STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF APPROVING A NEW CONTAMINANT SOURCE FOR THE PUBLIC UTILITY DISTRICT NO. 1 OF KLICKITAT COUNTY	))))	Proposed Decision Regarding **ORDER No. 08AQ-C080 Third Revision**

To: **The Public Utility District No. 1 of Klickitat County**
1313 South Columbus Avenue
Goldendale, Washington 98620

1.0 PROJECT SUMMARY

The Public Utility District No.1 of Klickitat County ("Klickitat PUD") operates the H.W. Hill Landfill Gas Power Plant. The Plant consists of five internal combustion engines, two combustion turbines, and associated landfill gas cleaning systems.

On October 8, 2008, the Department of Ecology ("Ecology") originally approved the construction and operation of the "expansion", turbine-based power generation. The expansion consists of two 10.1-MW landfill gas-fired combustion turbines, generating up to 20.2 MW of electrical power; two heat recovery steam generators (HRSG) generating up to 8 MW of electrical power; a new landfill gas treatment system to remove sulfur compounds, siloxanes, and miscellaneous organic compounds, from the landfill gas; and an enclosed landfill gas flare capable of combusting up to 12,000 cubic feet of landfill gas per hour, during periods when the landfill gas treatment system is undergoing maintenance.

The Department of Ecology APPROVES Klickitat PUD's proposal by issuing this ORDER. The project location is within the West ½ of the Northeast ¼ of Section 27, Township 4 North, Range 21 East Willamette Meridian, approximately 5 miles north of Roosevelt, Klickitat County, Washington.

THEREFORE, IT IS ORDERED that the project as described in the Notice of Construction application submitted by Klickitat PUD, and more specifically detailed in plans, specifications and other information submitted to the Department of Ecology in reference thereto, is approved for construction, installation and operation, provided the following conditions are met:

2.0 APPROVAL CONDITIONS

2.1 LAWS AND REGULATIONS

2.1.1 The source qualified as a new source of air contaminants under WAC 173-400-110, September 6, 2007, and WAC 173-460-040, July 21, 1998. This source was

reviewed under the legal authority of RCW 70.94.152 and the applicable rules and regulations adopted thereunder.

2.1.2 The proposed source shall comply with all current state laws and regulations, including:

- Chapter 70.94 RCW, Washington Clean Air Act;
- Chapter 173-400 WAC, General Regulations for Air Pollution Sources;
- Chapter 173-460 WAC, Controls for New Sources of Toxic Air Pollutants.

2.1.3 The project shall comply with all applicable federal laws and regulations, including Title 40, Code of Federal Regulations (40 CFR) part 60, subpart KKKK, Standards of Performance for Stationary Combustion Turbines, July 6, 2006.

2.2 ANNUAL EMISSIONS

The proposed project shall not exceed the following annual emissions, including startup and shut-down emissions:

Pollutant	Emissions	
Nitrogen Oxides (NO_X)	249.0	tons per year
Nitric Oxide (NO)	162.4	tons per year
Carbon Monoxide (CO)	137.8	tons per year
Volatile Organic Compounds (VOCs)	131.9	tons per year
Particulate Matter ($PM_{2.5}$)[1]	48.1	tons per year
Particulate Matter (PM_{10})[2]	39.7	tons per year
Sulfur Dioxide (SO_2)	13.4	tons per year
Acrylonitrile	~~18.8~~22.1	pounds per year
Benzene	~~1513.0~~1,782.2	pounds per year
Benzyl Chloride	~~18.3~~21.6	pounds per year
Bromodichloromethane	2.8	pounds per year
Carbon Disulfide	0.06	pounds per year
Carbon Tetrachloride	~~2.7~~3.2	pounds per year
Chlorobenzene	0.16	pounds per year
Chlorodifluoromethane	~~3470.5~~4,088.5	pounds per year
Chloroethane	0.44	pounds per year
Chloroform	~~10.4~~12.3	pounds per year
Chloromethane (Methyl Chloride)	~~2.5~~2.9	pounds per year
Cyclohexane	~~191.8~~226.0	pounds per year
Dichlorobenzene	0.17	pounds per year
1,1-Dichloroethane	1.27	pounds per year
1,1-Dichloroethene	0.11	pounds per year
1,2-Dichloroethane	0.22	pounds per year
Dichloromethane	6.6	pounds per year
1,2-Dichloropropane	0.12	pounds per year
Ethylbenzene	~~3.7~~4.2	pounds per year

