



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM**

**STATE ONLY NATURAL MINOR OPERATING PERMIT**

Issue Date: March 11, 2022

Effective Date: March 17, 2022

Expiration Date: February 28, 2027

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable unless otherwise designated.

**State Only Permit No: 36-03214**

Natural Minor

Federal Tax Id - Plant Code: 22-3240619-1

**Owner Information**

Name: HAIN CELESTIAL GROUP INC  
Mailing Address: 3775 HEMPLAND RD  
MOUNTVILLE, PA 17554-1541

**Plant Information**

Plant: THE HAIN CELESTIAL GROUP INC/MOUNTVILLE  
Location: 36 Lancaster County 36960 West Hempfield Township  
SIC Code: 2096 Manufacturing - Potato Chips, Corn Chips And Similar Snacks

**Responsible Official**

Name: PETER KOELSCH  
Title: DIRECTOR OF OPERATIONS  
Phone: (717) 742 - 1103 Email: peter.koelsch@hain.com

**Permit Contact Person**

Name: STEPHANIE GENET  
Title: REGIONAL EHS MANAGER  
Phone: (717) 742 - 1129 Email: Stephanie.Genet@hain.com

[Signature] \_\_\_\_\_  
WILLIAM R. WEAVER, SOUTH CENTRAL REGION AIR PROGRAM MANAGER



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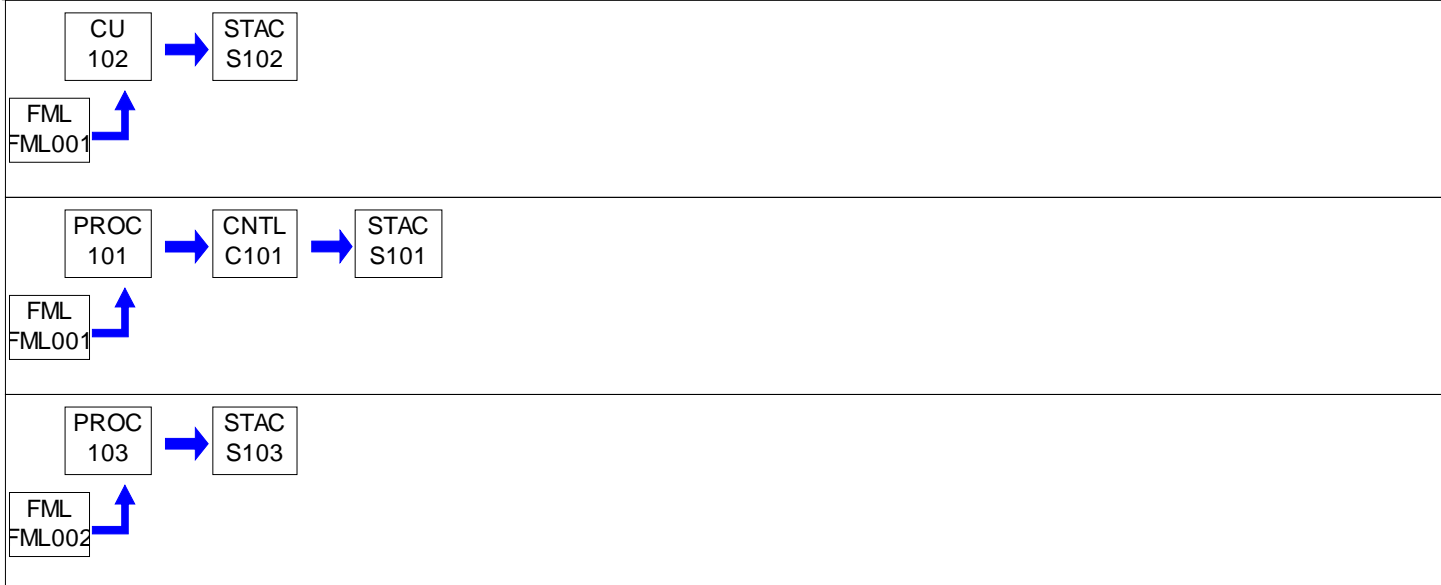
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Source ID	Source Name	Capacity/Throughput	Fuel/Material
102	BOILER (CLEAVER-BROOKS NATURAL GAS-FIRED)		
101	FRYERS (13 BATCH FRYERS AND 1 VACUUM FRYER)		
103	DIESEL FIRE PUMP (173 HP)		
C101	MESH PAD MIST ELIMINATORS FOR FRYERS		
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FML002	DIESEL FUEL		
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S102	BOILER STACK		
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**PERMIT MAPS**

**SECTION B. General State Only Requirements****#001 [25 Pa. Code § 121.1]****Definitions.**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and in 25 Pa. Code § 121.1.

**#002 [25 Pa. Code § 127.446]****Operating Permit Duration.**

(a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.

(b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

**#003 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446 & 127.703(b)]****Permit Renewal.**

(a) The permittee shall submit a timely and complete application for renewal of the operating permit to the appropriate Regional Air Program Manager. The application for renewal of the operating permit shall be submitted at least six (6) months and not more than 18 months before the expiration date of this permit.

