any excess emissions, exceedances, and/or excursionsY@ Condition 6.1.7, by listing explicitly what constitutes an excess emission, exceedance, and excursion, makes this requirement practically enforceable

6. THE PERMIT DOES NOT FULLY INCLUDE THE ACCIDENTAL RELEASE REQUIREMENTS

Section 112(r) of the Clean Air Act sets out the requirements for stationary sources to avoid and address the accidental release of hazardous substances. 42 U.S.C. § 7412(r). Section 112(r) is an applicable requirement under Title V and therefore must be included in Title V permits. 40 C.F.R. § 70.2(Applicable Requirements (4)).

However, the permit does not contain this requirement in its entirety. While Anchor's Permit does state that "the Permittee shall submit a Risk Management Plan (RMP) in accordance with the 40 CFR Part 68, when and if, such requirement becomes applicable," Section 7.10.1, it fails to require that the permit comply with its Risk Management Plan or with any other requirement under Part 68 or Section 112(r). For example, 42 U.S.C. § 7412(r)(7)(E) requires that the operator of a source subject to Part 68 operate its facility in compliance with Part 68. Therefore, EPD needs to completely incorporate Section 112(r) and Part 68 into Section 7.10 of the permit.

Response: As indicated in the text of the comment, EPD includes the 112(r) requirements in Condition 7.10.1 of Title V permits. EPD has reviewed language of condition 7.10.1 and has modified it in order to better reflect the requirements of 112(r).

Specific Comments

7. THE NARRATIVE IS INCOMPLETE

40 CFR § 70.7(a)(5) requires that EPD provide a statement that sets forth the legal and factual basis for the draft permit conditions. EPD calls this statement a Narrative. EPD needs to include in the Narrative an explanation of the presence or lack thereof of any modification or renovation of Boiler B001. This is important because any such modification or renovation would mean 391-3-1-.02(2)(g)(1) would apply. Such a change in applicable regulations would place stricter limitations on emissions and therefore impacts the area surrounding King Finishing. To the extent that any modifications to Boiler B001 are somehow exempt from the regulation, EPD must provide a reason for this exemption.

Response: Based on all available information EPD believed that the boiler B001 has not been modified in such a way such that it would become subject to any different applicable regulations.

8. INCOMPLETE REFERENCE TO PSD REQUIREMENTS

The permit does not contain a review of whether the facility has complied with Prevention of Significant Deterioration (PSD) requirements. Although the facility claims to have avoided PSD requirements, there is no analysis of whether the permittee has made changes to the facility that trigger PSD. In light of the fact that areas of Georgia in addition to the Metro Atlanta Area are headed towards designation for non-attainment and U.S. v. Alabama Power Company, 99CV2859 (N.D.Ga. 1999)(JEC), EPD should be particularly sensitive to this issue. Accordingly, EPD should review the facility to ensure that it has complied with PSD requirements.

Response: During its review EPD has not discovered any information that the company has not complied with PSD requirements.

9. THE NARRATIVE DOES NOT PROVIDE THE COMPLETE FACTUAL AND LEGAL BASIS FOR THE PERMIT.

In general, the narrative provides very limited assistance to the public. It provides no additional information than what is already in the draft permit and sometimes actually misleads the public. For example, section V.B. of the narrative claims that the permit requires monitoring and corrective action. However, the narrative does not explain that the permit actually allows the permittee to avoid corrective action by submitting a request to EPD. Nor does the permit explain the legal authority EPD has to allow the permittee to avoid the new source performance standard. Similarly, Section VI.A of the narrative states that the permit requires the reporting of any exceedance, excess and excursion. However, the narrative does not explain that Section 6.1.7 of the permit **exempts** the permittee from reporting **all** excess emissions and excursions and many exceedances.

Response: It was an oversight that EPD did not include reporting for excursions discovered by the visible emissions check on B001. For the purpose of this permit any required daily determination of visible emissions from boiler B001 greater than or equal to 30 percent that is not corrected within 24 hours of first discovering the visible emissions is to be reported as an excursion.

10. THE PERMIT IMPERMISSIBLY ALLOWS PREDICTIONS OF NO_x EMISSIONS

Condition 5.3.2.b allows for the prediction of NO_x emission rates. However, Part 70 requires that there be monitoring. 40 CFR 70.6(a)(3). No where in Part 70 does it state that “prediction” is an acceptable substitute for monitoring. Therefore, the permit should not allow prediction.

Response: Predictive Emission Monitoring Systems (PEMS) is allowed under 40 CFR 60.48(g)(2) and is considered monitoring.