Pollutant	Emissions
Ethylene Dibromide	0.002 pounds per year
Formaldehyde	~~687.2~~809.7 pounds per year
Heptane	~~382.2~~450.4 pounds per year
Hexane	0.77 pounds per year
Hydrogen Sulfide	~~272.0~~320.3 pounds per year
Isopropyl Alcohol	4.1 pounds per year
Mercury (Total)	0.0001 pounds per year
Methyl Ethyl Ketone	~~2.9~~3.3 pounds per year
Methyl Isobutyl Ketone	~~0.36~~0.38 pounds per year
Styrene	0.2 pounds per year
1,1,2,2-Tetrachloroethane	1.0 pounds per year
Tetrachloroethene (Perchloroethylene)	~~3.1~~3.2 pounds per year
Tetrahydrofuran	~~889.5~~1,048.1 pounds per year
Toluene	~~23.8~~24.3 pounds per year
1,1,1-Trichloroethane (Methyl Chloroform)	~~43.2~~50.8 pounds per year
Trichloroethylene	2.0 pounds per year
Vinyl Acetate	0.1 pounds per year
Vinyl Chloride	~~2.8~~2.9 pounds per year
Xylenes	~~18.9~~21.9 pounds per year

[1]Total $PM_{2.5}$ emissions include estimated contributions from the conversion of SO_2 and NO_X to sulfate and nitrate particles, respectively. Conversion rates of 1% and 3% per hour for SO_2 and NO_X, respectively, over a one-hour travel time, are assumed. [2]Total PM_{10} emissions represent primary emissions only.

2.3 BACT

As required by WAC 173-400-113(2), this project shall use Best Available Control Technology (BACT) to control emission of particulate matter, sulfur dioxide, nitrogen oxides, carbon monoxide and volatile organic compounds. The following control technologies and limitations are determined to be BACT for the specified regulated air pollutants and emission units:

2.3.1 **Combustion Turbines**

2.3.1.1 Nitrogen Oxides (NO_X) – Turbine design, good combustion practices, with supplemental use of water injection. NO_X emissions from each combustion turbine exhaust shall not exceed the limits in Conditions 2.3.1.1.1, 2.3.1.1.2 and 2.3.1.1.3 below, except during periods of startup and shutdown.

2.3.1.1.1 NO_X emissions from each turbine shall not exceed sixty (60) parts per million by volume on a dry basis (ppmvd), at 15% oxygen, 3-hour average, when the methane content in the landfill gas fuel, averaged over the previous three (3) hours, is 50% methane by volume, or less.

2.3.1.1.2 NO_X emissions from each turbine shall not exceed a linear progression from 60 to 74 ppmvd at 15% oxygen, 3-hour average, for methane content in the landfill gas fuel, averaged over the previous 3 hours, varying between 50% and 55% methane by volume.

2.3.1.1.3 NO_X emissions from each combustion turbine shall not exceed 74 ppmvd at 15% oxygen, 3-hour average, when the methane content in the landfill gas fuel, averaged over the previous 3 hours, is higher than 55% methane by volume.

2.3.1.1.4 Ecology may evaluate operating data from this project after it is constructed to determine whether or not lower NO_X emission limits are achievable using the employed technology. If lower NO_X limits are found to be achievable, based on actual operation of the equipment as installed and permitted, Ecology may amend this Order to incorporate the lower emission limits.

2.3.1.2 Carbon Monoxide (CO) – Turbine design and good combustion practices to keep total CO emissions in each turbine at or below 60 ppmvd at 15% oxygen, 1-hour average, except during periods of startup and shutdown.

