

Part 70 Operating Permit

Permit Number: 4911-269-0016-V-01-0 **Effective Date:** July 23, 2003

Facility Name: **Taylor County LFGTE Power Station**
County Road 33
Mauk, Georgia 31058 (Taylor County)

Mailing Address: County Road 33
Mauk, Georgia 31058

Parent/Holding Company: Bio Energy (Georgia) LLC

Facility AIRS Number: 04-13-269-0016

In accordance with the provisions of the Georgia Air Quality Act, O.C.G.A. Section 12-9-1, et seq and the Georgia Rules for Air Quality Control, Chapter 391-3-1, adopted pursuant to and in effect under the Act, the Permittee described above is issued a Construction Permit and Part 70 Permit for:

The construction and operation of a landfill gas fueled power station, consisting of up to four internal combustion engines, each powering a generator, located at the Taylor County Landfill.

This Permit is conditioned upon compliance with all provisions of The Georgia Air Quality Act, O.C.G.A. Section 12-9-1, et seq, the Rules, Chapter 391-3-1, adopted and in effect under that Act, or any other condition of this Permit. Unless modified or revoked, this Permit expires five years after the effective date indicated above.

This Permit may be subject to revocation, suspension, modification or amendment by the Director for cause including evidence of noncompliance with any of the above; or for any misrepresentation made in Title V Application No. TV-14263 which was determined to be complete on March 17, 2003; any other applications upon which this Permit is based; supporting data entered therein or attached thereto; or any subsequent submittal or supporting data; or for any alterations affecting the emissions from this source.

This Permit is further subject to and conditioned upon the terms, conditions, limitations, standards, or schedules contained in or specified on the attached **28** pages, which pages are a part of this Permit.

Assistant Director
Environmental Protection Division

Table of Contents

| | | |
|-----------------|---|-----------|
| PART 1.0 | FACILITY DESCRIPTION..... | 1 |
| 1.1 | Site Determination..... | 1 |
| 1.2 | Previous and/or Other Names | 1 |
| 1.3 | Overall Facility Process Description..... | 1 |
| PART 2.0 | REQUIREMENTS PERTAINING TO THE ENTIRE FACILITY | 2 |
| 2.1 | Emission Limits..... | 2 |
| 2.2 | Facility Wide Federal Rule Standards..... | 2 |
| 2.3 | Facility Wide SIP Rule Standards..... | 2 |
| 2.4 | Facility Wide Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit | 2 |
| PART 3.0 | REQUIREMENTS FOR EMISSION UNITS | 3 |
| 3.1 | Emission Units | 3 |
| 3.2 | Equipment Emission Caps and Operating Limits | 3 |
| 3.3 | Equipment Federal Rule Standards..... | 3 |
| 3.4 | Equipment SIP Rule Standards | 3 |
| 3.5 | Equipment Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit..... | 3 |
| PART 4.0 | REQUIREMENTS FOR TESTING..... | 4 |
| 4.1 | General Testing Requirements..... | 4 |
| 4.2 | Specific Testing Requirements..... | 5 |
| PART 5.0 | REQUIREMENTS FOR MONITORING (Related to Data Collection) | 6 |
| 5.1 | General Monitoring Requirements | 6 |
| 5.2 | Specific Monitoring Requirements | 6 |
| 5.3 | Record Keeping and Reporting Requirements (associated with Specific Monitoring Requirements) | 7 |
| PART 6.0 | OTHER RECORD KEEPING AND REPORTING REQUIREMENTS | 8 |
| 6.1 | General Record Keeping and Reporting Requirements | 8 |
| 6.2 | Specific Record Keeping and Reporting Requirements..... | 10 |
| PART 7.0 | OTHER SPECIFIC REQUIREMENTS | 12 |
| 7.1 | Operational Flexibility | 12 |
| 7.2 | Off-Permit Changes..... | 12 |
| 7.3 | Alternative Requirements..... | 13 |
| 7.4 | Insignificant Activities | 13 |
| 7.5 | Temporary Sources | 13 |
| 7.6 | Short-term Activities..... | 13 |
| 7.7 | Compliance Schedule/Progress Reports..... | 13 |
| 7.8 | Emissions Trading..... | 13 |
| 7.9 | Acid Rain Requirements | 13 |
| 7.10 | Prevention of Accidental Releases (Section 112(r) of the 1990 CAAA)..... | 13 |
| 7.11 | Stratospheric Ozone Protection Requirements (Title VI of the CAAA of 1990) | 15 |
| 7.12 | Revocation of Existing Permits and Amendments..... | 15 |
| 7.13 | Pollution Prevention..... | 16 |
| 7.14 | Specific Conditions | 16 |
| PART 8.0 | GENERAL PROVISIONS | 17 |
| 8.1 | Terms and References | 17 |
| 8.2 | EPA Authorities | 17 |
| 8.3 | Duty to Comply..... | 17 |

Title V Permit

| | | |
|--------------------|---|-----------|
| 8.4 | Fee Assessment and Payment | 18 |
| 8.5 | Permit Renewal and Expiration..... | 18 |
| 8.6 | Transfer of Ownership or Operation..... | 18 |
| 8.7 | Property Rights..... | 18 |
| 8.8 | Submissions | 19 |
| 8.9 | Duty to Provide Information..... | 19 |
| 8.10 | Modifications | 20 |
| 8.11 | Permit Revision, Revocation, Reopening and Termination..... | 20 |
| 8.12 | Severability..... | 21 |
| 8.13 | Excess Emissions Due to an Emergency..... | 21 |
| 8.14 | Compliance Requirements | 22 |
| 8.15 | Circumvention..... | 24 |
| 8.16 | Permit Shield | 24 |
| 8.17 | Operational Practices..... | 24 |
| 8.18 | Visible Emissions | 25 |
| 8.19 | Fuel-burning Equipment | 25 |
| 8.20 | Sulfur Dioxide..... | 25 |
| 8.21 | Particulate Emissions | 26 |
| 8.22 | Fugitive Dust..... | 26 |
| 8.23 | Use of Any Credible Evidence or Information | 27 |
| Attachments | | 28 |
| A. | List of Standard Abbreviations and List of Permit Specific Abbreviations | |
| B. | Insignificant Activities Checklist, Insignificant Activities Based on Emission Levels and Generic Emission Groups | |
| C. | List of References | |

PART 1.0 FACILITY DESCRIPTION

1.1 Site Determination

The Bio Energy (Georgia) LLC – Taylor County LFGTE Power Station will be located at the Taylor County Landfill, an operating landfill which is subject to Georgia Rules for Air Quality 391-3-1-.02(2)(ggg). The operation of the power plant will be managed separately from the landfill. There is no connection between the owners of the generating plant, Energy Developments, Inc. (EDI) and the owners of the landfill, Allied Services LLC, dba Southern States Environmental Services, Inc. However, since the only fuel available to the power station is supplied by the landfill and the two are adjacent, it was determined that the landfill and the power plant are one site with regard to Title V and New Source Review. The Taylor County Landfill already operates under Title V permit No. 4953-269-0014-V-01-0; that permit is being amended to allow this power station to act as the primary control device for methane and non-methane organic compounds NMOCs.

