



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

STATE ONLY NATURAL MINOR OPERATING PERMIT

Issue Date: October 30, 2025

Effective Date: October 30, 2025

Expiration Date: September 30, 2030

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: 32-00424

Natural Minor

Federal Tax Id - Plant Code: 20-4389128-3

Owner Information

Name: ROSEBUD MINING CO
Mailing Address: 301 MARKET ST
KITTANNING, PA 16201-1504

Plant Information

Plant: BRUSH VALLEY MINE COAL PREPARATION PLANT
Location: 32 Indiana County 32912 Center Township
SIC Code: 1222 Mining - Bituminous Coal - Underground

Responsible Official

Name: JAMES R BARKER
Title: EXECUTIVE VP
Phone: (724) 545 - 6222 Email: Jim.Barker@rosebudmining.com

Permit Contact Person

Name: JOHN ST. CLAIR
Title: MANAGER
Phone: (724) 545 - 6222 Ext.225 Email: permits@rosebudmining.com

[Signature] _____
LORI L. MCNABB, NORTHWEST REGION AIR PROGRAM MANAGER



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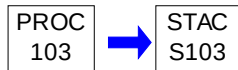
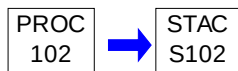
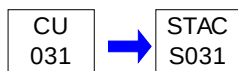
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Source ID	Source Name	Capacity/Throughput	Fuel/Material
031	6 MMBTU/HR ACI DIRECT HEATER	5.800 Gal/HR	PROPANE
101	COAL PREPARATION PLANT (1.0 MM TPY)	400.000 Tons/HR	COAL
102	2 DIESEL EMERGENCY GENERATOR ENGINES (732 & 287-BHP)	112.000 Gal/HR	Diesel Fuel
103	1374 HP EMERGENCY GENERATOR	71.900 Gal/HR	Diesel Fuel
C101	WATER SPRAYS		
S031	6 MMBTU/HR ACI DIRECT HEATER STACK		
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S103	1374 HP EMERGENCY STACK		
Z101	FUGITIVE EMISSIONS		

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

**SECTION B. General State Only Requirements**

- (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:
 - (1) Enforcement action

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(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:

(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

**SECTION B. General State Only Requirements**

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_x from a single source during the term of the permit and 5 tons of NO_x 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 PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ 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:

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

**SECTION B. General State Only Requirements**

- (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)
- (6) Section 127.462 (relating to minor operating permit modifications)
- (7) Subchapter H (relating to general plan approvals and general operating permits)

**SECTION B. General State Only Requirements****#015 [25 Pa. Code § 127.11a]****Reactivation of Sources**

- (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 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.

**SECTION B. General State Only Requirements****#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.

#023 [25 Pa. Code § 121.7]**Prohibition of Air Pollution**

No person may permit air pollution as that term is defined in the Air Pollution Control Act (35 P.S. §§ 4001-4015).

**SECTION B. General State Only Requirements****#024 [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.

#025 [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 §121.7]****Prohibition of air pollution.**

No person may permit air pollution as that term is defined in the act.

002 [25 Pa. Code §123.1]**Prohibition of certain fugitive emissions**

(a) No person may permit the emission into the outdoor atmosphere of 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 use of roads and streets.

(4) Clearing of land.

(5) Stockpiling of materials.

(6) Open burning operations.

(7)-(8) Not applicable.

(9) Sources and classes of sources other than those identified in paragraphs (1)-(8), 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.

(b) An application form for requesting a determination under either subsection (a)(9) or 129.15(c) is available from the Department. In reviewing these applications, the Department may require the applicant to supply information including, but not limited to, a description of proposed control measures, characteristics of emissions, quantity of emissions, and ambient air quality data and analysis showing the impact of the source on ambient air quality. The applicant shall be required to demonstrate that the requirements of subsections (a)(9) and (c) and 123.2 (relating to fugitive particulate matter) or of the requirements of 129.15(c) have been satisfied. Upon such demonstration, the Department will issue a determination, in writing, either as an operating permit condition, for those sources subject to permit requirements under the act, or as an order containing appropriate conditions and limitations.

(c) See Work Practice Requirements in Section C of this permit.

(d) Not applicable.