2.3.1.3 Sulfur Dioxide (SO_2) – Fuel cleaning to reduce sulfur compounds in the fuel to below 20 ppm by weight (ppmw) of sulfur, as hydrogen sulfide. Total SO_2 emissions from any combustion turbine shall not exceed 0.014 lb SO_2 per million British thermal units (lb/MMBtu) heat input. No fuel other than pre-cleaned landfill gas shall be burned in the combustion turbines. Cleaning of landfill gas shall be achieved by maintaining a landfill gas cleaning system designed to lower concentrations of organic compounds, sulfur compounds, and other impurities, from the landfill gas to be burned. No landfill gas shall be combusted in the heat recovery systems.

2.3.1.4 Particulate Matter – Turbine design, good combustion practices, and fuel cleaning to keep total particulate emissions in each turbine at or below ~~0.0419~~0.0343 pounds of total particulate, as PM_{10}, per million British thermal units (lb/MMBtu) heat input.

2.3.1.5 Volatile Organic Compounds (VOC) – Turbine design and good combustion practices to keep total VOC emissions in each turbine at or below ~~0.135~~0.110 lb VOC/MMBtu heat input. Control efficiency of VOC entering the turbines shall be at least 90.0 weight percent, or the outlet concentration of VOC shall be reduced to less than 20 ppmvd, as hexane, at 3 percent oxygen.

2.3.2 **Enclosed Flare**

2.3.2.1 Nitrogen Oxides (NO_X) – Flare design and proper operation and maintenance of the flare to keep NO_X emissions from the flare at or below 0.053 lb/MMBtu heat input.

2.3.2.2 Carbon Monoxide (CO) – Flare design and proper operation and maintenance of the flare to keep CO emissions from the flare at or below 0.033 lb/MMBtu heat input.

2.3.2.3 Sulfur Dioxide (SO_2) – Limiting SO_2 emissions from the flare at or below 0.015 lb/MMBtu heat input.

2.3.2.4 Particulate Matter – Pre-cleaning or filtering of landfill gas, and proper operation and maintenance of the flare to keep PM_{10} emissions from the flare at or below 0.020 lb/MMBtu heat input.

2.3.2.5 Volatile Organic Compounds (VOC) – The use of a standard enclosed flare, which is operated at a temperature not lower than 1600 degrees Fahrenheit with a retention time of at least 0.6 seconds. Destruction efficiency of non-methane organic compounds (NMOC) entering the flare shall be at least 98.0 weight percent, or the outlet concentration of NMOC shall be reduced to 0.227 lb/MMBtu heat input or less.

2.4 tBACT

As required by WAC 173-460-040(4)(b), this project shall use Best Available Control Technology for Toxics (tBACT) to control emission of toxic air pollutants. The following control technologies are determined to satisfy the tBACT requirement:

2.4.1 The use of a properly operated and maintained landfill gas cleaning system designed to lower concentrations of organic compounds, sulfur compounds, and other impurities, from the landfill gas to be burned. No landfill gas shall be combusted in the heat recovery systems.

2.4.2 The use of a properly maintained and operated standard enclosed flare to combust landfill gas which is vented during periods when the landfill gas treatment system is operating.

2.4.3 Compliance with BACT conditions in section 2.3 above.

2.5 PRODUCTION AND EQUIPMENT RESTRICTIONS

2.5.1 The facility shall be limited to the construction and operation of the following emission units:

Emission Unit	Quantity	Estimated* Maximum Input	Estimated* Output
Combustion Turbines	2	~~216~~ 264 MMBtu/hr	20.2 MWe
Heat Recovery Systems	2	Not Applicable	8 MWe
Enclosed Flare	1	6.0 MMBtu/hr	Not Applicable

*Production estimates are based on site average conditions of 55 °F, 1,550 feet elevation, and 60% relative humidity. Production output is not limited to the specified output values, provided that no emission limit contained in this Order is exceeded.

2.5.2 This project is limited to two landfill gas-fired combustion turbines each burning ~~3,630~~4,000 cubic feet per minute (cfm), or less, of landfill gas at site average conditions of 55 °F, and ~~496~~ 551 Btu/cf (HHV) landfill gas containing 54.4% methane content. Landfill gas usage may increase to 4,078 cfm per turbine in cold weather periods (at -10 °F or lower).