Note: LFGTE is an abbreviation for “Landfill Gas to Energy.”

1.2 Previous and/or Other Names

None known.

1.3 Overall Facility Process Description

Bio Energy (Georgia) LLC – Taylor County LFGTE Power Station is a proposed power generation plant to be located at the Taylor County landfill, an operating landfill which is subject to Georgia Rules for Air Quality 391-3-1-.02(2)(ggg). The landfill gas (LFG) produced from the decomposition of deposited waste is collected using an active gas collection and control system (GCCS). The LFGTE Power Station will operate three or four reciprocating internal combustion (IC) engines, which will act as the primary control device; a utility flare will provide a backup.

PART 2.0 REQUIREMENTS PERTAINING TO THE ENTIRE FACILITY

2.1 Emission Limits

None applicable

2.2 Facility Wide Federal Rule Standards

2.2.1 On and after January 16, 2004, the Permittee shall comply with the provisions of 40 CFR Part 63 Subpart A- "General Provisions" for the National Emission Standards for Hazardous Air Pollutants (NESHAP) as specified in Table 1 of 40 CFR 63 Subpart AAAA.

2.2.2 On and after January 16, 2004, the Permittee shall comply with the provisions of 40 CFR Part 63 Subpart AAAA- "National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste landfills."

2.3 Facility Wide SIP Rule Standards

2.3.1 The Permittee shall comply with Georgia Rule for Air Quality Control 391-3-1-.02(2)(ggg) "Existing Municipal Solid Waste Landfills." Note that Rule (ggg) is a state rule issued to comply with the Emission Guidelines (EG) found in 40 CFR Part 60 Subpart Cc. Rule (ggg) incorporates many of the requirements and provisions of 40 CFR Part 60 Subpart WWW which has been adopted by GA Rule 391-3-1-.02(8)(b) 72 for new MSW facilities. However, the Permittee is not subject to Subpart WWW or Rule 391-3-1-.02(8)(b) 72, which applies only to new MSW landfills.

2.4 Facility Wide Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit

None applicable

Title V Permit

PART 3.0 REQUIREMENTS FOR EMISSION UNITS

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

3.1 Emission Units

| Emission Units | | Specific Limitations/Requirements | | Air Pollution Control Devices | |
|----------------|---|---|---|-------------------------------|-------------|
| ID No. | Description | Applicable Requirements/Standards | Corresponding Permit Conditions | ID No. | Description |
| IC01 | Jenbacher Model No. JGC 320 GS-LL Internal Combustion Reciprocating Engine | 391-3-1-.02(2)(ggg) 391-3-1-.02(2)(b) 391-3-1-.02(2)(g) | 3.4.1, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 5.2.1, 6.1.7, 6.2.1, 6.2.2, 6.2.3, 6.2.4 | N/A | N/A |
| IC02 | Jenbacher Model No. JGC 320 GS-LL Internal Combustion Reciprocating Engine | 391-3-1-.02(2)(ggg) 391-3-1-.02(2)(b) 391-3-1-.02(2)(g) | 3.4.1, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 5.2.1, 6.1.7, 6.2.1, 6.2.2, 6.2.3, 6.2.4 | N/A | N/A |
| IC03 | Jenbacher Model No. JGC 320 GS-LL Internal Combustion Reciprocating Engine | 391-3-1-.02(2)(ggg) 391-3-1-.02(2)(b) 391-3-1-.02(2)(g) | 3.4.1, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 5.2.1, 6.1.7, 6.2.1, 6.2.2, 6.2.3, 6.2.4 | N/A | N/A |
| IC04 | Jenbacher Model No. JGC 320 GS-LL Internal Combustion Reciprocating Engine | 391-3-1-.02(2)(ggg) 391-3-1-.02(2)(b) 391-3-1-.02(2)(g) | 3.4.1, 4.2.1, 4.2.2, 4.2.3, 4.2.4, 5.2.1, 6.1.7, 6.2.1, 6.2.2, 6.2.3, 6.2.4 | N/A | N/A |

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

3.2 Equipment Emission Caps and Operating Limits

None Applicable

3.3 Equipment Federal Rule Standards

None Applicable

3.4 Equipment SIP Rule Standards

3.4.1 When the generator IC engines are being fueled with LFG, the Permittee shall operate these engines in a manner that combusts non-methane organic compounds (NMOCs) contained in the LFG, either reducing NMOCs by 98 weight percent or reducing the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent oxygen.
[391-3-1-.02(2)(ggg) 3.(i). Note: this Rule (ggg) reference incorporates the requirements of 40 CFR 60.752 (b)(2)(iii)(B)]

3.5 Equipment Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit

None Applicable

PART 4.0 REQUIREMENTS FOR TESTING

4.1 General Testing Requirements

4.1.1 The Permittee shall cause to be conducted a performance test at any specified emission point when so directed by the Environmental Protection Division (“Division”). The test results shall be submitted to the Division within 30 days of the completion of the testing. Any tests shall be performed and conducted using methods and procedures that have been previously specified or approved by the Division.
[391-3-1-.02(6)(b)1(i)]

4.1.2 The Permittee shall provide the Division thirty (30) days prior written notice of the date of any performance test(s) to afford the Division the opportunity to witness and/or audit the test, and shall provide with the notification a test plan in accordance with Division guidelines.
[391-3-1-.02(3)(a)]

4.1.3 Performance and compliance tests shall be conducted and data reduced in accordance with applicable procedures and methods specified in the Division’s Procedures for Testing and Monitoring Sources of Air Pollutants. The methods for the determination of compliance with emission 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:

- a. Method 3A or 3C for the determination of oxygen concentration.
- b. Method 3C for the determination of nitrogen concentration.
- c. Method 3B for the determination of the emissions rate correction factor for excess air. Method 3A may be used as an alternative to Method 3B.
- d. Method 9 and the procedures contained in Section 1.3 of the above referenced document for the determination of opacity.
- e. Method 25, 25C or 18 for the determination of NMOC destruction efficiency or NMOC outlet concentration. If Method 18 is used, the minimum list of compounds to be tested shall be those published in the most recent Compilation of Air Pollutant Emission Factors (AP-42).
- f. Method 10 for the determination of carbon monoxide emission rate.
- g. Method 7E for the determination of nitrogen oxides emission rate.

