

WASHINGTON STATE DEPARTMENT OF ECOLOGY  
CENTRAL REGIONAL OFFICE  
15 W YAKIMA, SUITE 200  
YAKIMA, WASHINGTON 98902

IN THE MATTER OF THE COMPLIANCE BY ) AIR OPERATING PERMIT  
PUBLIC UTILITY DISTRICT NO. 1 OF KLICKITAT COUNTY ) No. 06AQ-C026  
H.W. Hill Landfill Gas Power Plant ) Fourth Revision  
with Section 70.94.161 RCW, Operating Permits for )  
Air Contaminant Sources, and the applicable rules and ) **FINAL PERMIT**  
regulations of the Department of Ecology )

To: Jim Smith, Interim General Manager, OR Greg Gallagher, Power Manager  
Public Utility District No. 1 of Klickitat County  
1313 South Columbus Avenue  
Goldendale, Washington 98620

Issuance Date: December 17, 2009  
Effective Date: November 5, 2009  
Expiration Date: August 6, 2011

**Responsible Official:** Jim Smith, Interim General Manager, OR Greg Gallagher, Power Manager

**Source Location:** 502 Roosevelt Grade Road, Roosevelt, Washington 99356

**Legal Authority:** This AIR OPERATING PERMIT is issued under the authority and provisions of the Federal Clean Air Act, (42 U.S.C. 7401, et seq.), the Washington Clean Air Act, Chapter 70.94 Revised Code of Washington and the Operating Permit Regulation, Chapter 173-401 Washington Administrative Code.

Hereinafter, Public Utility District No. 1 of Klickitat County is called the permittee. The permittee is required to comply with the provisions contained within this permit.

The original Permit was DATED at Yakima, Washington the 4<sup>th</sup> day of August, 2006. An Administrative Amendment, per WAC 173-401-720, to revise the Responsible Official, was DATED at Yakima, Washington the 25<sup>th</sup> day of March, 2008. An Administrative Amendment, per WAC 173-401-720, to revise the Responsible Official, was DATED at Yakima, Washington the 18<sup>th</sup> day of March, 2009. An Administrative Amendment, per WAC 173-401-720, to revise the Alternate Responsible Official, was DATED at Yakima, Washington the 27<sup>th</sup> day of July, 2009. This Administrative Amendment, per WAC 173-401-720, to revise the Alternate Responsible Official, is DATED at Yakima, Washington this 17<sup>th</sup> day of December, 2009.

REVIEWED BY: \_\_\_\_\_

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

APPROVED BY: \_\_\_\_\_

Susan M. Billings  
Section Manager  
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State of Washington

**TABLE OF CONTENTS**

**LIST OF ABBREVIATIONS..... 3**

**1.0 PERMIT PROVISOS ..... 4**

1.1 PERMIT SHIELD ..... 4

1.2 SEVERABILITY ..... 4

1.3 PROPERTY RIGHTS..... 4

1.4 TRANSFER OF OWNERSHIP OR OPERATION..... 4

1.5 EMISSIONS TRADING ..... 4

1.6 ENFORCEABILITY ..... 4

1.7 GENERAL OBLIGATION..... 4

1.8 REASONABLY AVAILABLE CONTROL TECHNOLOGY ..... 4

1.9 NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE..... 4

1.10 PERMIT ACTIONS ..... 4

1.11 PERMIT CONTINUATION..... 4

1.12 PERMIT APPEALS ..... 5

**2.0 PERMIT ADMINISTRATION ..... 5**

2.1 DUTY TO COMPLY ..... 5

2.2 INSPECTION AND ENTRY..... 5

2.3 PERMIT FEES ..... 6

2.4 DUTY TO PROVIDE INFORMATION..... 6

2.5 RECORDKEEPING..... 6

2.6 REPORTING ..... 6

2.7 EXCESS EMISSIONS..... 7

2.8 SUBMITTALS ..... 8

2.9 EMISSION INVENTORY ..... 8

2.10 PERMIT RENEWAL AND EXPIRATION ..... 8

2.11 OFF-PERMIT CHANGES ..... 9

2.12 CHANGES NOT REQUIRING PERMIT REVISIONS ..... 9

2.13 REOPENING FOR CAUSE..... 10

2.14 NEW SOURCE REVIEW ..... 11

2.15 REPLACEMENT OR SUBSTANTIAL ALTERATION OF EMISSION CONTROL TECHNOLOGY ..... 11

2.16 DEMOLITION AND RENOVATION ..... 11

2.17 FEDERAL CFC REQUIREMENTS ..... 11

**3.0 OPERATIONAL FLEXIBILITY ..... 11**

**4.0 COMPLIANCE PLAN..... 12**

COMPLIANCE CERTIFICATION ..... 12

**5.0 APPLICABLE REQUIREMENTS ..... 13**

5.1 SOURCE WIDE..... 13

5.2 GENERATION ..... 17

5.3 LANDFILL GAS TREATMENT..... 23

**6.0 INAPPLICABLE REQUIREMENTS ..... 25**

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**LIST OF ABBREVIATIONS**

AOP	air operating permit
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CO	carbon monoxide
Ecology	Washington State Department of Ecology
ECT	emission control technology
EPA	United States Environmental Protection Agency
FCAA	federal clean air act
FDCP	fugitive dust control plan
gr/dscf	grains per dry standard cubic foot
hr/yr	hour per year
lb/hr	pound per hour
MVAC	motor vehicle air conditioner
MW	megawatt
NOC	notice of construction
NO <sub>x</sub>	oxides of nitrogen
NSPS	new source performance standard
O&M	operations and maintenance
PM	particulate matter
PM <sub>10</sub>	particulate matter with aerodynamic diameter ≤ 10 micrometers
ppm <sub>dv</sub>	parts per million by dry volume
PSD	prevention of significant deterioration
RACT	reasonably available control technology
RCW	Revised Code of Washington
S	state only enforceable requirement
scfm	standard cubic foot per minute
SIP	state implementation plan
SO <sub>2</sub>	sulfur dioxide
VOC	volatile organic compound
WAC	Washington Administrative Code

1.0 **PERMIT PROVISOS**

- 1.1 Permit shield.
  - 1.1.1 Compliance with the conditions of this permit shall be deemed compliance with those applicable requirements that are specifically included in and identified in the permit as of the date of permit issuance. [WAC 173-401-640(1), 9/16/02]
  - 1.1.2 The permit shield shall not apply to any insignificant emissions unit or activity designated under WAC 173-401-530. [WAC 173-401-530, 9/16/02]
- 1.2 Severability. If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable. [WAC 173-401-620(2)(h), 9/16/02; RCW 70.94.905, 2005 (S)]
- 1.3 Property rights. This permit does not convey any property rights of any sort, or any exclusive privilege. [WAC 173-401-620(2)(d), 9/16/02]
- 1.4 Transfer of ownership or operation. A change in ownership or operational control of this source is treated as an administrative permit 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 Ecology. [WAC 173-401-720(1)(d), 9/16/02]
- 1.5 Emissions trading. No permit revision shall be required, under any approved economic incentives, marketable permits, emission trading, and other similar programs or processes for changes that are provided for in this permit. [WAC 173-401-620(2)(g), 9/16/02]
- 1.6 Enforceability. All terms and conditions of the permit are enforceable by the EPA and citizens unless specifically designated as state (S) enforceable. [WAC 173-401-625, 9/16/02]
- 1.7 General obligation.