2.5.3 This project is limited to one standard enclosed flare operated at a maximum flow rate of 12,000 standard cubic feet (scf) of landfill gas per hour and a maximum heat input rate of 6.0 MMBtu/hr.

2.5.4 An interlock or some other failsafe device shall prevent landfill gas from entering the flare if the temperature in the combustion chamber is measured at less than 1600 degrees Fahrenheit, except during the first 15 minutes following startup of the flare.

2.5.5 The flare shall be equipped with a landfill gas supply shut-off safety system, which in the event of emergency, automatically isolates the flare from the landfill gas supply line, shuts off the blower, and triggers a failure alarm to notify a responsible party of the shutdown. The safety system shall be tested monthly to ensure it is working properly and the results recorded. Tests may be conducted electronically, without an actual flare shutdown.

2.5.6 Installation of more emission units than specified herein, landfill gas processing rates greater than the specified rates, or any modifications to the specified emission units that increase emissions of any regulated air pollutant, may require approval by Ecology of separate Notice of Construction applications.

2.5.7 The exhaust stacks for the combustion turbines shall each extend at least 55.0 feet (16.8 meters) above plant grade. Internal stack dimensions and operating parameters shall be in accordance with plans and specifications submitted to Ecology as part of the Notice of Construction application.

2.5.8 The release height for the enclosed flare shall be at least 30 feet (9.1 meters) above plant grade. Internal stack dimensions and operating parameters shall be in accordance with plans and specifications submitted to Ecology as part of the Notice of Construction application.

2.5.9 Any modification to the proposed source that increases emissions of any regulated air pollutant above the Prevention of Significant Deterioration (PSD) significant emission rates, as defined at 40 CFR 52.21(b)(23), will require a Prevention of Significant Deterioration (PSD) air quality permit, prior to beginning construction.

2.6 SPECIFIC EMISSION LIMITS

2.6.1 Total NO_X emissions from the project, including emissions during startup and shutdown of the turbines shall not exceed 249.0 tons per year, rolled monthly.

2.6.2 Total CO emissions from the project, including emissions during startup and shutdown of the turbines shall not exceed 137.8 tons per year, rolled monthly.

2.6.3 In addition to the emission rates in sections 2.2, 2.3, and in this section, the following emission rates shall not be exceeded at any turbine exhaust, except during periods of startup and shutdown:

Pollutant	Shall not exceed	
Visible emissions	10	percent opacity
Particulate Matter (PM_{10})	4.5	pounds per hour
Nitrogen Oxides (NO_X)	41.9	pounds per hour
Carbon Monoxide (CO)	15.6	pounds per hour
Sulfur Dioxide (SO_2)	1.5	pounds per hour
Volatile Organic Compounds (VOC)	14.6	pounds per hour

2.6.4 Visible emissions from the project shall not exceed zero (0) percent opacity at the property boundary.

2.7 OPERATION AND MAINTENANCE REQUIREMENTS

2.7.1 Klickitat PUD shall follow all recommended installation, configuration, operation, and maintenance provisions supplied by the permitted units' manufacturers. All equipment shall be properly maintained and kept in good operating condition at all times.

2.7.2 The source will be operated and maintained in accordance with a site-specific operation and maintenance (O&M) manual, to be prepared by the permittee. O&M manual development shall be completed prior to operation of this source. The O&M manual shall be updated to reflect any modifications to the source or operating procedures. Failure to follow the requirements of the O&M manual, or the adequacy of the O&M manual, may be considered proof that the permitted equipment was not properly operated and maintained. The manual shall reflect

standard operating procedures to be followed by all equipment operators. At a minimum, the O&M manual shall include:

2.7.2.1 Normal operating parameters for the emission units;

2.7.2.2 A maintenance schedule for the emission units;

2.7.2.3 Monitoring and record keeping requirements, including but not limited to a record of all scheduled testing and maintenance activities performed on the enclosed flare that result in the emission of raw landfill gas to the atmosphere;

2.7.2.4 A description of the monitoring procedures; and

2.7.2.5 Actions for abnormal control system operation, including but not limited to requirements for reporting to Ecology any breakdown or malfunction which results in the emission of raw landfill gas and for undertaking immediate remedial measures to correct the problem and prevent further emissions into the atmosphere.