Minor changes in methodology may be specified or approved by the Director or his designee when necessitated by process variables, changes in facility design, or improvement or corrections that, in his opinion, render those methods or procedures, or portions thereof, more reliable.
[391-3-1-.02(3)(a)]

4.2 Specific Testing Requirements

- 4.2.1 The Permittee shall conduct a performance test for NMOC destruction efficiency or NMOC outlet concentration from each of the internal combustion engines (IC01, IC02, IC03 and IC04) within 180 days after the startup of each engine. The performance tests shall be performed at or near each engine's maximum operating load. The following equation shall be used to calculate destruction efficiency:
[40 CFR 60.752(b)(2)(iii)(B)]

$$\text{Control Efficiency} = \frac{NMOC_{in} - NMOC_{out}}{NMOC_{in}}$$

- 4.2.2 During testing required by Condition 4.2.1 to determine the NMOC destruction efficiency or NMOC outlet concentration of the IC engines (IC01, IC02, IC03 and IC04), the Permittee shall determine and record the oxygen concentration (%) of the exhaust gas and the fuel-to-air setting of each engine at least every 10 minutes during all test runs. All oxygen data and fuel-to-air ratio settings so recorded, as well as the averages determined, shall be included with the test report.
[391-3-1-.02(6)(b)1(i)]
- 4.2.3 The Permittee shall use the engine operating data required to be obtained by Condition 4.2.2 (the oxygen concentration and the fuel-to-air setting), and the averages determined in accordance with Condition 4.2.2, in order to establish the acceptable range (that which indicates compliance) for each engine parameter for each IC engine (IC01, IC02, IC03 and IC04). The ranges shall be included in the emissions test report and shall be used for reporting excursions as specified in Condition 6.1.7.
[391-3-1-.02(6)(b)1(i)]
- 4.2.4 Within 90 days after the startup of the first IC engine, the Permittee shall conduct performance tests for nitrogen oxides and carbon monoxide emissions from that IC engine to demonstrate that emissions are in accordance with the rates stated in Air Quality Application No. TV-14263. Performance tests shall be conducted on the engine at the maximum operating load point.
[391-3-1-.02(6)(b)1(i)]

PART 5.0 REQUIREMENTS FOR MONITORING (Related to Data Collection)

5.1 General Monitoring Requirements

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

5.2 Specific Monitoring Requirements

- 5.2.1 The Permittee shall use the following protocol to assure sufficient NMOC destruction by the IC engines:
[391-3-1-.02(6)(b)1, 40 CFR 70.6(a)(3)(i), and “Alternative Monitoring for Combustion Temperature” EPA Region 7 Determination Dated 5/19/1999 in a letter by Donald Toensing Regarding the Metro Park East Sanitary Landfill, related to 40 CFR 60.756(b)(1)]
- a. Install and maintain an hour meter on each engine.
 - b. Install and maintain an automatic fail-safe block valve on each engine that will stop the flow of landfill gas to that engine in the event of engine failure.
 - c. Maintain a record of the acceptable ranges of fuel-to-air settings and oxygen concentrations for each engine as established in accordance with the requirements of Condition 4.2.3, using data generated during the performance tests required by Condition 4.2.1. These records shall be maintained for the life of each engine.
 - d. Operate each engine at the fuel-to-air setting established in accordance with the requirements Condition 4.2.3. It shall be considered a reportable exceedance if the engine’s fuel-to-air setting is not in accordance with this Condition.
 - e. Operate each engine within 0.5 percent of the oxygen concentration in the exhaust gas of the oxygen concentration exhaust of the engine established in accordance with the requirements of Condition 4.2.3, using data generated during the performance tests required by Condition 4.2.1. It shall be considered a reportable exceedance if the engine’s exhaust gas oxygen concentration is not maintained as required by this condition.
 - f. On a monthly basis, record the fuel-to-air setting and measure and record the oxygen concentration in the exhaust gas of each engine using the procedures of Gas Research Institute Method GRI-96/008, EPA/EMC Conditional Test Method (CTM-30) Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers and Process Heaters Using Portable Analyzers.

The measurement period for the oxygen concentration shall be a minimum of 30 minutes.

- g. A device capable of measuring the oxygen concentration in the exhaust gas shall be maintained on site. If this device is not the device used during the performance test, it shall be calibrated to achieve a one-to-one correlation with the device used to measure oxygen concentration during the performance test.

5.3 Record Keeping and Reporting Requirements (associated with Specific Monitoring Requirements)

5.3.1 The Permittee shall, in accordance with the requirements of Conditions 6.1.1 and 6.1.6, maintain all data and information required to be recorded and/or acquired by Condition 5.2.1. Reports shall be submitted in accordance with Condition 6.1.4.
[391-3-1-. 02(6)(b) 1 and 40 CFR 70.6(a)(3)(i)]

5.3.2 The Permittee shall submit a report of the following information for the semiannual periods ending June 30 and December 31 of each year. The report shall be postmarked by the 30th day following the end of the semiannual period (July 30 and January 30, respectively).
[391-3-1-.02(6)(b) 1, 391-3-1-.02(2)(ggg), 40 CFR 70.6(a)(3)(i), and 40 CFR 70.6(a)(3)(iii)(A). Note: the Rule (ggg) reference incorporates the requirements of 40 CFR 60.757(f)]

- a. Description and duration of all periods when the gas stream is diverted from the IC engines to the flare or through a bypass line, as indicated by flow rate measuring devices.
- b. Description and duration of all periods when neither control devices (IC engines and utility flare) were operating for a period exceeding 1 hour and total length of time neither control device was operating.

5.3.3 The Permittee shall, in accordance with the requirements of Conditions 6.1.1 and 6.1.5, maintain all data and information required to be recorded and/or records of all measurements of oxygen concentrations conducted in accordance with Condition 5.2.1 f, including the following:
[391-3-1-. 02(6)(b) 1 and 40 CFR 70.6(a)(3)(i)]

- a. The date the measurements were recorded and
- b. The cumulative total hours of operation for each IC engine (IC01, IC02, IC03 and IC04) at the time of the measurements, as indicated by the hour meters or other equipment installed for this purpose.

PART 6.0 OTHER RECORD KEEPING AND REPORTING REQUIREMENTS**6.1 General Record Keeping and Reporting Requirements**

6.1.1 Unless otherwise specified, all records required to be maintained by this Permit shall be recorded in a permanent form suitable for inspection and submission to the Division and to the EPA. The records shall be retained for at least five (5) years following the date of entry.

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

6.1.2 In addition to any other reporting requirements of this Permit, the Permittee shall report to the Division in writing, within seven (7) days, any deviations from applicable requirements associated with any malfunction or breakdown of process, fuel burning, or emissions control equipment for a period of four hours or more which results in excessive emissions.

The Permittee shall submit a written report that shall contain the probable cause of the deviation(s), duration of the deviation(s), and any corrective actions or preventive measures taken.