Exclusions. Nothing in this permit shall alter or affect the following:

  - 1.7.1 The provisions of section 303 of the FCAA (emergency orders), including the authority of the administrator under that section;
  - 1.7.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
  - 1.7.3 The applicable requirements of the acid rain program, consistent with section 408(a) of the FCAA;
  - 1.7.4 The ability of EPA to obtain information from a source pursuant to section 114 of the FCAA; or
  - 1.7.5 The ability of Ecology to establish or revise requirements for the use of RACT as provided in Chapter 252, Laws of 1993.[WAC 173-401-640(4), 9/16/02]
- 1.8 Reasonably Available Control Technology. Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance or renewal shall be considered RACT for purpose of permit issuance or renewal. This does not preclude RACT determinations under Section 8, Chapter 252, Laws of 1993, which shall be incorporated into an operating permit as provided in WAC 173-401-730. [WAC 173-401-605(3)l, 9/16/02; RCW 70.94.154, 2005 (S)]
- 1.9 Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WAC 173-401-620(2)(b), 9/16/02; NOC No. 01AQCR-2037 Second Revision, 1/13/05, Condition 3.9.6]
- 1.10 Permit actions. This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [WAC 173-401-620(2)(c), 9/16/02]
- 1.11 Permit continuation. This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete renewal application has been submitted. An application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied if a timely and complete renewal application has been submitted. [WAC 173-401-620(2)(j), 9/16/02]

- 1.12 Permit appeals. You have the right to appeal this Permit to the Pollution Control Hearings Board. Pursuant to chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

To appeal this action or decision, your notice of appeal must contain a copy of the Ecology order, action or decision you are appealing.

Your appeal must be filed with:

The Pollution Control Hearings Board  
4224 - 6th Avenue SE, Rowe Six, Bldg. 2  
P.O. Box 40903  
Lacey, Washington 98504-0903

Your appeal must also be served on:

The Department of Ecology  
Appeals Coordinator  
P.O. Box 47608  
Olympia, Washington 98504-7608

In addition, please send a copy of your appeal to:

Susan M. Billings  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

*For additional information: Environmental Hearings Office Website: <http://www.eho.wa.gov>*

This provision for appeal in this section is separate from and additional to any federal rights to petition and review under section 505(b) of the FCAA. [WAC 173-401-620(2)(i), 9/16/02; RCW 70.94.221, 2005 (S)]

## 2.0 PERMIT ADMINISTRATION

- 2.1 Duty to comply. The permittee must comply with all conditions of this WAC 173-401 permit. Any permit noncompliance constitutes a violation of Chapter 70.94 RCW and, for federally enforceable provisions, a violation of the FCAA. Such violations are grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [WAC 173-401-620(2)(a), 9/16/02]

### 2.2 Inspection and entry.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow Ecology, or an authorized representative to perform the following:

- 2.2.1 Enter upon the permittee's premises where a Chapter 173-401 WAC source is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- 2.2.2 Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- 2.2.3 Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
- 2.2.4 As authorized by WAC 173-400-105 and the FCAA, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements.

[WAC 173-401-630(2), 9/16/02; RCW 70.94.200, 2005 (S); NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.11.3; ECT Order No. 05AQ-C014, 3/11/05, Condition 2.4.3 (S)]

2.2.4.1 Ecology may require the permittee to conduct stack and/or ambient air monitoring and report the results to Ecology. [WAC 173-400-105(2), 8/20/93, 1/10/05 (S)]

2.2.4.2 Ecology may conduct or require that a test be conducted using approved EPA methods from 40 CFR 60 Appendix A or approved procedures contained in "Source Test Manual - Procedures for Compliance Testing," Ecology, 7/12/90. The permittee may be required to provide platform and sampling ports. Ecology shall be allowed to obtain a sample from any emissions unit. The permittee shall be given the opportunity to observe the sampling and to obtain a sample at the same time. [WAC 173-400-105(4), 8/20/93, 1/10/05 (S)]

- 2.2.5 Ecology may conduct source tests and require access to records, books, files, and other information specific to the control, recovery, or release of pollutants regulated under 40 CFR Part 61. [WAC 173-400-075(2), 1/10/05 (S)]
- 2.2.6 No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. [RCW 70.94.200, 2005 (S)]
- 2.3 Permit fees. The permittee shall pay fees as a condition of this permit in accordance with Ecology's fee schedule. Failure to pay fees in a timely fashion shall subject the permittee to civil and criminal penalties as prescribed in chapter 70.94 RCW. Ecology may revoke this permit if the permit fees are not paid per WAC 173-401-930(3). [WAC 173-401-620(2)(f), 9/16/02; RCW 70.94.162(1), 2005; WAC 173-401-930(3), 9/16/02]
- 2.4 Duty to provide information. The permittee shall furnish to Ecology, within a reasonable time, any information that Ecology may request in writing 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 Ecology copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality. Permitting authorities shall maintain confidentiality of such information in accordance with RCW 70.94.205. [WAC 173-401-620(2)(e), 9/16/02]
- 2.5 Recordkeeping.
- 2.5.1 Permittee shall keep records of required monitoring information that includes, where applicable, the following:
- 2.5.1.1 The date, place, and time of sampling or measurements;
  - 2.5.1.2 The date(s) analyses were performed;
  - 2.5.1.3 The company or entity that performed the analyses;
  - 2.5.1.4 The analytical techniques or methods used;
  - 2.5.1.5 The results of such analyses; and
  - 2.5.1.6 The operating conditions as existing at the time of sampling or measurement.
- [WAC 173-401-615(2)(a), 9/16/02]
- 2.5.2 Permittee shall keep records 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. [WAC 173-401-615(2)(b), 9/16/02]
- 2.5.3 Permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings from continuous monitoring instrumentation, and copies of all reports required by this permit. [WAC 173-401-615(2)(c), 9/16/02; NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.4]
- 2.6 Reporting.
- 2.6.1 Permittee shall submit reports of any required monitoring (i.e., Monitoring Recordkeeping and Reporting column of section 5) at least once every six (6) months. At a minimum, reports for August 1<sup>st</sup> through January 31<sup>st</sup> and February 1<sup>st</sup> through July 31<sup>st</sup>, shall be due **March 15<sup>th</sup>** and **September 15<sup>th</sup>**, respectively. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with WAC 173-401-520. [WAC 173-401-615(3)(a), 9/16/02]
- 2.6.2 Permittee shall report deviations from permit requirements, including those attributable to upset conditions, the probable cause of such deviations, and any corrective actions or preventative measures taken. Such deviations shall be reported '**promptly**'. For deviations which represent a potential threat to human health or safety, 'promptly' means as soon as possible, but in no case later than twelve (12) hours after the deviation is discovered. The source shall maintain a contemporaneous record of all deviations. Other deviations shall be reported no later than **thirty (30) days** after the end of the month during which the deviation is discovered. Copies of reports shall be sent to Ecology at:
- Section Manager
  - Central Regional Air Quality Section
  - Department of Ecology
  - 15 West Yakima Avenue, Suite 200
  - Yakima, Washington 98902
- [WAC 173-401-615(3)(b), 9/16/02]