2.7.3 In accordance with WAC 173-400-101, the permittee shall review and update the O&M manual at least annually. O&M records shall be available for inspection by Ecology, organized in a readily accessible manner, and retained for at least five (5) years.

2.7.4 Each combustion turbine shall operate at a load no less than the minimum load demonstrated by prior Ecology-approved source tests to meet all of the conditions of this Order.

2.8 TESTING REQUIREMENTS

2.8.1 Within 60 days after achieving the maximum production rate at which the source will be operated, but not later than 90 days after the restart of each turbine, Klickitat PUD shall conduct initial performance testing, to demonstrate compliance with all applicable emission limits identified in this Order.

2.8.2 In accordance with 40 CFR 60.4400 and 40 CFR 60.4410, subsequent performance testing for NO_X and SO_2 from each turbine shall be conducted annually. The ambient temperature must be greater than 0^oF during each performance test.

2.8.3 Source testing shall be conducted annually for each pollutant not meeting its respective emission limit(s) in Condition 2.6.3, during any of the previous three source tests, and every five years for each other pollutant(s) in Condition 2.8.5.

2.8.4 The term "annually", as used in Conditions 2.8.2 and 2.8.3, shall mean no more than 12 calendar months following the previous performance test.

2.8.5 The combustion turbines shall be tested for the following pollutants, using the specified methods:

Pollutant	Test Method
Oxides of Nitrogen (NO_X)	EPA Method 7E, or Method 20, 40 CFR part 60, Appendix A.
Particulate Matter (PM_{10})	EPA Methods 1 through 5, 40 CFR part 60, Appendix A, and Method 202, 40 CFR part 51, Appendix M.
Carbon Monoxide (CO)	EPA Method 10, 40 CFR part 60, Appendix A.
Sulfur Dioxide (SO_2)	EPA Method 6C, 40 CFR part 60, Appendix A.
Volatile Organic Compounds (VOC)	EPA Methods 25A or 18, 40 CFR part 60, Appendix A.
Visible Emissions	EPA Method 9, 40 CFR part 60, Appendix A.

2.8.6 Alternate test methods may be proposed by the permittee in writing and approved by Ecology in advance of testing.

2.8.7 Performance testing of the turbines shall be conducted at any load condition within plus or minus 25 percent of 100 percent of peak load. The permittee may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice.

2.8.8 All performance testing shall be performed by an independent testing firm. Each performance test shall consist of three separate runs. The minimum length of each run is 20 minutes.

2.8.9 A test plan, including a description of the methods proposed, shall be submitted for Ecology's approval at least 30 days prior to any performance testing. A written report shall be submitted to Ecology within 30 days after performance testing is conducted.

2.8.10 Sampling ports and platforms for performance testing must be provided by Klickitat PUD. The test ports must meet the requirements of Method 1, 40 CFR, part 60, Appendix A. Adequate permanent and safe access to the test ports must be provided.

2.8.11 The requirements for performance testing contained in this section are in addition to any source testing required pursuant to other sections of this approval and in

addition to any source testing required pursuant to WAC 173-400-105, and applicable federal rules.

2.9 MONITORING REQUIREMENTS

2.9.1 The flow rate, heat content (Btu), and methane content (expressed as percent by volume methane) of landfill gas fed to the combustion turbines shall be monitored by flow indicators, appropriate heat content and methane content monitors, and recorders, which must operate continuously. Continuously shall mean at least 95 percent of the monthly flare operation, except for periods of monitoring system down-time, provided the permittee demonstrates that the down-time was not a result of inadequate design, operation, or maintenance, or any other reasonably preventable condition, and any necessary repairs to the monitoring system(s) were conducted in a timely manner.