[391-3-1-.02(6)(b)1(iv), 391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(3)(iii)(B)]

6.1.3 The Permittee shall submit written reports of any failure to meet an applicable emission limitation or standard contained in this permit and/or any failure to comply with or complete a work practice standard or requirement contained in this permit which are not otherwise reported in accordance with conditions 6.1.4 or 6.1.2. Such failures shall be determined through observation, data from any monitoring protocol, or by any other monitoring which is required by this permit. The reports shall cover each semiannual period ending June 30 and December 31 of each year, shall be postmarked by the 30th day following the end of each reporting period, July 30 and January 30, respectively, and shall contain the probable cause of the failure(s), duration of the failure(s), and any corrective actions or preventive measures taken.

[391-3-1-.03(10)(d)1.(i) and 40 CFR 70.6(a)(3)(iii)(B)]

6.1.4 The Permittee shall submit a written report containing any excess emissions, exceedances, and/or excursions as described in this permit and any monitor malfunctions for each semiannual period ending June 30 and December 31 of each year. All reports shall be postmarked by the 30th day following the end of each reporting period, July 30 and January 30, respectively. In the event that there have not been any excess emissions, exceedances, excursions or malfunctions during a reporting period, the report should so state. Otherwise, the contents of each report shall be as specified by the Division's Procedures for Testing and Monitoring Sources of Air Pollutants and shall contain the following:

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

a. A summary report of excess emissions, exceedances and excursions, and monitor downtime, in accordance with Section 1.5(c) and (d) of the above referenced document, including any failure to follow required work practice procedures.

b. Total process operating time during each reporting period.

Title V Permit

- c. The magnitude of all excess emissions, exceedances and excursions computed in accordance with the applicable definitions as determined by the Director, and any conversion factors used, and the date and time of the commencement and completion of each time period of occurrence.
 - d. Specific identification of each period of such excess emissions, exceedances, and excursions that occur during startups, shutdowns, or malfunctions of the affected facility. Include the nature and cause of any malfunction (if known), the corrective action taken or preventive measures adopted.
 - e. The date and time identifying each period during which any required monitoring system or device was inoperative (including periods of malfunction) except for zero and span checks, and the nature of the repairs, adjustments, or replacement. When the monitoring system or device has not been inoperative, repaired, or adjusted, such information shall be stated in the report.
 - f. Certification by a Responsible Official that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
- 6.1.5 Where applicable, the Permittee shall keep the following records:
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(3)(ii)(A)]
- a. The date, place, and time of sampling or measurement;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of such analyses; and
 - f. The operating conditions as existing at the time of sampling or measurement.
- 6.1.6 The Permittee shall maintain files of all required measurements, including continuous monitoring systems, monitoring devices, and performance testing measurements; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices. These files shall be kept in a permanent form suitable for inspection and shall be maintained for a period of at least five (5) years following the date of such measurements, reports, maintenance and records.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6 (a)(3)(ii)(B)]
- 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 Alternative Monitoring in accordance with 40 CFR 60.758]

- 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. None required to be reported in accordance with Condition 6.1.4.

- 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)
[“Alternative Monitoring for Combustion Temperature” in EPA Region 7 Determination Dated 5/19/1999 in a letter by Donald Toensing Regarding the Metro Park East Sanitary Landfill, related to 60.758(b)(2)(i)]
 - i. Any measurement of oxygen concentration for an IC engine, conducted in accordance with the requirements of Condition 5.2.1f., that differs by more than 0.5 percent oxygen from the oxygen concentration established in accordance with the requirements of Condition 4.2.3.
 - ii. Any fuel-to-air setting for an IC engine, determined in accordance with the requirements of condition 5.2.1f., that is different from the fuel-to-air setting established in accordance with the requirements of Condition 4.2.3.

- 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. None required to be reported in accordance with Condition 6.1.4.

6.2 Specific Record Keeping and Reporting Requirements

- 6.2.1 The Permittee shall keep, up-to-date and accessible, on-site the following records, as specified by 40 CFR 60.758(b)(1) through (4), measured during the initial performance test of each IC engine. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of the IC engine vendor specifications shall be maintained until removal. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic format is acceptable.
 - a. The monthly records of the fuel-to-air setting and oxygen concentration in the exhaust gas of each engine, measured as per Condition 5.2.1(f).
[391-3-1-.02(2)(ggg)3(vii). Note: this Rule (ggg) reference incorporates the requirements of 40 CFR 60.758(b)(2)]

Title V Permit

- b. The percent reduction of NMOC determined as specified in Condition 4.2.1 achieved by each of the IC engines.
[391-3-1-.02(2)(ggg)3(vii). Note: this Rule (ggg) reference incorporates the requirements of 40 CFR 60.758(b)(2)]
 - c. A description of the location at which the collected gas vent stream is introduced into the generators over the same time period of the performance testing.
[391-3-1-.02(2)(ggg)3(vii). Note: this Rule (ggg) reference incorporates the requirements of 40 CFR 60.758(b)(3)]
- 6.2.2 In accordance with Rule 40 CFR Part 63 Subparts A and AAAA, by January 16, 2004, the Permittee shall develop and implement a written startup, shutdown, and malfunction (SSM) plan that describes in detail the procedures for operating and maintaining the collection and control system and the continuous monitoring system (CMS) during periods of SSM so as to meet the SSM requirements that are listed in the general provisions to 40 CFR 63.6(e)(3). Any deviations from the plan, or failure to follow plan procedures, shall be noted.
[391-3-1-.02(6)(b), 40 CFR 63 Subpart A, and 40 CFR 63 Subpart AAAA]
- 6.2.3 Prior the startup of any IC engine, the Permittee shall submit to the Division and EPA a written certification that the Permittee will manage and combust the landfill gas used in the IC engines in accordance with the requirements of 40 CFR 60.752 through 40 CFR 60.758. The certification shall also include a statement that the Permittee accepts responsibility for compliance with Georgia Rule (ggg) for that landfill gas used in the IC engines.
[391-3-1-.02(6)(b)]
- 6.2.4 The Permittee may revoke the certification required in Condition 6.2.3 by sending a written state to the landfill owner/operator, the Division and EPA giving at least 90 days notice that the Permittee is rescinding acceptance of said responsibility. Upon expiration of the notice period, the landfill owner/operator may not transfer the landfill gas to the Permittee.
[391-3-1-.02(6)(b)]

PART 7.0 OTHER SPECIFIC REQUIREMENTS

7.1 Operational Flexibility

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

[391-3-1-.03(10)(b)5 and 40 CFR 70.4(b)(12)(i)]

- a. For each such change, the Permittee's written notification and application for a construction Permit shall be submitted well in advance of any critical date (typically at least 90 days in advance of any commencement of construction, Permit issuance date, etc.) involved in the change, but no less than seven (7) days in advance of such change and shall include a brief description of the change within the Permitted facility, the date on which the change is proposed to occur, any change in emissions, and any Permit term or condition that is no longer applicable as a result of the change.
- b. The Permit shield described in Condition 8.16.1 shall not apply to any change made pursuant to this condition.