- 2.6.3 KPUD shall submit progress reports of all requirements order by Settlement Agreement and Agreed Order No. 2854, (i.e., Applicable Requirements 5.2.16-18 and 5.3.7-8) no later than **February 6, 2006; August 6, 2006; February 6, 2007; August 6, 2007; and February 6, 2008**. Each progress report shall contains the dates for achieving each required activity and an explanation of why any dates were not or will not be met and any preventative or corrective measures adopted. [Settlement Agreement and Agreed Order No. 2854, 10/14/05, Condition IV.F]
- 2.7 Excess emissions.
- 2.7.1 Excess emissions due to emergency. The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:
- 2.7.1.1 An emergency occurred and that the permittee can identify the cause(s) of the emergency;
- 2.7.1.2 The permitted source was at the time being properly operated;
- 2.7.1.3 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 this permit; and
- 2.7.1.4 The permittee submitted notice of the emergency to Ecology within **two (2) working days** of the time when emission limitations were exceeded due to the emergency or shorter periods of time specified in an applicable requirement. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.  
[WAC 173-401-645, 9/16/02]
- 2.7.2 Unavoidable excess emissions. Excess emissions determined to be unavoidable under the procedures and criteria in WAC 173-400-107 shall be excused and not subject to penalty.
- 2.7.2.1 The permittee shall have the burden of proving to Ecology that excess emissions were unavoidable. This demonstration shall be a condition to obtaining relief under 2.7.2.2, 2.7.2.3, or 2.7.2.4.
- 2.7.2.2 Excess emission due to startup or shutdown conditions shall be considered unavoidable provided the source reports as required under WAC 173-400-107(3) and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.
- 2.7.2.3 Excess emission due to scheduled maintenance shall be considered unavoidable if the source reports as required under WAC 173-400-107(3) and adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.
- 2.7.2.4 Excess emissions due to upsets shall be considered unavoidable provided the source reports as required under WAC 173-400-107(3) and adequately demonstrates that:
- 2.7.2.4.1 The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- 2.7.2.4.2 The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
- 2.7.2.4.3 The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.  
[WAC 173-400-107, 8/20/93, 1/10/05 (S)]
- 2.7.2.5 Required reporting. Excess emissions which represent a potential threat to human health or safety or which the owner or operator of the source believes to be unavoidable shall be reported to Ecology **as soon as possible**. Other excess emissions shall be reported within **thirty (30) days** after the end of the month during which the event occurred or as part of the routine emission monitoring reports. Upon request by Ecology, the permittee shall submit a full written report including the known causes, the corrective actions taken, and the preventative measures to be taken to minimize or eliminate the chance of recurrence.  
[WAC 173-400-107(3), 8/20/93, 1/10/05 (S)]

- 2.8 Submittals.
- 2.8.1 Reports, test data, monitoring data, and notifications, required by this permit, and requests for permit renewal shall be submitted to Ecology at:  
Section Manager  
Central Regional Air Quality Section  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902  
[WAC 173-401-520, 9/16/02]
- 2.8.2 Any application form, report, or compliance certification submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [WAC 173-401-520, 9/16/02]
- 2.8.3 Duty to supplement or correct application. 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. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [WAC 173-401-500(6), 9/16/02]
- 2.9 Emission inventory. Permittee shall submit an inventory of emissions from the source for each calendar year. The inventory shall include segmented stack and fugitive emissions of TSP, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, CO, NO<sub>x</sub>, VOC, lead, and ammonia. The inventory shall be submitted for each calendar year, no later than **April 15<sup>th</sup>** of the following year.
- Additionally, the inventory for calendar years 2008 and 2011, shall specify inventory year, inventory start date, inventory end date, inventory type, state FIPS code, county FIPS code, facility ID code, point ID code, process ID code, stack ID code, site name, physical address, SCC or PCC, fuel heat content (annual average), fuel ash content (annual average), fuel sulfur content (annual average), pollutant code, annual throughput, daily throughput, work weekday emissions, annual emissions, emission factor, winter throughput (%), spring throughput (%), summer throughput (%), fall throughput (%), hr/day in operation, start time (hour), day/wk in operation, wk/yr in operation, stack latitude, stack longitude, stack height, stack diameter, exit gas temperature, exit gas velocity, exit gas flow rate, SIC/NAICS, design capacity, maximum nameplate capacity, primary control efficiency (%), secondary control efficiency (%), control device type, and rule effectiveness (%), as defined in 40 Code of Federal Regulations Part 51 Subpart A Appendix A , 7/1/03.
- The source shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards. Emission inventories shall be sent to Ecology at:  
Section Manager  
Central Regional Air Quality Section  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902  
[WAC 173-400-105(1), 8/20/93, 1/10/05 (S)]
- 2.10 Permit renewal and expiration. This permit is issued for a fixed term of five (5) years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted. A renewal application is due **February 5, 2010**. A complete renewal application is due no later than **August 5, 2010**. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by Ecology on the renewal application. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by Ecology, any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, the appropriate renewal fee, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term and shall provide a compliance schedule therefor. The application shall be sent to:  
Section Manager  
Central Regional Air Quality Section  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

[WAC 173-401-610, 9/16/02; WAC 173-401-710, 9/16/02]

2.11 Off-permit changes.

2.11.1 The source shall be allowed to make changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of the existing permit conditions. Any change that is a Title I modification or is a change subject to the acid rain requirements under Title IV of the FCAA must be submitted as a permit revision.