2.9.2 The landfill gas flow rate and heat input (Btu) to the enclosed flare shall be monitored and recorded at least quarterly.

2.9.3 The permittee shall install, calibrate, maintain, and operate Continuous Emission Monitoring Systems (CEMS) for NO_X and O_2, with an automated data acquisition and handling system that complies with 40 CFR part 60, Appendix B, Performance Specifications, and 40 CFR part 60, Appendix F, Quality Assurance Procedures.

2.9.4 CO shall be monitored with a portable CO analyzer or a CO Continuous Emission Monitoring System, according to a Quality Assurance / Quality Control (QA/QC) plan, approved in writing by Ecology.

2.9.5 Klickitat PUD shall monitor sulfur content of the fuel being fired in the turbines. This requirement will be satisfied by:

2.9.5.1 Daily monitoring of sulfur content with an onsite total sulfur analyzer; or

2.9.5.2 Daily monitoring of sulfur content with an onsite H_2S analyzer, provided sulfur compounds in the fuel are less than 10 ppm by weight (ppmw) of sulfur, as hydrogen sulfide, or total SO_2 emissions from any combustion turbine is less than 0.007 lb SO_2 per million British thermal units (lb/MMBtu) heat input, as measured during the most recent performance test; or

2.9.5.3 Daily monitoring of sulfur content with an onsite H_2S analyzer, provided H_2S comprises 95% or more of the total sulfur content of the fuel, as measured during the most recent performance test.

2.9.6 On-line monitors shall be referenced in the Operations and Maintenance manual.

2.9.7 The flare shall be equipped with a temperature indicator and recorder which measures and records the gas temperature in the flare stack. This temperature

indicator and recorder must operate continuously (as defined in Condition 2.9.1). The temperature indicator shall be located above the flame zone, at least three (3) feet below the top of the flare shroud and at least 0.6 seconds downstream of the burner.

2.10 RECORDKEEPING AND REPORTING REQUIREMENTS

2.10.1 The permittee shall keep records of complaints received from the public, Ecology, or any other entity. Any complaints shall be promptly assessed and addressed. A record shall be maintained of the permittee's action to investigate the validity of the complaint and what, if any, corrective action was taken in response to the complaint. Ecology shall be notified within three (3) days of receipt of any complaint.

2.10.2 A daily log shall be kept of the hours of operation of the turbines in base load, peak load, and startup and shutdown, and the average ambient temperature during that mode of operation.

2.10.3 A log shall be kept of operating hours, gas flow rate and heat input for the enclosed flare.

2.10.4 Records shall be kept of all periods of downtime of the monitors specified in section 2.9.

2.10.5 The permittee shall keep records of all emission testing conducted on the permitted emission units.

2.10.6 Klickitat PUD shall report to Ecology any equipment breakdown, or malfunction, that results in the emission of raw landfill gas, within 30 days of occurrence, including a description of immediate remedial measures undertaken by the source to correct the problem and prevent further uncontrolled emissions into the atmosphere.

2.10.7 Records required under 40 CFR part 60, subpart KKKK shall be kept.

2.10.8 CEMS reports shall be submitted at least monthly within 30 days of the end of each calendar month and in a format approved by Ecology.

2.10.8.1 CEMS reports shall include, but not be limited to, the following:

a) Process or control equipment operating parameters;
b) The daily maximum and average concentration, in the units of the standard(s), for each pollutant monitored;
c) The duration and nature of any monitor down-time;
d) Results of any monitor audits or accuracy checks;
e) Results of any required stack tests.

2.10.8.2 For each occurrence of monitored emissions in excess of the standard (by CEMS or approved alternative methodology), the report shall include the following:
a) The time of occurrence;
b) Magnitude of the excess emission or process parameters;
c) The duration of the excess;
d) The probable cause;
e) Any corrective actions taken or planned;
f) Any other agency contacted.

2.10.9 Reporting required by 40 CFR part 60, subpart KKKK shall be submitted to Ecology and EPA.

2.10.10 The actual NO_X and CO emissions, including startup and shutdown emissions, from the turbines, shall be quantified monthly, using CEMS and portable monitor data, respectively, over the most recent 12-month period.