7.2 Off-Permit Changes

7.2.1 The Permittee may make changes that are not addressed or prohibited by this Permit, other than those described in Condition 7.2.2 below, without a Permit revision, provided the following requirements are met:

[391-3-1-.03(10)(b)6 and 40 CFR 70.4(b)(14)]

- a. Each such change shall meet all applicable requirements and shall not violate any existing Permit term or condition.
- b. The Permittee must provide contemporaneous written notice to the Division and to the EPA of each such change, except for changes that qualify as insignificant under Rule 391-3-1-.03(10)(g). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- c. The change shall not qualify for the Permit shield in Condition 8.16.1.
- d. The Permittee shall keep a record describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the Permit, and the emissions resulting from those changes.
- e. The source shall obtain any Permits required under Rules 391-3-1-.03(1) and (2).

7.2.2 The Permittee shall not make, without a Permit revision, any changes that are not addressed or prohibited by this Permit, if such changes are subject to any requirements under Title IV of the Federal Act or are modifications under any provision of Title I of the Federal Act. [Rule 391-3-1-.03(10)(b)7 and 40 CFR 70.4(b)(15)]

7.3 Alternative Requirements

[White Paper #2]

Not Applicable

7.4 Insignificant Activities

(see Attachment B for the list of Insignificant Activities in existence at the facility at the time of permit issuance)

7.5 Temporary Sources

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

Not Applicable

7.6 Short-term Activities

(see Section 4.40 of Permit application and White Paper #1)

Not Applicable

7.7 Compliance Schedule/Progress Reports

[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(4)]

None applicable

7.8 Emissions Trading

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

Not Applicable

7.9 Acid Rain Requirements

Not Applicable

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

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

7.10.1 When and if the requirements of 40 CFR Part 68 become applicable, the Permittee shall comply with all applicable requirements of 40 CFR Part 68, including the following.

- a. The Permittee shall submit a Risk Management Plan (RMP) as provided in 40 CFR Part 68.150 through 68.185. The RMP shall include a registration that reflects all covered processes.

Title V Permit

- b. For processes eligible for Program 1, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a. and the following additional requirements:
 - i. Analyze the worst-case release scenario for the process(es), as provided in 40 CFR 68.25; document that the nearest public receptor is beyond the distance to a toxic or flammable endpoint defined in 40 CFR 68.22(a); and submit in the RMP the worst-case release scenario as provided in 40 CFR 68.165.
 - ii. Complete the five-year accident history for the process as provided in 40 CFR 68.42 and submit in the RMP as provided in 40 CFR 68.168
 - iii. Ensure that response actions have been coordinated with local emergency planning and response agencies
 - iv. Include a certification in the RMP as specified in specified in 40 CFR 68.12(b)(4)

- c. For processes subject to Program 2, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a., 7.10.1.b. and the following additional requirements:
 - i. Develop and implement a management system as provided in 40 CFR 68.15
 - ii. Conduct a hazard assessment as provided in 40 CFR 68.20 through 68.42
 - iii. Implement the Program 2 prevention steps provided in 40 CFR 68.48 through 68.60 or implement the Program 3 prevention steps provided in 40 CFR 68.65 through 68.87
 - iv. Develop and implement an emergency response program as provided in 40 CFR 68.90 through 68.95
 - v. Submit as part of the RMP the data on prevention program elements for Program 2 processes as provided in 40 CFR 68.170

- d. For processes subject to Program 3, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a., 7.10.1.b. and the following additional requirements:
 - i. Develop and implement a management system as provided in 40 CFR 68.15
 - ii. Conduct a hazard assessment as provided in 40 CFR 68.20 through 68.42
 - iii. Implement the prevention requirements of 40 CFR 68.65 through 68.87
 - iv. Develop and implement an emergency response program as provided in 40 CFR 68.90 through 68.95
 - v. Submit as part of the RMP the data on prevention program elements for Program 3 as provided in 40 CFR 68.175

- 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

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.

7.11 Stratospheric Ozone Protection Requirements (Title VI of the CAAA of 1990)

- 7.11.1 If the Permittee performs any of the activities described below or as otherwise defined in 40 CFR Part 82, the Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliance must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to 40 CFR 82.166.
[Note: "MVAC-like appliance" is defined in 40 CFR 82.152.]
 - e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

- 7.11.2 If the Permittee performs a service on motor (fleet) vehicles and if this service involves an ozone-depleting substance (refrigerant) in the MVAC, the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include air-tight sealed refrigeration systems used for refrigerated cargo, or air conditioning systems on passenger buses using HCFC-22 refrigerant.

7.12 Revocation of Existing Permits and Amendments

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

No existing Permits

7.13 Pollution Prevention

Not Applicable

7.14 Specific Conditions

Not Applicable

PART 8.0 GENERAL PROVISIONS

8.1 Terms and References

- 8.1.1 Terms not otherwise defined in the Permit shall have the meaning assigned to such terms in the referenced regulation.
- 8.1.2 Where more than one condition in this Permit applies to an emission unit and/or the entire facility, each condition shall apply and the most stringent condition shall take precedence.
[391-3-1-.02(2)(a)2]

8.2 EPA Authorities

- 8.2.1 Except as identified as “State-only enforceable” requirements in this Permit, all terms and conditions contained herein shall be enforceable by the EPA and citizens under the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.
[40 CFR 70.6(b)(1)]
- 8.2.2 Nothing in this Permit shall alter or affect the authority of the EPA to obtain information pursuant to 42 U.S.C. 7414, “Inspections, Monitoring, and Entry.”
[40 CFR 70.6(f)(3)(iv)]
- 8.2.3 Nothing in this Permit shall alter or affect the authority of the EPA to impose emergency orders pursuant to 42 U.S.C. 7603, “Emergency Powers.”
[40 CFR 70.6(f)(3)(i)]

8.3 Duty to Comply

- 8.3.1 The Permittee shall comply with all conditions of this operating Permit. Any Permit noncompliance constitutes a violation of the Federal Clean Air Act and the Georgia Air Quality Act and/or State rules and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. Any noncompliance with a Permit condition specifically designated as enforceable only by the State constitutes a violation of the Georgia Air Quality Act and/or State rules only and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(i)]
- 8.3.2 The Permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the Permitted activity in order to maintain compliance with the conditions of this Permit.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(ii)]
- 8.3.3 Nothing in this Permit shall alter or affect the liability of the Permittee for any violation of applicable requirements prior to or at the time of Permit issuance.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(f)(3)(ii)]

- 8.3.4 Issuance of this Permit does not relieve the Permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Director or any other federal, state, or local agency.
[391-3-1-.03(10)(e)1(iv) and 40 CFR 70.7(a)(6)]