(b) The application for permit renewal shall include the current permit number, a description of any permit revisions that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

(c) The permittee shall submit with the renewal application a fee for the processing of the application as specified in 25 Pa. Code § 127.703(b). The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.

(d) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413.

(e) The application for renewal of the operating permit shall also include submission of supplemental compliance review forms in accordance with the requirements of 25 Pa. Code § 127.412(b) and § 127.412(j).

(f) 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 as necessary to address any requirements that become applicable to the source after the permittee submits a complete application, but prior to the date the Department takes action on the permit application.

**#004 [25 Pa. Code § 127.703]****Operating Permit Fees under Subchapter I.**

(a) The permittee shall pay the annual operating permit maintenance fee according to the following fee schedule in either paragraph (1) or (2) in accordance with 25 Pa. Code § 127.703(d) on or before December 31 of each year for the next calendar year.

(1) For a synthetic minor facility, a fee equal to:

(i) Four thousand dollars (\$4,000) for calendar years 2021—2025.

(ii) Five thousand dollars (\$5,000) for calendar years 2026—2030.

(iii) Six thousand three hundred dollars (\$6,300) for the calendar years beginning with 2031.

**SECTION B. General State Only Requirements**

(2) For a facility that is not a synthetic minor, a fee equal to:

- (i) Two thousand dollars (\$2,000) for calendar years 2021—2025.
- (ii) Two thousand five hundred dollars (\$2,500) for calendar years 2026—2030.
- (iii) Three thousand one hundred dollars (\$3,100) for the calendar years beginning with 2031.

(b) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

**#005 [25 Pa. Code §§ 127.450 (a)(4) and 127.464]****Transfer of Operating Permits.**

(a) This operating permit may not be transferred to another person, except in cases of transfer-of-ownership that are documented and approved by the Department.

(b) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership of the source shall be treated as an administrative amendment if the Department determines that no other change in the permit is required and a written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee and a compliance review form has been submitted to, and the permit transfer has been approved by, the Department.

(c) This operating permit is valid only for those specific sources and the specific source locations described in this permit.

**#006 [25 Pa. Code § 127.441 and 35 P.S. § 4008]****Inspection and Entry.**

(a) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Department or authorized representatives of the Department to perform the following:

(1) Enter at reasonable times upon the permittee's premises where a source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, any facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;

(4) Sample or monitor, at reasonable times, any substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act or regulations adopted thereunder including denying the Department access to a source at this facility. Refusal of entry or access may constitute grounds for permit revocation and assessment of criminal and/or civil penalties.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

**#007 [25 Pa. Code §§ 127.441 & 127.444]****Compliance Requirements.**

(a) The permittee shall comply with the conditions of this operating permit. Noncompliance with this permit constitutes a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one or more of the following:

**SECTION B. General State Only Requirements**

- (1) Enforcement action
- (2) Permit termination, revocation and reissuance or modification
- (3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source which is subject to 25 Pa. Code Article III unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued for the source is operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this State-Only permit. Nothing in this sub-condition shall be construed to create an independent affirmative duty upon the permittee to obtain a predetermination from the Department for physical configuration or engineering design detail changes made by the permittee.

**#008 [25 Pa. Code § 127.441]****Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for the permittee in an enforcement action that it was necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**#009 [25 Pa. Code §§ 127.442(a) & 127.461]****Duty to Provide Information.**

(a) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of each source at the facility.

(b) The permittee shall furnish to the Department, in writing, information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to maintain in accordance with this permit.

**#010 [25 Pa. Code § 127.461]****Revising an Operating Permit for Cause.**

This operating permit may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

- (1) The permittee constructs or operates the source subject to the operating permit so that it is in violation of the Air Pollution Control Act, the Clean Air Act, the regulations thereunder, a plan approval, a permit or in a manner that causes air pollution.
- (2) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.
- (3) The permittee has failed to submit a report required by the operating permit or an applicable regulation.
- (4) The EPA determines that the permit is not in compliance with the Clean Air Act or the regulations thereunder.

**#011 [25 Pa. Code §§ 127.450, 127.462, 127.465 & 127.703]****Operating Permit Modifications**

(a) The permittee is authorized to make administrative amendments, minor operating permit modifications and significant operating permit modifications, under this permit, as outlined below:

**SECTION B. General State Only Requirements**

(b) Administrative Amendments. The permittee shall submit the application for administrative operating permit amendments (as defined in 25 Pa. Code § 127.450(a)), according to procedures specified in § 127.450 unless precluded by the Clean Air Act or its regulations.

(c) Minor Operating Permit Modifications. The permittee shall submit the application for minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Significant Operating Permit Modifications. The permittee shall submit the application for significant operating permit modifications in accordance with 25 Pa. Code § 127.465.

(e) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

**#012 [25 Pa. Code § 127.441]****Severability Clause.**

The provisions of this permit are severable, and if any provision of this permit is determined by a court of competent jurisdiction to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

**#013 [25 Pa. Code § 127.449]****De Minimis Emission Increases.**

(a) This permit authorizes de minimis emission increases in accordance with 25 Pa. Code § 127.449 so long as the permittee provides the Department with seven (7) days prior written notice before commencing any de minimis emissions increase. The written notice shall:

(1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.