2.10.11 Records of all data required by this Order shall be maintained in a readily retrievable manner for a period of five (5) years or more, and be made available on-site to authorized representatives of Ecology during any site inspection.

2.11 FUGITIVE DUST CONTROL

2.11.1 Fugitive dust will be controlled in accordance with a Fugitive Dust Control Plan, to be prepared by the permittee. Fugitive Dust Control Plan development shall be completed prior to beginning actual construction of the source. Failure to follow the Fugitive Dust Control Plan may be considered proof that the source was not properly operated and maintained.

2.11.2 The Fugitive Dust Control Plan shall include measures to ensure there is no vehicle track-out onto off-site roads during construction and facility operation.

2.11.3 All disturbed surfaces shall be paved, graveled, or re-vegetated at sufficient intervals to prevent visible emissions.

2.12 GENERAL CONDITIONS

2.12.1 No outdoor burning shall be performed at the site.

2.12.2 This Order shall become invalid if construction of combustion turbines and landfill gas cleaning system is discontinued for a period of 18 months or more, or if construction is not complete within a reasonable time. Ecology may extend the 18-month period upon a satisfactory showing that an extension is justified.

2.12.3 It shall be grounds for recision of this approval if physical operation of the source is discontinued for a period of eighteen (18) months or more. Ecology may extend the 18-month period upon a satisfactory showing that an extension is justified.

2.12.4 Emissions inventory information and other information may be requested by Ecology. Unless otherwise specified, emissions information requested by Ecology shall be submitted within 30 days of receiving the request.

2.12.5 Access to the source by the United States Environmental Protection Agency or the Department of Ecology shall be permitted upon request for the purpose of compliance assurance inspections. Failure to allow access is grounds for revocation of the Order approving the Notice of Construction application.

2.12.6 An emergency spill plan shall be in place during operation of the source, and all operations personnel shall be familiar with this plan. The plan shall be posted at the source. Any petroleum or chemical spills shall be reported immediately to the Department of Ecology, Central Regional Office, at (509) 575-2490.

2.12.7 Operation of equipment must be conducted in compliance with all data and specifications submitted as part of the Notice of Construction application unless otherwise approved by Ecology. Any activity undertaken by the permittee, or others, in a manner which is inconsistent with the application or this Order, shall be subject to Ecology enforcement under applicable regulations.

2.12.8 Nothing in this Order shall be construed so as to relieve the permittee of its obligations under any state, local, or federal laws or regulations.

2.12.9 Legible copies of this Order approving the Notice of Construction application, the O&M manual, and the Fugitive Dust Control Plan shall be displayed on-site in a location known by and available to employees in direct operation of the described equipment, and shall be available to Ecology upon request.

2.12.10 Emission limits, specified monitoring, and reporting requirements are applicable during periods of equipment commissioning. Excess emissions determined to be unavoidable during commissioning activities shall be excused and not subject to penalty. The permittee shall have the burden of proving to Ecology that excess emissions during such activities were unavoidable. Excess emissions shall be reported pursuant to WAC 173-400-107(3).

All plans, specifications and other information submitted to Ecology relative to this project and further documents and any further authorizations or approvals or denials in relation thereto, are hereby incorporated herein and made a part of this Order.

Authorization may be modified, suspended or revoked in whole or part for cause, including, but not limited to, the following:

I. Violation of any terms or conditions of this authorization;

II. Obtaining this authorization by misrepresentation or failure to disclose fully all relevant facts.

The provisions of this authorization are severable and, if any provision of this authorization or application of any provision to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this authorization, shall not be affected thereby.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	**Department of Ecology** Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW STE 301 Tumwater, WA 98501	**Pollution Control Hearings Board** PO Box 40903 Olympia, WA 98504-0903

DATED at Yakima, Washington this [day] day of [month], 2013.

Reviewed By: **Approved By**:

Lynnette A. Haller, PE
Central Regional Air Quality Program
Department of Ecology
State of Washington

Susan M. Billings
Air Quality Section Manager
Department of Ecology
State of Washington