8.4 Fee Assessment and Payment

- 8.4.1 The Permittee shall calculate and pay an annual Permit fee to the Division. The amount of fee shall be determined each year in accordance with the “Procedures for Calculating Air Permit Fees.”
[391-3-1-.03(9)]

8.5 Permit Renewal and Expiration

- 8.5.1 This Permit shall remain in effect for five (5) years from the date of issuance. The Permit shall become null and void after the expiration date unless a timely and complete renewal application has been submitted to the Division at least six (6) months, but no more than eighteen (18) months prior to the expiration date of the Permit.
[391-3-1-.03(10)(d)1(i), (e)2, and (e)3(ii) and 40 CFR 70.5(a)(1)(iii)]
- 8.5.2 Permits being renewed are subject to the same procedural requirements, including those for public participation and affected State and EPA review, that apply to initial Permit issuance.
[391-3-1-.03(10)(e)3(i)]
- 8.5.3 Notwithstanding the provisions in 8.5.1 above, if the Division has received a timely application for renewal, deemed it administratively complete, and failed to reissue the Permit for reasons other than cause, authorization to operate shall continue beyond the expiration date to the point of Permit modification, reissuance, or revocation.
[391-3-1-.03(10)(e)3(iii)]

8.6 Transfer of Ownership or Operation

- 8.6.1 This Permit is not transferable by the Permittee. Future owners and operators shall obtain a new Permit from the Director. The new Permit may be processed as an administrative amendment if no other change in this Permit is necessary, and provided that a written agreement containing a specific date for transfer of Permit responsibility coverage and liability between the current and new Permittee has been submitted to the Division at least thirty (30) days in advance of the transfer.
[391-3-1-.03(4)]

8.7 Property Rights

- 8.7.1 This Permit shall not convey property rights of any sort, or any exclusive privileges.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(iv)]

8.8 Submissions

- 8.8.1 Reports, test data, monitoring data, notifications, annual certifications, and requests for revision and renewal shall be submitted to:

**Georgia Department of Natural Resources
Environmental Protection Division
Air Protection Branch
Atlanta Tradeport, Suite 120
4244 International Parkway
Atlanta, Georgia 30354-3908**

- 8.8.2 Any records, compliance certifications, and monitoring data required by the provisions in this Permit to be submitted to the EPA shall be sent to:

**Air and EPCRA Enforcement Branch
U. S. EPA Region 4
61 Forsyth Street
Atlanta, Georgia 30303**

- 8.8.3 Any application form, report, or compliance certification submitted pursuant to this Permit shall contain a certification by a responsible official of its truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
[391-3-1-.03(10)(c)2, 40 CFR 70.5(d) and 40 CFR 70.6(c)(1)]
- 8.8.4 Unless otherwise specified, all submissions under this permit shall be submitted to the Division only.

8.9 Duty to Provide Information

- 8.9.1 The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the Permit application, shall promptly submit such supplementary facts or corrected information to the Division.
[391-3-1-.03(10)(c)5]
- 8.9.2 The Permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall also furnish to the Division copies of records that the Permittee is required to keep by this Permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the EPA, if necessary, along with a claim of confidentiality.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(v)]

8.10 Modifications

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

8.11 Permit Revision, Revocation, Reopening and Termination

- 8.11.1 This Permit may be revised, revoked, reopened and reissued, or terminated for cause by the Director. The Permit will be reopened for cause and revised accordingly under the following circumstances:
[391-3-1-.03(10)(d)1(i)]
- a. If additional applicable requirements become applicable to the source and the remaining Permit term is one (1) year or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the Permit is due to expire;
[391-3-1-.03(10)(e)6(i)(I)]
 - b. If any additional applicable requirements of the Acid Rain Program become applicable to the source;
[391-3-1-.03(10)(e)6(i)(II)] (Acid Rain sources only)
 - c. The Director determines that the Permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Permit; or
[391-3-1-.03(10)(e)6(i)(III) and 40 CFR 70.7(f)(1)(iii)]
 - d. The Director determines that the Permit must be revised or revoked to assure compliance with the applicable requirements.
[391-3-1-.03(10)(e)6(i)(IV) and 40 CFR 70.7(f)(1)(iv)]
- 8.11.2 Proceedings to reopen and reissue a Permit shall follow the same procedures as applicable to initial Permit issuance and shall affect only those parts of the Permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable.
[391-3-1-.03(10)(e)6(ii)]

Title V Permit

- 8.11.3 Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Director at least thirty (30) days in advance of the date the Permit is to be reopened, except that the Director may provide a shorter time period in the case of an emergency.
[391-3-1-.03(10)(e)6(iii)]
- 8.11.4 All Permit conditions remain in effect until such time as the Director takes final action. The filing of a request by the Permittee for any Permit revision, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance, shall not stay any Permit condition.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(iii)]
- 8.11.5 **State Only Enforceable Condition.**
At any time that the Director determines that additional control of emissions from the facility may reasonably be needed to provide for the continued protection of public health, safety and welfare, the Director reserves the right to amend the provisions of this Permit pursuant to the Director's authority as established in the Georgia Air Quality Act and the rules adopted pursuant to that Act.
[391-3-1-.02(2)(a)3]
- 8.11.6 A Permit revision shall not be required for changes that are explicitly authorized by the conditions of this Permit.
- 8.11.7 A Permit revision shall not be required for changes that are part of an approved economic incentive, marketable Permit, emission trading, or other similar program or process for change which is specifically provided for in this Permit.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(8)]

8.12 Severability

- 8.12.1 Any condition or portion of this Permit which is challenged, becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this Permit.
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(5)]

8.13 Excess Emissions Due to an Emergency

- 8.13.1 An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the Permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(1)]

Title V Permit

- 8.13.2 An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the Permittee demonstrates, through properly signed contemporaneous operating logs or other relevant evidence, that:
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(2) and (3)]
- a. An emergency occurred and the Permittee can identify the cause(s) of the emergency;
 - b. The Permitted facility was at the time of the emergency being properly operated;
 - c. During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in the Permit; and
 - d. The Permittee promptly notified the Division and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- 8.13.3 In an enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency shall have the burden of proof.
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(4)]
- 8.13.4 The emergency conditions listed above are in addition to any emergency or upset provisions contained in any applicable requirement.
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(5)]

8.14 Compliance Requirements

8.14.1 Compliance Certification

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

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

- a. The identification of each term or condition of the Permit that is the basis of the certification;
- b. The status of compliance with the terms and conditions of the permit for the period covered by the certification, based on the method or means designated in paragraph c below. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred;

Title V Permit

- c. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period and whether such methods or other means provide continuous or intermittent data;
- d. Any other information that must be included to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information; and
- e. Any additional requirements specified by the Division.