(2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

(b) The Department may disapprove or condition de minimis emission increases at any time.

(c) Except as provided below in (d), the permittee is authorized to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

(1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

(2) One ton of NO<sub>x</sub> from a single source during the term of the permit and 5 tons of NO<sub>x</sub> at the facility during the term of the permit.

(3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM<sub>10</sub> from a single source during the term of the permit and 3.0 tons of PM<sub>10</sub> at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) In accordance with § 127.14, the permittee is authorized to install the following minor sources without the need for a plan approval or permit modification:



**SECTION B. General State Only Requirements**

(1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.

(2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.

(3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code §123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.

(4) Space heaters which heat by direct heat transfer.

(5) Laboratory equipment used exclusively for chemical or physical analysis.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(e) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:

(1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (c)(4) and (5) of this permit condition.

(2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.

(3) Violate any applicable requirement of this permit, the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

(f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.

(g) Except for de minimis emission increases, installation of minor sources made pursuant to this permit condition and Plan Approval Exemptions under 25 Pa. Code § 127.14 (relating to exemptions), the permittee is prohibited from making changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

(h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

**#014 [25 Pa. Code § 127.3]****Operational Flexibility.**

The permittee is authorized to make changes within the facility in accordance with the regulatory provisions outlined in 25 Pa. Code § 127.3 (relating to operational flexibility) to implement the operational flexibility requirements provisions authorized under Section 6.1(i) of the Air Pollution Control Act and the operational flexibility terms and conditions of this permit. The provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements include the following:

(1) Section 127.14 (relating to exemptions)

(2) Section 127.447 (relating to alternative operating scenarios)

(3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)

(4) Section 127.449 (relating to de minimis emission increases)

(5) Section 127.450 (relating to administrative operating permit amendments)

**SECTION B. General State Only Requirements**

(6) Section 127.462 (relating to minor operating permit modifications)

(7) Subchapter H (relating to general plan approvals and general operating permits)

**#015 [25 Pa. Code § 127.11]****Reactivation**

(a) The permittee may not reactivate a source that has been out of operation or production for at least one year unless the reactivation is conducted in accordance with a plan approval granted by the Department or in accordance with reactivation and maintenance plans developed and approved by the Department in accordance with 25 Pa. Code § 127.11a(a).

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

**#016 [25 Pa. Code § 127.36]****Health Risk-based Emission Standards and Operating Practice Requirements.**

(a) When needed to protect public health, welfare and the environment from emissions of hazardous air pollutants from new and existing sources, the permittee shall comply with the health risk-based emission standards or operating practice requirements imposed by the Department, except as precluded by §§ 6.6(d)(2) and (3) of the Air Pollution Control Act [35 P.S. § 4006.6(d)(2) and (3)].

(b) A person challenging a performance or emission standard established by the Department has the burden to demonstrate that performance or emission standard does not meet the requirements of Section 112 of the Clean Air Act.

**#017 [25 Pa. Code § 121.9]****Circumvention.**

No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of 25 Pa. Code Article III, except that with prior approval of the Department, the device or technique may be used for control of malodors.

**#018 [25 Pa. Code §§ 127.402(d) & 127.442]****Reporting Requirements.**

(a) The permittee shall comply with the applicable reporting requirements of the Clean Air Act, the regulations thereunder, the Air Pollution Control Act and 25 Pa. Code Article III including Chapters 127, 135 and 139.

(b) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of any air contamination source.

(c) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager  
PA Department of Environmental Protection  
(At the address given in the permit transmittal letter, or otherwise notified)

(d) Any records or information including applications, forms, or reports submitted pursuant to this permit condition shall contain a certification by a responsible official as to truth, accuracy and completeness. The certifications submitted under this permit shall require a responsible official of the facility to certify that based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate and complete.

(e) Any records, reports or information submitted to the Department shall be available to the public except for such

**SECTION B. General State Only Requirements**

records, reports or information which meet the confidentiality requirements of § 4013.2 of the Air Pollution Control Act and §§ 112(d) and 114(c) of the Clean Air Act. The permittee may not request a claim of confidentiality for any emissions data generated for the facility.

**#019 [25 Pa. Code §§ 127.441(c) & 135.5]****Sampling, Testing and Monitoring Procedures.**

(a) The permittee shall comply with the monitoring, recordkeeping or reporting requirements of 25 Pa. Code Chapter 139 and the other applicable requirements of 25 Pa. Code Article III and additional requirements related to monitoring, reporting and recordkeeping required by the Clean Air Act and the regulations thereunder including the Compliance Assurance Monitoring requirements of 40 CFR Part 64, where applicable.

(b) Unless alternative methodology is required by the Clean Air Act and regulations adopted thereunder, sampling, testing and monitoring required by or used by the permittee to demonstrate compliance with any applicable regulation or permit condition shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139.

**#020 [25 Pa. Code §§ 127.441(c) and 135.5]****Recordkeeping.**

(a) The permittee shall maintain and make available, upon request by the Department, the following records of monitored information:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of the analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of any required monitoring data and supporting information for at least five (5) years from the date of the monitoring, sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions.