2.11.2 Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.

2.11.3 Sources must provide contemporaneous written notice to Ecology and EPA of each such change. Notification shall be submitted to Ecology at:

Section Manager  
Central Regional Air Quality Section  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

and EPA Region 10 at:

U.S. EPA Region 10 Administrator  
1200 Sixth Avenue  
Seattle, Washington 98101

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.

2.11.4 The change shall not qualify for the permit shield under WAC 173-401-640.

2.11.5 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.

2.11.6 A source making a change under this section shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152.

[WAC 173-401-724, 9/16/02]

2.12 Changes not requiring permit revisions.

2.12.1 Permittee is authorized to make the changes described in this section without a permit revision, providing the following conditions are met:

2.12.1.1 The proposed changes are not Title I modifications;

2.12.1.2 The proposed changes do not result in emissions which exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;

2.12.1.3 The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and

2.12.1.4 The source provides the administrator and Ecology with written notification at least seven (7) days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.

Notification shall be submitted to Ecology at:

Section Manager  
Central Regional Air Quality Section  
Department of Ecology  
15 West Yakima Avenue, Suite 200  
Yakima, Washington 98902

and EPA Region 10 at:

U.S. EPA Region 10 Administrator  
1200 Sixth Avenue  
Seattle, Washington 98101

The permittee and Ecology shall attach each notice to their copy of the relevant permit.

2.12.2 Pursuant to conditions in 2.12.1, a Chapter 173-401 WAC source is authorized to make section 502(b)(10) changes without a permit revision.

2.12.2.1 For each such change, the written notification required under 2.12.1.4 shall include a brief description of the change within the permitted source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

- 2.12.2.2 The permit shield authorized under WAC 173-401-640 shall not apply to any change made pursuant to this paragraph.
- 2.12.3 Pursuant to the conditions in 2.12.1, a Chapter 173-401 WAC source is authorized to trade increases and decreases in emissions in the permitted source, where the Washington SIP provides for such emissions trades without requiring a permit revision. This provision is available in those cases where the permit does not already provide for such emissions trading.
- 2.12.3.2 Written notification required under 2.12.1.4 shall include such information as may be required by the provision in the Washington SIP authorizing the emissions trade, including at a minimum, when the proposed change will occur, a description of each such change, any change in emissions, the permit requirements with which the source will comply using the emissions trading provisions of the Washington SIP, and the pollutants emitted subject to the emissions trade. The notice shall also refer to the provisions with which the source will comply in the applicable implementation plan and that provide for the emissions trade.
- 2.12.3.2 The permit shield described in WAC 173-401-640 shall not extend to any change made under this paragraph. Compliance with the permit requirements that the source will meet using the emissions trade shall be determined according to requirements of the applicable SIP authorizing the emissions trade.
- 2.12.4 Upon the request of the permittee, Ecology shall issue permits that contain terms and conditions, including all terms required under WAC 173-401-600 through 173-401-630 to determine compliance, allowing for the trading of emissions increases and decreases in the WAC 173-401 source solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit independent of otherwise applicable requirements. The permittee shall include in its application proposed replicable procedures and permit terms that ensure the emissions trades are quantifiable and enforceable. The emissions trading provisions shall not be applied to any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades.
- 2.12.4.1 Under this paragraph, the written notification required under 2.12.1.4, shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.
- 2.12.4.2 The permit shield described in WAC 173-401-640 shall extend to terms and conditions that allow such increases and decreases in emissions.
- 2.12.5 A source making a change under this section shall comply with applicable preconstruction review requirements established pursuant to 70.94.152 RCW.  
[WAC 173-401-722, 9/16/02]
- 2.13 Reopening for cause.
- 2.13.1 Permits shall be reopened and revised under any of the following circumstances:
- 2.13.1.1 Additional applicable requirements become applicable to a Chapter 173-401 WAC source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirements. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to WAC 173-401-620(2)(j);
- 2.13.1.2 Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
- 2.13.1.3 Ecology or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
- 2.13.1.4 The administrator or Ecology determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- 2.13.2 Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- 2.13.3 Reopenings under this section shall not be initiated before a notice of such intent is provided to the Chapter 173-401 WAC source by Ecology at least thirty (30) days in advance of the date that the permit is to be reopened, except that Ecology may provide a shorter time period in the case of an emergency.  
[WAC 173-401-730, 9/16/02]

- 2.14 New source review. The permittee shall not construct new sources or make modifications required to be reviewed under WAC 173-400-035, WAC 173-400-110, WAC 173-400-560, WAC 173-400-700 through 173-400-750, or Chapter 173-460 WAC before the permittee obtains written final approval from Ecology in accordance with those regulations, pays the appropriate fees required by WAC 173-400-116, and pays the cost of public notice described in WAC 173-400-171. [WAC 173-400-035 (S); WAC 173-400-110, 8/20/93, 1/10/05 (S); WAC 173-400-116, 8/20/93, 1/10/05 (S); WAC 173-400-171, 8/20/93, 1/10/05 (S); WAC 173-400-560, 1/10/05 (S); WAC 173-400-700 through WAC 173-400-750, 1/10/05; WAC 173-460-040, 7/21/98 (S); RCW 70.94.152, 2005 (S)]
- 2.15 Replacement or substantial alteration of emission control technology. Prior to replacing or substantially altering emission control technology subject to review under WAC 173-400-114, the permittee shall file for and obtain approval from Ecology according to that regulation. The permittee shall pay the appropriate fees required by WAC 173-400-045(4) prior to commencing construction. [WAC 173-400-045(4), 1/10/05 (S); WAC 173-400-114, 1/10/05 (S); RCW 70.94.153, 2005 (S)]
- 2.16 Demolition and renovation (asbestos). Prior to, during, and after conducting any activity to which 40 CFR 60, Subpart M - National Emission Standard for Asbestos, applies, the permittee shall comply with the requirements of that rule. Such activities include demolition, renovation, asbestos stripping or removal, installing or reinstalling insulation, manufacturing or fabricating certain items, spraying of certain materials, constructing roadways of certain materials, or disposal. [40 CFR 61, Subpart M, 7/1/05; WAC 173-400-075(1), 1/10/05 (S)]
- 2.17 Federal CFC requirements (Title VI).
- 2.17.1 The permittee shall comply with the following standards for recycling and emissions reductions pursuant to 40 CFR 82, Subpart F, except as provided for MVACs in Subpart B:
- 2.17.1.1 Persons conducting maintenance, service, repair, or disposing must follow the prohibitions pursuant to 40 CFR 82.154.
- 2.17.1.2 Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- 2.17.1.3 Equipment used during the maintenance, service, repair or disposal must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- 2.17.1.4 Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- 2.17.1.5 Persons conducting maintenance, service, repair, or disposing must certify to the Administrator that such person has acquired certified recovery or recycling equipment pursuant to 40 CFR 82.162.
- 2.17.1.6 Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR 82.166.
- 2.17.1.7 Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR 82.156.
- 2.17.1.8 Owners/operators of appliances normally containing 50 or more pounds of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- 2.17.2 If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR 82, Subpart A - Production and Consumption Controls.
- 2.17.3 If the permittee performs a service on monitor (fleet) vehicles and when this service involves ozone depleting substance refrigerant in the MVAC, the permittee is subject to all applicable requirements as specified in 40 CFR 82, Subpart B - Servicing of Motor Vehicle Air Conditioners.
- 2.17.4 The permittee shall be allowed to switch from any ozone depleting substance to any alternative that is listed in the Significant New Alternative Program promulgated pursuant to 40 CFR 82, Subpart G - Significant New Alternative Policy Program.  
[40 CFR 82, 7/1/05; RCW 70.94.970, 2005 (S); RCW 70.94.980, 2005 (S)]