MODIFIED CONDITIONS OF TITLE V PERMIT
2261-251-0008-V-01-0

1.3 Overall Facility Process Description

This plant is involved in the bleaching, dyeing, finishing and printing of cotton and manmade fabrics. There are four primary areas: preparation, dyeing, finishing, and printing. Based on the specific product required portions of each sub process can/will be used in numerous combinations to meet a customer specification. The purpose of preparation is to increase dimensional stability, to remove chemicals used in the weaving or fiber preparation, to improve dye affinity/uptake, and to improve strength of the fabric. There can be several steps involved including singeing, desizing, heat setting, mercerization, bleaching, and washing. The dyeing department is a continuous process and typically consists of dye application, dye fixation with chemicals or heat, washing, and drying. ~~Some basic print patterns can be produced from the dye machines using a dye pad application.~~ Finishing refers to any operations (other than preparation and coloring) that improve the appearance and/or usefulness of fabric after it has been woven or knitted. Finishing encompasses any of several mechanical and chemical processes performed on fiber, yarn, or fabric to improve its appearance, texture, or performance. ~~A continuous run of fabric in a finishing range begins by passing through a series of dry cans which pre heat the fabric to allow for a more optimal absorption of the finishing chemicals.~~ The fabric then passes through the finish pad where the chemicals are applied, a pre-dryer and then another set of dry cans before entering the tenter house. The tenter house uses tension to stretch the fabric to the desired width. The finish desired and the placement in the overall process is dependant on the conditions given by the customer.

3.1 Emission Units

Emission Units		Specific Limitations/Requirements		Air Pollution Control Devices	
ID No.	Description	Applicable Requirements/Standards	Corresponding Permit Conditions	ID No.	Description
B001	Babcock & Wilcox Boiler rated at 150 MMBtu/hr	391-3-1-.02(2)(b) 391-3-1-.02(2)(d) 391-3-1-.02(2)(g)	3.4.1, 3.4.2, 3.4.3, 5.2.2, 6.2.4	None	NA
B002	Babcock & Wilcox Boiler rated at 181 MMBtu/hr	391-3-1-.02(2)(d) 391-3-1-.02(2)(g) 40 CFR Part 60, subpart Db	3.2.2, 3.3.1, 3.3.2, 3.3.3, 3.4.5, 4.2.1, 5.2.1, 5.3.1, 5.3.2, 5.3.3, 6.1.7, 6.2.3	None	NA
DNR1	Dye Narrow Range Pad Application	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.6	None	NA
DWR1	Dye Wide Range Pad Application	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.6	None	NA
FR40	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.7	None	NA
FR51	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.7	None	NA
FR58	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.7	None	NA
FR59	Aztec Finishing Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.7	None	NA
PHS1	Heat Setting	391-3-1-.02(2)(b)	3.4.2, 3.4.4, 3.4.8	None	NA

		391-3-1-.02(2)(e) 391-3-1-.02(2)(g)			
POW1	Preparation Open Width Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e)	3.4.2, 3.4.4, 3.4.9	None	NA
PRR1	Rope Range	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.10	None	NA
PYP1	Yarn Preparation	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.4.2, 3.4.4, 3.4.11	None	NA
P001	Zimmer Printer & Aztec Tubular Jet Print Dryer	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.2.1, 3.4.2, 3.4.4, 3.4.12, 6.2.5, 6.2.6, 6.2.7	None	NA
P002	Zimmer MBK Printer & Aztec Tubular Jet Print Dryer	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(g)	3.2.1, 3.4.2, 3.4.4, 3.4.12, 6.2.5, 6.2.6, 6.2.7	None	NA
T003	Distillate Fuel Oil Storage Tanks	40 CFR 60 Subpart Kb	6.2.1	None	NA
T004	Distillate Fuel Oil Storage Tanks	40 CFR 60 Subpart Kb	6.2.1	None	NA
T005	Distillate Fuel Oil Storage Tanks	40 CFR 60 Subpart Kb	6.2.1	None	NA

* Generally applicable requirements contained in this permit may also apply to emission units listed above.

3.4.2 The Permittee shall not discharge, or cause the discharge, into the atmosphere any gases that exhibit visible emissions, the opacity of which is equal to or greater than forty (40) percent from the following equipment: boiler, B001, Dye Range ~~Pad~~ DNR1 and DWR1, Finishing Range ~~F49~~ **F40**, F51, F58, F59, Heat Setting Range, PHS1, Rope Range, PRR1, Yarn Preparation Range, PYP1, **Open Width Range, POW1**, Zimmer Printer & Aztec Tubular Jet Print Dryer, P001 and ~~Zimmer~~ MBK Printer & Aztec Tubular Jet Print Dryer, P002. [391-3-1-.02(2)(b)1.]

3.4.4 The Permittee shall not fire any fuel that contains greater than 2.5-weight percent sulfur in the following process equipment: Dye Range ~~Pad~~ DNR1 and DWR1, Finishing Range ~~F49~~ **F40**, F51, F58, F59, Heat Setting Range, PHS1, Rope Range, PRR1, **Open Width Range, POW1**, Yarn Preparation Range, PYP1, Zimmer Printer & Aztec Tubular Jet Print Dryer, P001 and ~~Zimmer~~ MBK Printer & Aztec Tubular Jet Print Dryer, P002. [391-3-1-.02(2)(g)2.]

3.4.6 The Permittee shall not discharge, or cause the discharge, into the atmosphere from each Dye Range ~~Pad~~ DNR1 and DWR1 any gases, which contain PM in excess of the rate, derived from the equation noted below. [391-3-1-.02(2)(e)1.]

a. For process input weight rate up to and including 30 tons/hr:
 $E = 4.1P^{0.67}$; or

b. For process input weight rate above 30 tons/hr:
 $E = 55P^{0.11} - 40$

where E equals the allowable PM emission rate in pounds per hour; and P equals the total dry process input weight rate in tons per hour.