**#021 [25 Pa. Code § 127.441(a)]****Property Rights.**

This permit does not convey any property rights of any sort, or any exclusive privileges.

**#022 [25 Pa. Code § 127.447]****Alternative Operating Scenarios.**

The permittee is authorized to make changes at the facility to implement alternative operating scenarios identified in this permit in accordance with 25 Pa. Code § 127.447.

**SECTION B. General State Only Requirements****#023 [25 Pa. Code §135.3]****Reporting**

(a) If the facility is a Synthetic Minor Facility, the permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator of a Synthetic Minor Facility may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

**#024 [25 Pa. Code §135.4]****Report Format**

If applicable, the emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(a) The permittee may not allow the emission into the outdoor atmosphere of a fugitive air contaminant from a source other than the following:

- (1) Construction or demolition of buildings or structures.
- (2) Grading, paving, and maintenance of roads and streets.
- (3) Use of roads and streets. Emissions from material in or on trucks, railroad cars, and other vehicular equipment are not considered as emissions from the use of roads and streets.
- (4) Clearing of land.
- (5) Stockpiling of materials.
- (6) Open burning operations.
- (7) Sources and classes of sources other than those identified in (a)(1)-(a)(6), above, for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:
  - (i) The emissions are of minor significance with respect to causing air pollution; and
  - (ii) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

**# 002 [25 Pa. Code §123.2]****Fugitive particulate matter**

The permittee may not allow the emission of fugitive particulate matter into the outdoor atmosphere from a source specified in Section C, Condition #001, if the emissions are visible at the point the emissions pass outside the permittee's property.

**# 003 [25 Pa. Code §123.31]****Limitations**

The permittee may not allow the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the permittee's property.

**# 004 [25 Pa. Code §123.41]****Limitations**

The permittee may not allow the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (1) Equal to or greater than 20% for a period or periods aggregating more than three (3) minutes in any one hour.
- (2) Equal to or greater than 30% at any time.

**# 005 [25 Pa. Code §123.42]****Exceptions**

The emission limitation of 25 Pa. Code Section 123.41, shall not apply when:

- (1) The presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) The emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) The emission results from sources specified in Section C, Condition #001, subsections (a)(1)-(a)(7).

**SECTION C. Site Level Requirements****# 006 [25 Pa. Code §129.14]****Open burning operations**

(a) The permittee may not allow open burning of materials in such a manner that:

- (1) The emissions are visible, at any time, at the point such emissions pass outside the permittee's property.
- (2) Malodorous air contaminants from the open burning are detectable outside the permittee's property.
- (3) The emissions interfere with the reasonable enjoyment of life and property.
- (4) The emissions cause damage to vegetation or property.
- (5) The emissions are or may be deleterious to human or animal health.

(b) Exceptions. The requirements of Subsection (a) do not apply where the open burning operations result from:

- (1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public official.
- (2) Any fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
- (3) A fire set for the prevention and control of disease or pests, when approved by the Department.
- (4) A fire set solely for recreational or ceremonial purposes.
- (5) A fire set solely for cooking food.

(c) This permit does not constitute authorization to burn solid waste pursuant to section 610 (3) of the Solid Waste Management Act. 35 PS Section 6018.610 (3) or any other provision of the Solid Waste Management Act.

**II. TESTING REQUIREMENTS.****# 007 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Department reserves the right to require exhaust stack testing of the sources & control devices referenced in this permit to measure emissions for purposes including verification of permit condition compliance and estimation of annual air emissions.

**# 008 [25 Pa. Code §139.1]****Sampling facilities.**

Upon the request of the Department, the permittee shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance by the Department of tests on such sources. In the request, the Department will set forth the time period in which the facilities shall be provided as well as the specifications for such facilities.

**III. MONITORING REQUIREMENTS.****# 009 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions may be measured using either of the following:

- (1) A device approved by the Department and maintained to provide accurate opacity measurements.
- (2) Observers, trained and certified in EPA Method 9 to measure plume opacity with the naked eye or with the aid of any device(s) approved by the Department.

**# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

**SECTION C. Site Level Requirements**

The permittee shall conduct a monthly inspection around the facility periphery during daylight hours when the sources are in operation, to detect visible emissions, fugitive emissions, and malodorous air contaminants. Monthly inspections are necessary to determine:

(a) The presence of visible emissions. Visible emissions may be measured according to the methods specified in Section C, Condition #009. Alternately, personnel who observe visible emissions may report the incident to the Department within two (2) hours of the incident and make arrangements for a certified observer to measure the visible emissions.

(b) The presence of fugitive emissions beyond the property boundaries, as stated in Section C, Condition #002.

(c) The presence of odorous air contaminants beyond the property boundaries, as stated in Section C, Condition #003.

**IV. RECORDKEEPING REQUIREMENTS.****# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Unless otherwise noted, all records required by this and subsequent operating permits shall be maintained for the most recent five-year period and shall be readily available to the Department upon request. The most recent two years of records must be retained at the facility. The remaining three years of records may be retained off site. The records may be retained on paper, microfilm, microfiche or computer disks. If the records are retained on computer disks, the records must be in commonly available software. Commonly available software is usually compatible with a Microsoft application such as Word or Excel.

**# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall maintain records of monthly inspections around the plant periphery. The records shall include, at minimum, the following information:

1. The name of the company representative monitoring these instances.
2. The date and time of the observation.
3. The wind direction during each observation.
4. A description of any emissions and/or malodors observed and actions taken to mitigate them. If none are observed, record "NONE."

**V. REPORTING REQUIREMENTS.****# 013 [25 Pa. Code §127.442]****Reporting requirements.**

The permittee shall report malfunctions to the Department. A malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. Malfunctions shall be reported as follows:

(a) Malfunctions which pose an imminent danger to public health, safety, welfare and the environment, shall be immediately reported to the Department by telephone. The telephone report of such malfunctions shall occur no later than two hours after discovery of the incident. Telephone reports can be made to the Air Quality Program at (610) 916-0100 during normal business hours, or to the Department's Emergency Hotline at any time. The Emergency Hotline phone number is changed/updated periodically. The current Emergency Hotline phone number can be found at <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Pages/default.aspx>. The permittee shall submit a written report of instances of such malfunctions to the Department within three (3) days of the telephone report.

(b) Unless otherwise required by this permit, any other malfunction that is not subject to the reporting requirement of subsection (a) above, shall be reported to the Department, in writing, within five (5) days of malfunction discovery.

**SECTION C. Site Level Requirements****VI. WORK PRACTICE REQUIREMENTS.****# 014 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

The permittee shall take all reasonable actions to prevent particulate matter from becoming airborne from any source specified in Section C, Condition #001(a)(1)-(a)(7). These actions shall include, but are not limited to the following:

- (1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (2) Application of asphalt, oil, water, or suitable chemicals on dirt roads, material stockpiles, and other surfaces which may give rise to airborne dusts.
- (3) Paving and maintenance of roadways.
- (4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

**# 015 [25 Pa. Code §127.444]****Compliance requirements.**

The permittee shall operate and maintain all sources and any air cleaning devices identified in this operating permit in accordance with the manufacturer's recommendations/specifications, as well as in a manner consistent with good operating practices.

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VIII. COMPLIANCE CERTIFICATION.**

No additional compliance certifications exist except as provided in other sections of this permit including Section B (relating to State Only General Requirements).

**IX. COMPLIANCE SCHEDULE.**

No compliance milestones exist.



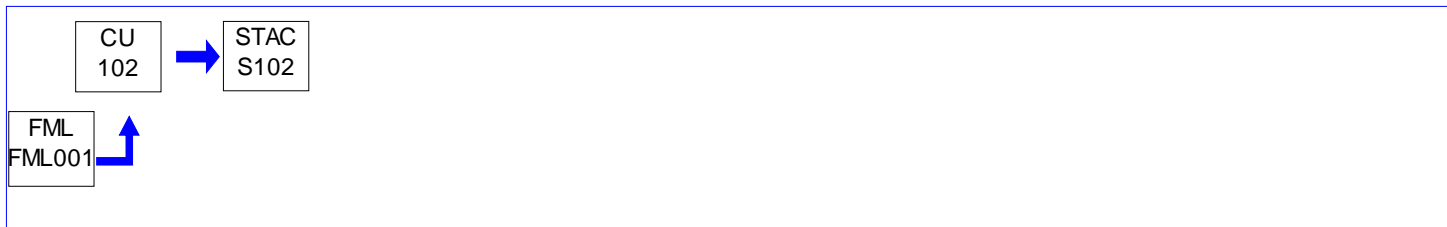
**SECTION D. Source Level Requirements**

Source ID: 102

Source Name: BOILER (CLEAVER-BROOKS NATURAL GAS-FIRED)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: GROUP 001 (NSPS DC)

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.11]****Combustion units**

No person shall permit the emission into the outdoor atmosphere of particulate matter from a combustion unit in excess of the rate of 0.4 pounds per million Btu of heat input.

**# 002 [25 Pa. Code §123.22]****Combustion units**

No person shall permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO<sub>2</sub>, in excess of the rate of 4 pounds per million Btu of heat input over any one hour period.

**# 003 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Source No. 102 shall not emit the following amounts the following pollutants:

- Particulate matter in excess of 0.4 lb/mmbtu, per 25 Pa. Code Section 123.11; and
- Nitrogen oxides greater than 30 ppmdv at 3% O<sub>2</sub>; and
- Carbon monoxide greater than 300 ppmdv CO at 3% O<sub>2</sub>.

**II. TESTING REQUIREMENTS.****# 004 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall, upon the request of the Department, provide fuel analyses, or fuel samples of the fuel used in any combustion unit.