### 3.0 OPERATIONAL FLEXIBILITY [WAC 173-401-650, 9/16/02]

In the event that an emission unit is not operated during a period equal to or greater than the monitoring period designated, no monitoring is required. Recordkeeping and reporting must note the reason why and length of time that the emission unit was not operated.

- 4.0 COMPLIANCE PLAN** [WAC 173-401-630(3), 9/16/02; WAC 173-401-510(2)(h), 9/16/02]
- 4.1 The permittee shall continue to comply with applicable requirements with which it is currently in compliance.
- 4.2 The permittee shall meet applicable requirements on a timely basis that become effective during the permit term.
- 4.3 Compliance certification.
- 4.3.1 The permittee shall submit a certification of compliance with permit terms and conditions (i.e., sections 2, 3, 4, and 5) at least once per year. At a minimum a certification of compliance is due, for each August 1<sup>st</sup>, through July 31<sup>st</sup>, no later than the following **September 15<sup>th</sup>**. Ecology may require that compliance certifications be submitted more frequently for those emission units not in compliance with permit terms and conditions, or where more frequent certification is specified in the applicable requirement.
- 4.3.2 The compliance certification shall include the following:
- 4.3.2.1 The identification of each term or condition of the permit that is the basis of the certification;
- 4.3.2.2 The compliance status;
- 4.3.2.3 Whether compliance was continuous or intermittent; and
- 4.3.2.4 The method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with WAC 173-401-615(3)(a).
- 4.3.3 Compliance certification shall be submitted to Ecology at:  
Section Manager  
Regional Air Quality Section  
Department of Ecology  
15 W Yakima Ave, Ste 200  
Yakima, Washington 98902  
and EPA Region 10 at:  
U.S. EPA Region 10 Administrator  
1200 Sixth Avenue  
Seattle, Washington 98101  
[WAC 173-401-630(5), 9/16/02]
- 4.3.4 The permittee need not certify compliance for insignificant emission units or activities. [WAC 173-401-530(2)(d), 9/16/02]
- 4.3.5 For the purpose of submitting compliance certifications or establishing violations, the permittee, shall not 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. [40 CFR 60.11(g), 7/1/05]

**5.0 APPLICABLE REQUIREMENTS**

Until this permit expires, is modified or revoked, this permittee is authorized to operate processes 1 and 2. These processes are subject to the requirements shown in Tables 5.1 and 5.2, and to the other terms and conditions specified in this permit.

5.1 Source Wide. The following requirements apply SOURCE WIDE; including, but not limited to, the internal combustion engines and landfill gas treatment, unless an alternate requirement is specifically stated for a particular emissions unit. Since monitoring, recordkeeping, and reporting has not specifically been required by Ecology for insignificant emission units, per WAC 173-400-105(1st ¶), there are no air operating permit monitoring, recordkeeping, or reporting requirements for the insignificant emission units under this Source Wide section, as allowed per WAC 173-401-530(2)(c).

	Applicable Requirement (Source Wide)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.1.1	RCW 70.94.040, 2005	S	Unlawful for any person to cause air pollution or permit it to be caused in violation of RCW 70.94, or of any ordinance, resolution, rule or regulation validly promulgated thereunder.	None specified.	No additional monitoring required.
5.1.2	WAC 173-400-040(1st ¶), 8/20/93 <hr/> WAC 173-400-040(1st ¶), 1/10/05; RCW 70.94.154, 2005	F <hr/> S	All emissions units are required to use RACT.	None specified.	No additional monitoring required. NOTE: Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance or renewal shall be considered RACT for purposes of permit issuance or renewal. RACT determinations under Section 8, Chapter 252, Laws of 1993, shall be incorporated into this permit as provided in WAC 173-401-730.

Applicable Requirement (Source Wide)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
<p>5.1.3</p> <p>WAC 173-400-040(1)(a), (b), 8/20/93</p> <hr/> <p>WAC 173-400-040(1)(a), (b), 1/10/05</p>	<p>F</p> <hr/> <p>S</p>	<p>Opacity shall not exceed 20% for more than three (3) minutes, in any one (1) hour.</p>	<p>Ecology Method 9A, "Source Test Manual - Procedures for Compliance Testing," State of Washington Department of Ecology, 7/12/90</p>	<p>1) The permittee shall conduct monthly visible emissions surveys of all emission units during daylight hours as follows: a) the survey shall be conducted from a location with a clear view of the emission unit and where the sun is not directly in the observer's eyes. The survey location shall be at least 15 feet but not more than 0.25 miles from the source; b) survey shall be conducted during operation; c) the observer will be educated in the general procedures for determining the presence of visible emissions (i.e. effects on the visibility of emissions caused by background contrast, position of the sun and amount of ambient lighting, and observer position relative to source and sun); d) the survey shall consist of a minimum 15-second visual observation of each emission unit to identify those emission units which exhibit visible emissions; e) in addition to the records required under condition 2.15, the observer shall record the wind direction, sky condition, sun location with respect to the source and the survey location, and the time duration of the survey.</p> <p>2) The permittee shall conduct Ecology Method 9A testing of an emission unit when visible emissions, other than uncombined water, are observed during a survey or are otherwise observed by the permittee. Testing shall be conducted as follows: a) testing shall be initiated as soon as possible, but not later than 24 hours after the requirement to conduct such testing is triggered; b) all testing shall be performed during periods when the subject emissions unit is operating; c) testing shall consist of certified opacity readings at 15-second intervals over a minimum period of six consecutive minutes (24 consecutive readings) unless any two readings are greater than 20% opacity in which case the testing period shall be 60 consecutive minutes or until a violation is documented. If a violation is documented, appropriate and timely action shall be taken (as soon as possible, but within 24 hours) to identify and correct the problem causing the opacity. The required recordkeeping shall include the name of the person recording the information, the name(s) of the person(s) taking the corrective action, and the nature, time, date, and effectiveness of any corrective action taken in response to a violation.</p> <p>[WAC 173-401-615(1), 9/16/02]</p>