8.14.2 Inspection and Entry

- a. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the Division to perform the following:
[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(2)]
 - i. Enter upon the Permittee's premises where a Part 70 source is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
 - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this Permit; and
 - iv. Sample or monitor any substances or parameters at any location during operating hours for the purpose of assuring Permit compliance or compliance with applicable requirements as authorized by the Georgia Air Quality Act.
- b. No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for Permit revocation and assessment of civil penalties.
[391-3-1-.07 and 40 CFR 70.11(a)(3)(i)]

8.14.3 Schedule of Compliance

- a. For applicable requirements with which the Permittee is in compliance, the Permittee shall continue to comply with those requirements.
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(A)]

- b. For applicable requirements that become effective during the Permit term, the Permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(B)]

- c. Any schedule of compliance for applicable requirements with which the source is not in compliance at the time of Permit issuance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(C)]

8.15 Circumvention

8.15.1 State Only Enforceable Condition.

The Permittee shall not build, erect, install, or use any article, machine, equipment or process the use of which conceals an emission which would otherwise constitute a violation of an applicable emission standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of the pollutants in the gases discharged into the atmosphere.

[391-3-1-.03(2)(c)]

8.16 Permit Shield

8.16.1 Compliance with the terms of this Permit shall be deemed compliance with all applicable requirements as of the date of Permit issuance provided that all applicable requirements are included and specifically identified in the Permit.

[391-3-1-.03(10)(d)6]

8.16.2 Any Permit condition identified as “State only enforceable” does not have a Permit shield.

8.17 Operational Practices

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

[391-3-1-.02(2)(a)10]

Title V Permit

- 8.17.2 No person owning, leasing, or controlling, the operation of any air contaminant sources shall willfully, negligently or through failure to provide necessary equipment or facilities or to take necessary precautions, cause, permit, or allow the emission from said air contamination source or sources, of such quantities of air contaminants as will cause, or tend to cause, by themselves, or in conjunction with other air contaminants, a condition of air pollution in quantities or characteristics or of a duration which is injurious or which unreasonably interferes with the enjoyment of life or use of property in such area of the State as is affected thereby. Complying with Georgia's Rules for Air Quality Control Chapter 391-3-1 and Conditions in this Permit, shall in no way exempt a person from this provision.
[391-3-1-.02(2)(a)1]

8.18 Visible Emissions

- 8.18.1 Except as may be provided in other provisions of this Permit, the Permittee shall not cause, let, suffer, permit or allow emissions from any air contaminant source the opacity of which is equal to or greater than forty (40) percent.
[391-3-1-.02(2)(b)1]

8.19 Fuel-burning Equipment

- 8.19.1 The Permittee shall not cause, let, suffer, permit, or allow the emission of fly ash and/or other particulate matter from any fuel-burning equipment with rated heat input capacity of less than 10 million Btu per hour, in operation or under construction on or before January 1, 1972 in amounts equal to or exceeding 0.7 pounds per million BTU heat input.
[391-3-1-.02(2)(d)]
- 8.19.2 The Permittee shall not cause, let, suffer, permit, or allow the emission of fly ash and/or other particulate matter from any fuel-burning equipment with rated heat input capacity of less than 10 million Btu per hour, constructed after January 1, 1972 in amounts equal to or exceeding 0.5 pounds per million BTU heat input.
[391-3-1-.02(2)(d)]
- 8.19.3 The Permittee shall not cause, let, suffer, permit, or allow the emission from any fuel-burning equipment constructed or extensively modified after January 1, 1972, visible emissions the opacity of which is equal to or greater than twenty (20) percent except for one six minute period per hour of not more than twenty-seven (27) percent opacity.
[391-3-1-.02(2)(d)]

8.20 Sulfur Dioxide

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

8.21 Particulate Emissions

8.21.1 Except as may be specified in other provisions of this Permit, the Permittee shall not cause, let, permit, suffer, or allow the rate of emission from any source, particulate matter in total quantities equal to or exceeding the allowable rates shown below. Equipment in operation, or under construction contract, on or before July 2, 1968, shall be considered existing equipment. All other equipment put in operation or extensively altered after said date is to be considered new equipment.

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

- a. The following equations shall be used to calculate the allowable rates of emission from new equipment:

$E = 4.1P^{0.67}$; for process input weight rate up to and including 30 tons per hour.

$E = 55P^{0.11} - 40$; for process input weight rate above 30 tons per hour.

- b. The following equation shall be used to calculate the allowable rates of emission from existing equipment:

$$E = 4.1P^{0.67}$$

In the above equations, E = emission rate in pounds per hour, and

P = process input weight rate in tons per hour.

8.22 Fugitive Dust

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

8.22.1 Except as may be specified in other provisions of this Permit, the Permittee shall take all reasonable precautions to prevent dust from any operation, process, handling, transportation or storage facility from becoming airborne. Reasonable precautions that could be taken to prevent dust from becoming airborne include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces that can give rise to airborne dusts;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods can be employed during sandblasting or other similar operations;
- d. Covering, at all times when in motion, open bodied trucks, transporting materials likely to give rise to airborne dusts; and
- e. The prompt removal of earth or other material from paved streets onto which earth or other material has been deposited.

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

8.23 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)]

Attachments

- A. List of Standard Abbreviations and List of Permit Specific Abbreviations
- B. Insignificant Activities Checklist, Insignificant Activities Based on Emission Levels and Generic Emission Groups
- C. List of References

Title V Permit

Taylor County LFGTE Power Station

Permit No.: 4911-269-0016-V-01-0

ATTACHMENT B

NOTE: Attachment B contains information regarding insignificant emission units/activities and groups of generic emission units/activities in existence at the facility at the time of Permit issuance. Future modifications or additions of insignificant emission units/activities and equipment that are part of generic emissions groups may not necessarily cause this attachment to be updated.

INSIGNIFICANT ACTIVITIES CHECKLIST

| Category | Description of Insignificant Activity/Unit | Quantity |
|--|--|----------|
| Mobile Sources | 1. Cleaning and sweeping of streets and paved surfaces | yes |
| Combustion Equipment | 1. Fire fighting and similar safety equipment used to train fire fighters or other emergency personnel. | |
| | 2. Small incinerators that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act and are not considered a "designated facility" as specified in 40 CFR 60.32e of the Federal emissions guidelines for Hospital/Medical/Infectious Waste Incinerators, that are operating as follows: i) Less than 8 million BTU/hr heat input, firing types 0, 1, 2, and/or 3 waste. ii) Less than 8 million BTU/hr heat input with no more than 10% pathological (type 4) waste by weight combined with types 0, 1, 2, and/or 3 waste. iii) Less than 4 million BTU/hr heat input firing type 4 waste. (Refer to 391-3-1-.03(10)(g)2.(ii) for descriptions of waste types) | |
| | 3. Open burning in compliance with Georgia Rule 391-3-1-.02 (5). | |
| | 4. Stationary engines burning: i) Natural gas, LPG, gasoline, dual fuel, or diesel fuel which are used exclusively as emergency generators; ii) Natural gas, LPG, and/or diesel fueled generators used for emergency, peaking, and/or standby power generation, where the combined peaking and standby power generation do not exceed 200 hours per year. iii) Natural gas, LPG, and/or diesel fuel used for other purposes, provided that the output of each engine does not exceed 400 horsepower and that no individual engine operates for more than 2,000 hours per year. iv) Gasoline used for other purposes, provided that the output of each engine does not exceed 100 horsepower and that no individual engine operates for more than 500 hours per year. | |
| Trade Operations | 1. Brazing, soldering, and welding equipment, and cutting torches related to manufacturing and construction activities whose emissions of hazardous air pollutants (HAPs) fall below 1,000 pounds per year. | |
| Maintenance, Cleaning, and Housekeeping | 1. Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system (or collector) serving them exclusively. | |
| | 2. Portable blast-cleaning equipment. | 1 unit |
| | 3. Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes. | |
| | 4. Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent. | |
| | 5. Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning. | yes |
| | 6. Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners. | |
| | 7. Cleaning operations: Alkaline phosphate cleaners and associated cleaners and burners. | |