If, at any time, the Department has cause to believe that air contaminant emissions from a combustion unit are in excess of the limitations specified in, or established pursuant to, any applicable regulation contained in 25 Pa. Code, Subpart C, Article III, the permittee shall conduct tests deemed necessary by the Department to determine the actual emission rate(s).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level Requirements****IV. RECORDKEEPING REQUIREMENTS.****# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall maintain permanent records in a manner approved by the Department. The records shall maintain the following information:

- a. Monthly fuel consumption
- b. Type of fuel
- c. Heating value of fuel (BTU/LB)
- d. Sulfur content (% by wt) for each shipment received

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Source 102 is not subject to 40 CFR 63, Subpart JJJJJJ since it is a gas-fired boiler. The boiler, however, is subject to NSPS Subpart Dc pursuant to Group 001

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: FRYERS (13 BATCH FRYERS AND 1 VACUUM FRYER)

Source Capacity/Throughput:

**I. RESTRICTIONS.****Emission Restriction(s).**

# 001 [25 Pa. Code §123.13]

**Processes**

Particulate matter emissions from each fryer's exhaust shall not exceed 0.04 grain per dry standard cubic foot.

# 002 [25 Pa. Code §123.21]

**General**The concentration of sulfur oxides, expressed as sulfur dioxide (SO<sub>2</sub>), in Source ID 101's effluent gas shall not exceed 500 parts per million, by volume (dry basis).**Fuel Restriction(s).**

# 003 [25 Pa. Code §127.441]

**Operating permit terms and conditions.**

The permittee shall operate the 13 batch fryers solely on natural gas. The 14th fryer (i.e., the vacuum fryer) operates only on steam and has no stack.

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VI. WORK PRACTICE REQUIREMENTS.**

# 004 [25 Pa. Code §127.441]

**Operating permit terms and conditions.**

The permittee shall operate the mist eliminators (DEP ID C101) at all times that Source ID 101 is operating.

**SECTION D. Source Level Requirements****# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall operate and maintain the mist eliminators (DEP ID C101) in accordance with the manufacturer's specifications.

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

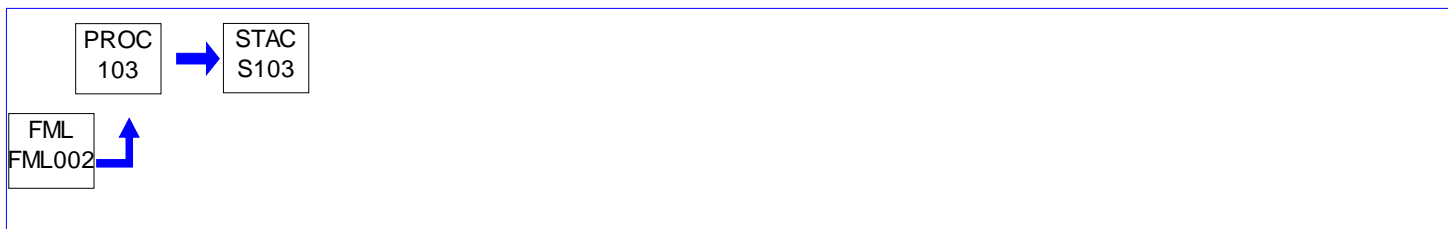
**SECTION D. Source Level Requirements**

Source ID: 103

Source Name: DIESEL FIRE PUMP (173 HP)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: GROUP 002 (NSPS IIII)

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION E. Source Group Restrictions.**

Group Name: GROUP 001 (NSPS DC)

Group Description: NSPS Subpart Dc

Sources included in this group

ID	Name
102	BOILER (CLEAVER-BROOKS NATURAL GAS-FIRED)

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VII. ADDITIONAL REQUIREMENTS.**

**# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.40c]  
Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units  
Applicability and delegation of authority.**

§ 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/h)) or less, but greater than or equal to 2.9 MW (10 MMBtu/h).

(b) [NA - NOT SUBJECT TO PM OR SO2 STANDARDS]

(c) [NA - NOT SUBJECT TO PM OR SO2 STANDARDS]

(d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under § 60.14.

(e) [NA - SOURCES NOT ASSOCIATED WITH TURBINES]

(f) [NA - 4A AND 4C NOT APPLICABLE]

**SECTION E. Source Group Restrictions.**

(g) [NA - 4B NOT APPLICABLE]

(h) [NA - J AND Ja NOT APPLICABLE]

(i) [NA - UNIT(S) NOT TEMPORARY]

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009; 77 FR 9461, Feb. 16, 2012]

§ 60.42c Standard for sulfur dioxide (SO<sub>2</sub>).

(a) - (j) [NA - UNIT(S) DO NOT BURN COAL OR OIL]

[72 FR 32759, June 13, 2007, as amended at 74 FR 5090, Jan. 28, 2009; 77 FR 9462, Feb. 16, 2012]

§ 60.43c Standard for particulate matter (PM).

(a) - (e) [NA - UNIT(S) DO NOT BURN COAL, OIL OR WOOD]

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009; 77 FR 9462, Feb. 16, 2012]

§ 60.44c Compliance and performance test methods and procedures for sulfur dioxide.

[NA - NOT SUBJECT TO SO<sub>2</sub> STANDARD]

§ 60.45c Compliance and performance test methods and procedures for particulate matter.

[NA - NOT SUBJECT TO PM STANDARD]

§ 60.46c Emission monitoring for sulfur dioxide.