	Applicable Requirement (Source Wide)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.1.4	WAC 173-400-040(2), 1/10/05	S	No person shall cause or permit the emission of PM from any source to be deposited beyond the property under direct control of the owner(s) or operator(s) of the source in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.	None specified.	Comply with 5.1.12. [WAC 173-401-615(1), 9/16/02]
5.1.5	WAC 173-400-040(3)(a), 8/20/93 <hr/> WAC 173-400-040(3)(a), 1/10/05	F <hr/> S	Reasonable precautions shall be taken to control fugitive emissions.	None specified.	Comply with 5.1.12. [WAC 173-401-615(1), 9/16/02]
5.1.6	WAC 173-400-040(4), 1/10/05	S	Odors which may unreasonably interfere with use and enjoyment of property are prohibited unless recognized good practice and procedures are employed to reduce odors to a reasonable minimum.	None specified.	Comply with 5.1.12. [WAC 173-401-615(1), 9/16/02]
5.1.7	WAC 173-400-040(5), 8/20/93 <hr/> WAC 173-400-040(5), 1/10/05	F <hr/> S	No emissions detrimental to persons or property.	None specified.	Comply with 5.1.12. [WAC 173-401-615(1), 9/16/02]
5.1.8	WAC 173-400-040(7), 8/20/93 <hr/> WAC 173-400-040(7), 1/10/05	F <hr/> S	No person shall cause or permit the installation or use of any means which conceals or masks an emission of an air contaminant.	None specified.	No additional monitoring required.

	Applicable Requirement (Source Wide)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.1.9	WAC 173-400-040(8)(a), 8/20/93 <hr/> WAC 173-400-040(8)(a), 1/10/05	F <hr/> S	Reasonable precautions shall be taken to prevent fugitive dust from becoming airborne.	None specified.	Comply with 5.1.12. [WAC 173-401-615(1), 9/16/02]
5.1.10	WAC 173-400-200(2), 8/20/93 <hr/> WAC 173-400-200(2), 1/10/05	F <hr/> S	No use of excess stack height or dispersion techniques shall be used to meet ambient air quality standards or PSD increments.	None specified.	No additional monitoring required.
5.1.11	WAC 173-400-205, 8/20/93 <hr/> WAC 173-400-205, 1/10/05	F <hr/> S	No varying of emissions according to atmospheric conditions or ambient concentrations.	None specified.	No additional monitoring required.
5.1.12	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.1	F	Keep records of complaints as received from the public, Ecology, or any other entity.	None specified.	Keep records of complaints as received from the public, Ecology, or any other entity. Any complaints shall be promptly addressed and assessed. A record shall be maintained of 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. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.7.1]
5.1.13	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.9, 4.11.4	F	Fugitive dust will be controlled in accordance with a FDCP. Legible copy shall be kept on-site in a location known by and available to persons in direct operation of the described equipment.	FDCP shall at a minimum include: • Measures to ensure no vehicle trackout onto off-site roads, and • Management of disturbed surfaces by paving, graveling, or revegetating. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.9.2]	The FDCP shall be kept on file. This file shall be reviewed at least annually with records kept of the date of and personnel who performed such review. [WAC 173-401-615(1), 9/16/02]
5.1.14	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.11.1	F	No outdoor burning shall be performed at the site.	None specified.	No additional monitoring required.

5.2 Generation. The following applicable requirements apply to the five internal combustion engines and their associated exhausts.

	Applicable Requirement (IC engines)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.2.1a	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.1.1, 4.2	F	PM emissions controlled by engine design, including turbocharger, automatic air-fuel ratio control, and proper operation and maintenance as described in the O&M manual.	EPA Methods 1 through 5, 40 CFR 60, Appendix A, 7/1/96, or alternate methods proposed by permittee in writing and approved by Ecology in advance of testing. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6.1]	Each engine-generator set shall be tested at intervals $\leq$ five (5) years and at a power output $\geq$ 90% of the maximum allowable power output for the set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6]
5.2.1b	WAC 173-400-050(1), 8/20/93  WAC 173-400-050(1), 1/10/05; ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F  S	PM shall not exceed 0.1 gr/dscf.		
5.2.1c	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.5.1, 4.6.1  ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F  S	PM <sub>10</sub> emissions from any single engine $\leq$ 0.65 lb/hr. Total PM <sub>10</sub> emissions from all engines $\leq$ 3.25 lb/hr.		
5.2.2a	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.1.2, 4.2	F	CO emissions controlled by engine design, including turbocharger, automatic air-fuel ratio control, and proper operation and maintenance as described in the O&M manual.	EPA Method 10, 40 CFR 60, Appendix A, 7/1/96, or alternate methods proposed by permittee in writing and approved by Ecology in advance of testing. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6.2]	Each engine-generator set shall be tested at intervals $\leq$ five (5) years and at a power output $\geq$ 90% of the maximum allowable power output for the set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6]
5.2.2b	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.5.2, 4.6.2, 4.7.5  ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F  S	Total CO emissions from all engines $\leq$ 238 tpy. CO emissions from any single engine $\leq$ 11.06 lb/hr. Except, during pilot testing CO emissions from one engine may be $>$ 11.06 lb/hr & $\leq$ 15.00 lb/hr.	CO shall be monitored with a portable CO analyzer or a CO CEMS according to a QA/QC plan, approved in writing by Ecology. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.5]	Monitor each engine at least once every two calendar days in operation. Monitoring results shall be paired with the engine's corresponding hours of operation. A report including six-months of monitoring results & QA/QC results shall be submitted no later than June 30, 2006. [Settlement Agreement & Agreed Order No. 2854, effective 10/14/05, Condition IV.D., (S)]