Title V Permit

INSIGNIFICANT ACTIVITIES CHECKLIST

| Category | Description of Insignificant Activity/Unit | Quantity |
|---------------------------------|---|----------|
| Laboratories and Testing | 1. Laboratory fume hoods and vents associated with bench-scale laboratory equipment used for physical or chemical analysis. | |
| | 2. Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are not individually major or are support facilities not making significant contributions to the product of a collocated major manufacturing facility. | |
| Pollution Control | 1. Sanitary waste water collection and treatment systems, except incineration equipment or equipment subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.. | |
| | 2. On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act. | |
| | 3. Bioremediation operations units that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act. | |
| | 4. Landfills that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act. | |
| Industrial Operations | 1. Concrete block and brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year. | |
| | 2. Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate fuel oil at a maximum total heat input rate of not more than 5 million BTU's per hour: <ul style="list-style-type: none"> i) Furnaces for heat treating glass or metals, the use of which do not involve molten materials or oil-coated parts. ii) Porcelain enameling furnaces or porcelain enameling drying ovens. iii) Kilns for firing ceramic ware. iv) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds. v) Bakery ovens and confection cookers. | |
| | 3. Carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, shot blasting, shot peening, or polishing; ceramics, glass, leather, metals, plastics, rubber, concrete, paper stock or wood, also including roll grinding and ground wood pulping stone sharpening, provided that: <ul style="list-style-type: none"> i) Activity is performed indoors; & ii) No significant fugitive particulate emissions enter the environment; & iii) No visible emissions enter the outdoor atmosphere. | |
| | 4. Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy (e.g., blueprint activity, photographic developing and microfiche). | |
| | 5. Grain, food, or mineral extrusion processes | |
| | 6. Equipment used exclusively for sintering of glass or metals, but not including equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds. | |
| | 7. Equipment for the mining and screening of uncrushed native sand and gravel. | |
| | 8. Ozonization process or process equipment. | |
| | 9. Electrostatic powder coating booths with an appropriately designed and operated particulate control system. | |
| | 10. Activities involving the application of hot melt adhesives where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year. | |
| | 11. Equipment used exclusively for the mixing and blending water-based adhesives and coatings at ambient temperatures. | |
| | 12. Equipment used for compression, molding and injection of plastics where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year. | |
| | 13. Ultraviolet curing processes where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year. | |

Title V Permit

INSIGNIFICANT ACTIVITIES CHECKLIST

| Category | Description of Insignificant Activity/Unit | Quantity |
|------------------------------------|---|----------|
| Storage Tanks and Equipment | 1. All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored. | 2 tanks |
| | 2. All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act. | |
| | 3. All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid. | |
| | 4. All pressurized vessels designed to operate in excess of 30 psig storing petroleum fuels that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act. | |
| | 5. Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act. | |
| | 6. Portable drums, barrels, and totes provided that the volume of each container does not exceed 550 gallons. | 1 drum |
| | 7. All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury (0.19 psia). | |

INSIGNIFICANT ACTIVITIES BASED ON EMISSION LEVELS

| Description of Emission Units / Activities | Quantity |
|--|----------|
| | |

Title V Permit

ATTACHMENT B (continued)

GENERIC EMISSION GROUPS

Emission units/activities appearing in the following table are subject only to one or more of Georgia Rules 391-3-1-.02 (2) (b), (e) &/or (n). Potential emissions of particulate matter, from these sources based on TSP, are less than 25 tons per year per process line or unit in each group. Any emissions unit subject to a NESHAP, NSPS, or any specific Air Quality Permit Condition(s) are not included in this table.

| Description of Emissions Units / Activities | Number of Units (if appropriate) | Applicable Rules | | |
|---|----------------------------------|------------------|------------------------------|------------------------|
| | | Opacity Rule (b) | PM from Mfg Process Rule (e) | Fugitive Dust Rule (n) |
| | | | | |

The following table includes groups of fuel burning equipment subject only to Georgia Rules 391-3-1-.02 (2) (b) & (d). Any emissions unit subject to a NESHAP, NSPS, or any specific Air Quality Permit Condition(s) are not included in this table.

| Description of Fuel Burning Equipment | Number of Units |
|--|-----------------|
| Fuel burning equipment with a rated heat input capacity of less than 10 million BTU/hr burning only natural gas and/or LPG. | |
| Fuel burning equipment with a rated heat input capacity of less than 5 million BTU/hr, burning only distillate fuel oil, natural gas and/or LPG. | |
| Any fuel burning equipment with a rated heat input capacity of 1 million BTU/hr or less. | |

ATTACHMENT C

LIST OF REFERENCES

1. The Georgia Rules for Air Quality Control Chapter 391-3-1. All Rules cited herein which begin with 391-3-1 are State Air Quality Rules.
2. Title 40 of the Code of Federal Regulations; specifically 40 CFR Parts 50, 51, 52, 60, 61, 63, 64, 68, 70, 72, 73, 75, 76 and 82. All rules cited with these parts are Federal Air Quality Rules.
3. *Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, Procedures for Testing and Monitoring Sources of Air Pollutants.*
4. *Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, Procedures for Calculating Air Permit Fees.*
5. Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources. This information may be obtained from EPA's TTN web site at www.epa.gov/ttn/chief/ap42.html.
6. The latest properly functioning version of EPA's **TANKS** emission estimation software. The software may be obtained from EPA's TTN web site at www.epa.gov/ttn/chief/tanks.html.
7. The Clean Air Act (42 U.S.C. 7401 et seq).
8. White Paper for Streamlined Development of Part 70 Permit Applications, July 10, 1995 (White Paper #1).
9. White Paper Number 2 for Improved Implementation of the Part 70 Operating Permits Program, March 5, 1996 (White Paper #2).