[NA - NOT SUBJECT TO SO<sub>2</sub> STANDARD]

§ 60.47c Emission monitoring for particulate matter.

[NA - NOT SUBJECT TO PM STANDARD]

§ 60.48c Reporting and recordkeeping requirements.

(a) [NA - REQUIREMENT IS IN THE PAST]

(b) - (f) [NA - NOT SUBJECT TO PM OR SO<sub>2</sub> STANDARDS]

(g)(1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in § 60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel COMBUSTED during each calendar month.

(3) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in § 60.42C to use fuel certification to demonstrate compliance with the SO<sub>2</sub> standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel DELIVERED to that property during each calendar month.

**SECTION E. Source Group Restrictions.**

(h) [NA – NO CAPACITY FACTOR REQUIREMENT]

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) [NA – NO REPORTS REQUIRED]

[72 FR 32759, June 13, 2007, as amended at 74 FR 5091, Jan. 28, 2009]

**Regulatory Changes**

Individual sources within this source group that are subject to 40 CFR Part 60 Subpart Dc shall comply with all applicable requirements of the Subpart. 40 CFR 60.8 requires submission of copies of all requests, reports and other communications to both the Department and the EPA. The EPA copies shall be forwarded to:

Director  
Air Protection Division (3AP00)  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

The DEP copies shall be forwarded to the DEP SCRO Air Quality Program Manager at [wiveaver@pa.gov](mailto:wiveaver@pa.gov), unless otherwise directed in writing by DEP.

In the event that the Federal Subpart that is the subject of this Source Group is revised, the permittee shall comply with the revised version of the subpart, and shall not be required to comply with any provisions in this permit designated as having the subpart as their authority, to the extent that such permit provisions would be inconsistent with the applicable provisions of the revised subpart.



**SECTION E. Source Group Restrictions.**

Group Name: GROUP 002 (NSPS IIII)

Group Description: NSPS Subpart IIII

**Sources included in this group**

ID	Name
103	DIESEL FIRE PUMP (173 HP)

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VII. ADDITIONAL REQUIREMENTS.****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Regulatory Changes

Individual sources within this source group that are subject to 40 CFR Part 60 Subpart IIII shall comply with all applicable requirements of the Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports and other communications to both the Department and the EPA. The EPA copies shall be forwarded to:

Associate Director  
Office of Air Enforcement and Compliance Assistance, 3AP20  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

The Department copies shall be forwarded to the DEP SCRO Air Quality Program Manager at wiweaver@pa.gov, unless otherwise directed in writing by DEP.

In the event that the Federal Subpart that is the subject of this Source Group is revised, the permittee shall comply with the revised version of the subpart, and shall not be required to comply with any provisions in this permit designated as having the subpart as their authority, to the extent that such permit provisions would be inconsistent with the applicable provisions of the revised subpart.

**SECTION E. Source Group Restrictions.****# 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]****Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****Am I subject to this subpart?**

60.4200(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

60.4200(a)(1) [NA - NOT AN ENGINE MANUFACTURER]

60.4200(a)(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

60.4200(a)(2)(i) [NA - ENGINE IS A FIRE PUMP]

60.4200(a)(2)(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

60.4200(a)(3) [NA - NOT MODIFIED OR RECONSTRUCTED]

60.4200(a)(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

60.4200(b) [NA - TEST CELL NOT INVOLVED]

60.4200(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

60.4200(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C, except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

60.4200(e) [NA - NOT TEMPORARY REPLACEMENT UNITS]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

**# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4201]****Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?**

[NA - NOT AN ENGINE MANUFACTURER]

**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4202]****Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?**

[NA - NOT AN ENGINE MANUFACTURER]

**# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4203]****Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****How long must my engines meet the emission standards if I am a stationary CI internal combustion engine manufacturer?**

[NA - NOT AN ENGINE MANUFACTURER]

**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]****Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**SECTION E. Source Group Restrictions.**

**What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?**

[NA - UNITS ARE EMERGENCY]

**# 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4205]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?**

60.4205(a) - (b) [N/A - ENGINE IS A FIRE PUMP]

60.4205(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

**TABLE 4 REQUIREMENTS**

Maximum Engine Power:  $75 \leq \text{KW} < 130$  ( $100 \leq \text{HP} < 175$ )

Model Year: 2009 and later

Standards expressed as g/kW-hr (g/hp-hr)

NMHC + NOX: 4.0 (3.0)

CO: 5.0 (3.7)

PM: 0.30 (0.22)

END OF TABLE 4 REQUIREMENTS

60.4205(d) [N/A - FIRE PUMP BELIEVED TO HAVE DISPLACEMENT < 30 LITERS PER CYLINDER]

60.4205(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

60.4205(f) Owners and operators of any modified or reconstructed emergency stationary CI ICE subject to this subpart must meet the emission standards applicable to the model year, maximum engine power, and displacement of the modified or reconstructed CI ICE that are specified in paragraphs (a) through (e) of this section.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

**# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?**

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in § § 60.4204 and 60.4205 over the entire life of the engine.