	Applicable Requirement (IC engines)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.2.3a	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.1.3, 4.2	F	NO <sub>x</sub> emissions controlled by engine design, including lean-burn, low-NO <sub>x</sub> design, turbocharger, and proper operation and maintenance as described in the O&M manual.	EPA Method 7E, 40 CFR 60, Appendix A, 7/1/96, or alternate methods proposed by permittee in writing and approved by Ecology in advance of testing. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6.3]	Each engine-generator set shall be tested at intervals ≤ five (5) years and at a power output ≥ 90% of the maximum allowable power output for the set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6]
5.2.3b	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.5.3, 4.6.3 ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F S	NO <sub>x</sub> emissions from any single engine ≤9.76 lb/hr. Total NO <sub>x</sub> emissions from all engines ≤48.78 lb/hr.		
5.2.4a	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.1.4, 4.2	F	VOC emissions controlled by engine design, including turbocharger, automatic air-fuel ratio control, and proper operation and maintenance as described in the O&M manual.	EPA Method 25A or EPA Method 18, 40 CFR 60, Appendix A, 7/1/96, or alternate methods proposed by permittee in writing and approved by Ecology in advance of testing. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6.4]	Each engine-generator set shall be tested at intervals ≤ five (5) years and at a power output ≥ 90% of the maximum allowable power output for the set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6]
5.2.4b	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.5.4, 4.6.4 ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F S	VOC emissions from any single engine ≤1.63 lb/hr. Total VOC emissions from all engines ≤8.13 lb/hr.		
5.2.4c	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.5.4 ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F S	Control efficiency of VOC entering the engines ≥98.0 w% or VOC outlet concentration ≤20 ppm <sub>dv</sub> as hexane at three percent (3%) oxygen.		

	Applicable Requirement (IC engines)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.2.5a	WAC 173-400-040(6) (1st ¶), 8/20/93  WAC 173-400-040(6) (1st ¶), 1/10/05; ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F  S	SO <sub>2</sub> ≤ 1000 ppm <sub>dv</sub> (corrected to 7% O <sub>2</sub> ), average of 60 consecutive minutes.	EPA Method 6C, 40 CFR 60, Appendix A, 7/1/96, or alternate methods proposed by permittee in writing and approved by Ecology in advance of testing. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6.5]	Each engine-generator set shall be tested at intervals ≤ five (5) years and at a power output ≥ 90% of the maximum allowable power output for the set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.6]
5.2.5b	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.5.5, 4.6.5  ECT Order No. 05AQ-C014, 3/11/05, Condition 2.2.1	F  S	SO <sub>2</sub> emissions from any single engine ≤ 4.56 lb/hr. Total SO <sub>2</sub> emissions from all engines ≤ 22.76 lb/hr.		
5.2.6	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.3	F	Project limited to five (5) internal combustion engine-generator sets.	None specified.	None required.
5.2.7	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.3, 4.7.2	F	Each engine-generator set is limited to a generator electrical output of ≤ 2.1 MW. Project limited to a total generator electrical output of ≤ 10.5 MW.	None specified.	A log shall be kept of power output for each engine-generator set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.2]

Applicable Requirement (IC engines)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.2.8 NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.3, 4.7.3	F	Project limited to a total monthly average landfill gas input rate of $\leq 3200$ scfm.	The landfill gas flow rate to the engine-generator sets shall be monitored by a flow indicator, which must operate continuously. Continuously shall mean at least 95 percent of the monthly engine-generator set operation, except for periods of monitoring system down-time provided that 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 were conducted in a timely manner. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.3]	The landfill gas flow rate to the engine-generator sets shall be monitored by flow indicator records. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.3]
5.2.9 NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.11.9	F	No fuel other than landfill gas shall be burned in the engine-generator sets unless written approval is obtained from Ecology.	None specified.	None required.
5.2.10 NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.4, 4.7.2	F	Allowable hours of engine operation = 8585 hr/yr x number of engines. Total hours of engine operation shall not exceed the allowable hours of engine operation on a rolling annual basis calculated monthly.	None specified.	At the end of each month, the permittee shall calculate and record the total hours of engine operations. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.4] A log shall be kept of operating hours for each engine-generator set. [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.7.2]

Applicable Requirement (IC engines)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.2.11 NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.8, 4.11.4, 4.11.6	F	The IC engines shall be properly operated and maintained. The source will be operated and maintained in accordance with a site-specific O&M Manual, to be prepared by the permittee. O&M Manual shall be updated to reflect any modifications. Legible copy shall be kept on-site in a location known by and available to persons in direct operation of the described equipment.	O&M Manual shall at a minimum include: <ul style="list-style-type: none"> <li>• Normal operating parameters,</li> <li>• A maintenance schedule,</li> <li>• Monitoring &amp; recordkeeping requirements,</li> <li>• Monitoring procedures, and</li> <li>• Actions for abnormal operation.</li> </ul> [NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Conditions 4.8]	The O&M manual and regular maintenance records shall be kept on file. This file shall be reviewed at least annually with records kept of the date of and personnel who performed such review. [WAC 173-401-615(1), 9/16/02]
5.2.12 NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.8, 4.11.4, 4.11.6	F	The source shall be properly operated and maintained. The source will be operated and maintained in accordance with a site-specific O&M Manual, to be prepared by the permittee. O&M Manual shall be updated to reflect any modifications. Legible copy shall be kept on-site in a location known by and available to persons in direct operation of the described equipment.	O&M Manual shall at a minimum include: <ul style="list-style-type: none"> <li>• Normal operating parameters,</li> <li>• A maintenance schedule,</li> <li>• Monitoring &amp; recordkeeping requirements,</li> <li>• Monitoring procedures, and</li> </ul>	The O&M manual and regular maintenance records shall be kept on file. This file shall be reviewed at least annually with records kept of the date of and personnel who performed such review. [WAC 173-401-615(1), 9/16/02]
5.2.13 NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.11.2	F	It shall be grounds for rescission of NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, if operation of the facility is discontinued for a period of 18 months.	None specified.	No additional monitoring required.