003 [25 Pa. Code §123.2]**Fugitive particulate matter**

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions) if the emissions are visible at the point the emissions pass outside the person's property.

004 [25 Pa. Code §123.31]**Limitations**

(a) Not applicable.

**SECTION C. Site Level Requirements**

(b) A person may not permit 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 property of the person on whose land the source is being operated.

(c) Not applicable.

005 [25 Pa. Code §123.41]**Limitations**

A person may not permit 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 minutes in any 1 hour.
- (2) Equal to or greater than 60% at any time.

006 [25 Pa. Code §123.42]**Exceptions**

The limitations of 123.41 (relating to limitations) shall not apply to a visible emission in any of the following instances:

- (1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).
- (4) Not applicable.

Throughput Restriction(s).**# 007 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Raw coal throughput at the Facility shall not exceed 1,000,000 tons in any consecutive 12-month period.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #010]

II. TESTING REQUIREMENTS.**# 008 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this Permit may be in excess of the limitations specified in, or established pursuant to the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Such testing shall be conducted in accordance with Title 25 PA Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #029]

III. MONITORING REQUIREMENTS.**# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee of the Brush Valley Mine Coal Preparation Plant shall conduct upwind/downwind dustfall monitoring, should the Department request this sampling.

**SECTION C. Site Level Requirements****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee of the Brush Valley Mine Coal Preparation Plant shall observe and record the following:

1. Visible stack emissions
2. Malodors
3. Visible fugitive emissions

Of the plant, at least once per day, only on days when the facility is in operation. This observation does not require that it be performed by a person certified as a qualified observer for EPA Method 9 for Visual Determination of the Opacity of Emissions from Stationary Sources.

Should visible stack emissions, malodors, or visible fugitive emissions be observed, the permittee shall take immediate action to correct them.

IV. RECORDKEEPING REQUIREMENTS.**# 011 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The permittee shall maintain monthly records of the following and shall, each month, calculate 12-month rolling totals:

- a. Tons of raw coal received at the facility.
- b. Tons of clean coal shipped from the facility.
- c. Tons of oversize coal shipped from the facility.
- d. The number of hours each emergency diesel engine operated.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #013]

012 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

All logs and required records shall be maintained on site for a minimum of five years and shall be made available to the Department upon request.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #014]

013 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall post the following:

- (a) A speed limit of 15 miles per hour or less on all in-plant roads; and
- (b) A requirement stating all loaded coal trucks shall be properly tarpaulin covered.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #023]

014 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain a log of all dust control and road maintenance activities. The log shall include date, time, hours or mileage of the water truck and description of any maintenance activity to in-plant roadways.

015 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain records of all visible stack and fugitive emission and malodor surveys performed. The records shall include the date, time, name and title of the observer, whether emissions or malodors were observed, and any corrective action.

V. REPORTING REQUIREMENTS.**# 016 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

**SECTION C. Site Level Requirements**

- a. The permittee shall report to the Department each malfunction that may result in a potential exceedance of operating permit emission limits. For purposes of this condition, a malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control or process equipment, or, operating in a non-permitted manner.
- b. When the malfunction poses an imminent and substantial danger to the public health and safety, potential harm to the environment, or may result in citizen complaints, the permittee shall report the incident to the Department within one hour.
- c. The report shall describe the:
- name and location of the facility;
 - nature and cause of the malfunction;
 - time when the malfunction or breakdown was first observed;
 - expected duration of increased emissions; and
 - estimated rate of emissions.
- d. The permittee shall notify the Department immediately when corrective measures have been accomplished.
- e. Unless otherwise required by specific reporting requirements, any malfunction that is not subject to the notice requirements of subsection (b) of this permit condition shall be reported to the Department within 24 hours (or the next business day) of discovery by telephone and in writing within five days of discovery. The report shall contain the same information required by subsection (c).
- f. A detailed written report shall be submitted to the Northwest Regional Office of the Department's Air Quality Program within 24 hours of the discovery during a business day or by 5:00 PM on the first business day after a weekend or holiday of any malfunction along with what corrective action the company has taken.

PA DEP
Northwest Regional Office
814-332-6945

Electronic Submittal
<http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

VI. WORK PRACTICE REQUIREMENTS.**# 017 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(c) A person responsible for any source specified in subsections (a)(1) -- (7) or (9) shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be 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.