[76 FR page 37969, June 28, 2011]

**# 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4207]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?**

60.4207(a) [Reserved]

60.4207(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

[§1090.305: ULSD standards:

(a) Overview. Except as specified in § 1090.300(a), diesel fuel must meet the ULSD per-gallon standards of this section.

(b) Sulfur content. Maximum sulfur content of 15 ppm.

(c) Cetane index or aromatic content. Diesel fuel must meet one of the following standards:

(1) Minimum cetane index of 40;

**SECTION E. Source Group Restrictions.**

(2) Maximum aromatic content of 35 volume percent.

60.4207(c) [RESERVED]

60.4207(d) Beginning June 1, 2012, owners and operators of stationary CI ICE subject to this subpart with a displacement of greater than or equal to 30 liters per cylinder are no longer subject to the requirements of paragraph (a) of this section, and must use fuel that meets a maximum per-gallon sulfur content of 1,000 parts per million (ppm).

60.4207(e) [NA - NO NATIONAL SECURITY EXEMPTION]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

**# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4208]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What is the deadline for importing or installing stationary CI ICE produced in the previous model year?**

60.4208(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

60.4208(b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.

60.4208(c)-(g) [NA - UNITS ARE EMERGENCY]

60.4208(h) [NA - IMPORTATION NOT RELEVANT IN THIS CASE]

60.4208(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

[Amended at 76 FR page 37969, June 28, 2011]

**# 011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4209]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?**

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

60.4209(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

60.4209(b) [NA - FILTER NOT INSTALLED OR REQUIRED]

[Amended at 76 FR page 37969, June 28, 2011]

**# 012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4210]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?**

[NA - NOT AN ENGINE MANUFACTURER]

**# 013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?**

60.4211(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

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60.4211(a)(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

60.4211(a)(2) Change only those emission-related settings that are permitted by the manufacturer; and

60.4211(a)(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

60.4211(b) [NA - ENGINES ARE 2007 MODEL YEAR OR LATER]

60.4211(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

60.4211(d) [NA - NOT SUBJECT TO § 60.4204(c) OR § 60.4205(d)]

60.4211(e) [NA - NOT MODIFIED OR RECONSTRUCTED]

60.4211(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

60.4211(f)(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

60.4211(f)(2) You may operate your emergency stationary ICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for nonemergency situations as allowed by paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

60.4211(f)(2)(i) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

60.4211(f)(2)(ii) Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see § 60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

60.4211(f)(2)(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

60.4211(f)(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year

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for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraph (f)(3)(i) of this section, the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

60.4211(f)(3)(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

60.4211(f)(3)(i)(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

60.4211(f)(3)(i)(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

60.4211(f)(3)(i)(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

60.4211(f)(3)(i)(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

60.4211(f)(3)(i)(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

60.4211(f)(3)(ii) [Reserved]

60.4211(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

60.4211(g)(1) [NA - ENGINES >100 HP]

60.4211(g)(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

60.4211(g)(3) [N/A - ENGINE < 500 HP]

60.4211(h) The requirements for operators and prohibited acts specified in 40 CFR 1039.665 apply to owners or operators of stationary CI ICE equipped with AECDs for qualified emergency situations as allowed by 40 CFR 1039.665.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021]

**# 014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4212]**

**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?**

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for

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stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

(Formula omitted...refer to regulation for exact formula notation).

Where:

STD = The standard specified for that pollutant in 40 CFR part 1039 or 1042, as applicable.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in § 60.4204(a), § 60.4205(a), or § 60.4205(c), determined from the equation in paragraph (c) of this section.

(Formula omitted...refer to regulation for exact formula notation).

Where:

STD = The standard specified for that pollutant in § 60.4204(a), § 60.4205(a), or § 60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in § 60.4204(a), § 60.4205(a), or § 60.4205(c) may follow the testing procedures specified in § 60.4213, as appropriate.

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011; 86 FR 34359, June 29, 2021]

**# 015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4213]**  
**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**  
**What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?**

[NA - DISPLACEMENT <30 L/CYL]

**# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4214]**  
**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**  
**What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?**

60.4214(a) [NA - UNITS ARE EMERGENCY]

60.4214(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are

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recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

60.4214(c) [NA - NOT EQUIPPED OR REQUIRED TO HAVE A DIESEL PARTICULATE FILTER]

60.4214(d) [NA - ENGINES NOT CONTRACTUALLY OBLIGATED TO BE AVAILABLE FOR MORE THAN 15 HOURS PER CALENDAR YEAR]

60.4214(e) Owners or operators of stationary CI ICE equipped with AECDs pursuant to the requirements of 40 CFR 1039.665 must report the use of AECDs as required by 40 CFR 1039.665(e).

[Amended at 78 FR page 6696, Jan. 30, 2013; 81 FR page 44219, July 7, 2016]

**# 017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4218]**

**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What parts of the General Provisions apply to me?**

Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.





**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.



**SECTION G. Emission Restriction Summary.**

No emission restrictions listed in this section of the permit.



**SECTION H. Miscellaneous.**

Information has been gathered from Plan Approval No. 36-03214A issued on October 27, 2020.



\*\*\*\*\* End of Report \*\*\*\*\*

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