	Applicable Requirement (IC engines)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.2.14	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.11.4	F	Legible copy of NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, shall be kept on-site in a location known by and available to persons in direct operation of the described equipment.	None specified.	No additional monitoring required.
5.2.15	NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, Condition 4.11.5	F	Operation of equipment must be conducted in compliance with all data & specifications submitted as part of the NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, application unless otherwise approved by Ecology.	None specified.	The NOC Order No. DE 98AQ-C174 2nd Revision, 1/20/06, and the data and specifications submitted as part of the application, shall be kept on file. This file shall be reviewed at least annually with records kept of the date of and personnel who performed such review. [WAC 173-401-615(1), 9/16/02]
5.2.16	Settlement Agreement and Agreed Order No. 2854, 10/14/05, Condition IV.A, as superceded by Ecology letter dated 4/5/06.	S	Each engine shall be allowed to operate so long as monitoring and testing demonstrate compliance with all applicable emission limits. In the event that two successive monitored CO results, of an engine, are $\leq$ 10.40 lb/hr, the engine shall be shutdown and the cylinder heads shall be cleaned or replaced within 5 days of the 2 <sup>nd</sup> monitored result.	None specified.	Hours of operation shall be monitored and recorded for each engine, daily.  Comply with 5.2.2. [WAC 173-401-615(1), 9/16/02]
5.2.17	<i>NOTE: This row intentionally left blank.</i>				
5.2.18	Settlement Agreement and Agreed Order No. 2854, 10/14/05, Condition IV.D.3-7	S	Monitor each engine at least <b><u>once every two calendar days</u></b> in operation. Monitoring results shall be paired with the engine's corresponding hours of operation.	CO Monitoring QA/QC Plan, as submitted by permittee and received by Ecology on 12/8/05 and as approved in writing by Ecology on 12/21/05.	No additional monitoring required.

5.3 Landfill Gas Treatment. The following requirements apply to the landfill gas treatment system.

	Applicable Requirement (LFG Cleaning System)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under ‘applicable requirement’)	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.3.1	ECT Order No. 05AQ-C014, 3/11/05, Condition 2.1.1; Settlement Agreement and Agreed Order No. 2854, 10/14/05, Condition IV.C.1	S	The gas cleaning system shall employ iron sponge media and carbon bed technology.	None specified.	No additional monitoring required.
5.3.2	ECT Order No. 05AQ-C014, 3/11/05, Condition 2.1.2	S	All landfill gas shall be cleaned prior to combustion in the IC engines.	None specified.	A log shall be kept of operating hours of the landfill gas cleaning system. [WAC 173-401-615(1), 9/16/02]
5.3.3	ECT Order No. 05AQ-C014, 3/11/05, Condition 2.3.1, 2.3.2, 2.3.3	S	The gas cleaning system shall be properly operated and maintained. Failure to follow the requirements of the Operation and Maintenance (O&M) Manual and the adequacy of the O&M Manual will be two of the factors considered by Ecology in determining whether the gas cleaning system has been properly operated and maintained.	Operational parameters and procedures shall be defined. The O&M Manual shall include all procedures necessary to ensure the operation conforms to all permit conditions and state regulations. The O&M Manual shall at a minimum include: <ul style="list-style-type: none"> <li>• The system’s configuration</li> <li>• Normal operating parameters</li> <li>• A maintenance schedule</li> <li>• Monitoring and record keeping requirements</li> <li>• A description of the monitoring procedures</li> <li>• Actions for abnormal operation</li> </ul>	The O&M manual and maintenance records shall be kept on file. This file shall be reviewed at least annually with records kept of the date of and personnel who performed such review.
5.3.4	ECT Order No. 05AQ-C014, 3/11/05, Condition 2.41	S	Legible copies of the Order approving the NOC and the O&M Manual shall be in the working vicinity and available to employees in direct operation of the source.	None specified.	No additional monitoring required.

	Applicable Requirement (LFG Cleaning System)	Enforceability (Federal = F, State = S)	Description (for clarification purposes only, enforceable as listed under 'applicable requirement')	Monitoring and Analysis Procedure or Test Method	Monitoring, Recordkeeping, and Reporting to be Performed by Permittee
5.3.5	ECT Order No. 05AQ-C014, 3/11/05, Condition 2.4.4	S	Operation of the gas cleaning system 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.	None specified.	No additional monitoring required.
5.3.6	ECT Order No. 05AQ-C014, 3/11/05, Condition 2.4.5	S	Nothing in this Order shall be construed so as to relieve the permittee of their obligations under any state, local, or federal laws or regulations.	None specified.	No additional monitoring required.
5.3.7	Settlement Agreement and Agreed Order No. 2854, 10/14/05, Condition IV.C.6	S	A report of the pilot testing shall be compiled and submitted to ECOLOGY no later than <b><u>December 4, 2006.</u></b>	Pilot Testing Protocol, as submitted by permittee via email 10/20/05 and as approved by Ecology via email 11/7/05.	No additional monitoring required.
5.3.8	Settlement Agreement and Agreed Order No. 2854, 10/14/05, Condition IV.C.6	S	If the pilot testing report demonstrates no improvement in the frequency of the necessity of engine cleaning, a plan acceptable to ECOLOGY for installation of alternate technology or for alternative compliant operation shall be submitted to EOCLOGY no later than <b><u>April 6, 2007.</u></b>	None specified.	No additional monitoring required.

**6.0 INAPPLICABLE REQUIREMENTS**

Ecology has determined that the entire source, including all emission units, are not subject to the following requirements at the time of permit issuance. Some of the requirements listed below may become applicable during the permit term due to an invoking event, even though the requirement is deemed inapplicable at the time of permit issuance. Such requirements shall be met on a timely basis by the permittee by submittal of a compliance schedule therefor, per WAC 173-401,510(2)(h)(iii)(B).

Inapplicable Requirement	Title	Explanation
40 CFR 60	Standards of Performance for New Stationary Sources	No standard of performance has been developed for this source type.
40 CFR 68	Accidental Release Program	Source does not store chemicals in quantities that trigger applicability.
40 CFR 72	Acid Rain Program	Source does not combust fossil fuel.
Chapter 173-470 WAC	Ambient Air Quality Standards for Particulate Matter	Applicable if triggered.
Chapter 173-474 WAC	Ambient Air Quality Standards for Sulfur Oxides	Applicable if triggered.
Chapter 173-475 WAC	Ambient Air Quality Standards for Carbon Monoxide, Ozone, and Nitrogen Dioxide	Applicable if triggered.
Chapter 173-480 WAC	Ambient Air Quality Standards and Emission Limits for Radionuclides	Source does not emit this regulated pollutant.
Chapter 173-481 WAC	Ambient Air Quality and Environmental Standards for Fluorides	Source does not emit this regulated pollutant.