3.4.12 The Permittee shall not discharge, or cause the discharge, into the atmosphere from each Zimmer Printer & Aztec Tubular Jet Print Dryer, P001 **and MBK Printer & Aztec Tubular Jet Print Dryer**, P002, any gases, which contain PM in excess of the rate, derived from the equation noted below. [391-3-1-.02(2)(e)1.]

a. For process input weight rate up to and including 30 tons/hr:
 $E = 4.1P^{0.67}$; or

b. For process input weight rate above 30 tons/hr:
 $E = 55P^{0.11} - 40$

where E equals the allowable PM emission rate in pounds per hour; and P equals the total dry process input weight rate in tons per hour.

4.2.1 For Boiler B002 the Permittee shall, upon request, determine compliance with the Nitrogen Oxides (NO_x) emission limitation in Condition 3.3.3 ~~(a)~~ through the use of a 30-day performance test using the Continuous Monitoring System (CMS) required by Condition 5.2.1 (b). For the purpose of monitoring during periods when performance tests are not requested, Nitrogen Oxides emissions data collected by the CMS shall be used to calculate a 30-day rolling average emission rate on a daily basis and used to prepare the report required by Condition 6.1.4. A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NO_x emission data for the preceding 30 steam generating unit operating days.

[40 CFR 60.46b (e)(4)]

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, 40 CFR 70.6(a)(3)(i), and 40 CFR 60.46b]

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)

i. Any six-minute average opacity, as recorded by the Continuous Opacity Monitoring System installed on Boiler B002, that exceeds 20 percent, except that one six-minute average per hour of up to 27 percent need not be reported

b. Exceedances: (means for the purpose of this Condition and Condition 6.1.4, any condition that is detected by monitoring or record keeping that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) do not meet the applicable emission limitation or standard consistent with the averaging period specified for averaging the results of the monitoring)

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- i. Any 30-day rolling average nitrogen oxide emission rate, as measured by the Continuous Monitoring System installed on the Boiler B002 that exceeds 0.2 lb/MMBtu
 - ii. Any 12-consecutive month period during which the combined total VOC emissions of the Zimmer Printer P001 **and MBK Printer P002** exceeds 40 tons.
 - iii. **Any time in which the fuel oil is burned in Boiler B002 contains more than 0.5 percent sulfur by weight.**
 - iv. **Any time in which the fuel oil burned in Boiler B001 contains more than 3.0 percent sulfur, by weight.**
- 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)
- i. **Any required daily determination of visible emissions from boiler B001 greater than or equal to 30 percent that is not corrected within 24 hours of first discovering the visible emissions.**
- 6.2.2 The Permittee shall record and maintain records of the amounts of each fuel combusted during each day **in boiler B002** and calculate the annual capacity factor individually for natural gas and distillate oil, for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.
[40 CFR 60.49b(d)]
- 6.2.3 For all distillate oil received for combustion in the boiler B002, the Permittee shall demonstrate compliance with the fuel sulfur limit contained in Condition ~~3.4.6~~ **3.3.2** through the use of fuel supplier certifications. A fuel supplier certification shall contain the following information: (1) the name of the supplier; and (2) a statement from the supplier that the oil complies with the specifications of Numbers 1 or 2 fuel oil contained in ASTM D396. Quarterly reports shall be submitted to the Division certifying that only oil meeting this definition was combusted in the affected facility during the preceding quarter.
[40 CFR 60.42b(j) and 40 CFR 60.49b(r)]
- 6.2.5 The Permittee shall maintain monthly usage records of all materials containing volatile organic compounds used in the Zimmer Printer, P001 **and MBK Printer, P002**. These records shall include the total weight of each material used, the volatile organic compound content of each material (expressed as a weight percentage), and the weight of any material disposed as waste. All calculations used to figure usages should be kept as part of the monthly record. These usage records shall be kept available for inspection or submittal for five years from the date of record.
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

- 6.2.6 The Permittee shall calculate, using the monthly usage records required by Condition No. 6.2.5, the combined monthly emissions of volatile organic compounds (VOC) from Zimmer Printer P001 **and MBK Printer P002**. The Permittee shall submit with the quarterly report required by Condition 6.1.4, a 12-consecutive month total of the combined VOC emissions from the printers for each month in the reporting period. A 12-consecutive month total of combined VOC emissions shall be defined as the sum of a reporting period month's total plus the totals of the previous eleven consecutive months.
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]
- 6.2.7 The Permittee shall notify the Division in writing if the volatile organic compound emissions from the Zimmer Printer P001 **and MBK Printer P002** combined exceed 3.33 tons during any calendar month. This notification shall be postmarked by the fifteenth day of the following month and shall include an explanation of how the Permittee intends to maintain compliance the emission limit in Condition 3.2.1.
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]
- 7.10.1 ~~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:~~

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

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.**
- 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**

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- 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**

 - f. **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.**