018 [25 Pa. Code §123.1]**Prohibition of certain fugitive emissions**

Road watering and sweeping shall be performed on, as needed, and earth or other material transported from the site shall be removed promptly from, as needed, the paved public road SR 56 to prevent visible fugitive emissions in accordance with Title 25 PA Code §123.1(c).

**SECTION C. Site Level Requirements****# 019 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The plant access road shall be paved for the first 500 feet and maintained so as to prevent fugitive emissions from crossing the property line. The remaining areas of vehicle traffic shall be paved or periodically delineated with gravel or crushed stone, as necessary to prevent fugitive emissions from crossing the property line.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #022]

020 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

All trucks transporting coal from the plant shall be tarped.

[Authorization from plan approval 32-00424A]

021 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

All sources and air cleaning devices shall be operated and maintained in accordance with manufacturer's specification and good air pollution control practices.

022 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

A road sweeper acceptable to the Department shall be available to the site and used, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with 25 Pa. Code §§123.1 and 123.2.

023 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

A water truck shall be available to the site and shall be used for dust suppression purposes. In-plant roadways and areas of vehicle traffic shall be watered, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with Title 25 PA Code §123.1 and §123.2. Other methods of dust control shall be used when weather conditions make in-plant road watering hazardous, as necessary, to prevent visible fugitive emissions from crossing the property line in accordance with Title 25 PA Code §123.1 and §123.2.

024 [25 Pa. Code §129.14]**Open burning operations**

- (a) AIR BASINS. Not applicable.
- (b) OUTSIDE OF AIR BASINS. No person may permit the open burning of material in an area outside of air basins in a manner that:
- (1) The emissions are visible, at any time, at the point such emissions pass outside the property of the person on whose land the open burning is being conducted.
 - (2) Malodorous air contaminants from the open burning are detectable outside the property of the person on whose land the open burning is being conducted.
 - (3) The emissions interfere with the reasonable enjoyment of life or property.
 - (4) The emissions cause damage to vegetation or property.
 - (5) The emissions are or may be deleterious to human or animal health.
- (c) Exceptions. The requirements of subsections (a) and (b) 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 officer.
 - (2) Any fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.

**SECTION C. Site Level Requirements**

(3) A fire set for the prevention and control of disease or pests, when approved by the Department.

(4)-(5) Not applicable.

(6) A fire set solely for recreational or ceremonial purposes.

(7) A fire set solely for cooking food.

(d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:

(1) As used in this subsection the following terms shall have the following meanings:

Air curtain destructor—A mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

Clearing and grubbing wastes—Trees, shrubs and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and dirt laden roots.

(2) Not applicable.

(3) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:

(i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b).

(ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.

(4) During an air pollution episode, open burning is limited by Chapter 137 (relating to air pollution episodes) and shall cease as specified in that chapter.

[The Brush Valley Mine Coal Preparation Plant is not located in an air basin.]

[This permit does not constitute authorization to burn solid waste pursuant to Section 610(3) of the Solid Waste Management Act, 35 P.S. Section 6018.610(3), or any other provision of the Solid Waste Management Act.]

VII. ADDITIONAL REQUIREMENTS.**# 025 [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 qualified to measure plume opacity with the naked eye or with the aid of devices approved by the Department.

026 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Sources at this facility are subject to Part 60 - Standards of Performance for New Stationary Sources, Subpart Y - Standards of Performance Standards for Coal Preparation Plants, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, and Subpart A - General Provisions of NSPS. (40 CFR Part 60, Subparts Y, IIII, and Subpart A, respectively.)

Permittee shall comply with all applicable notification and reporting requirements contained in 40 CFR 60, Subparts Y, IIII, and A. In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted:

**SECTION C. Site Level Requirements**

Director, Air, Toxics, and Radiation
Environmental Protection Agency
Region III, Air and Radiation Division
Permits Branch (3AD10)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

PA DEP
Northwest Regional Office
Electronic Submittal
<http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

027 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Mass emissions may be determined using engineering calculations based on fuel and raw material purchase records, manufacturers specifications, AP-42 emission factors, source test results, operating records, material balance methods, and/or other applicable methods with written Departmental approval.

028 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

In the event that any Federal Subpart referenced in this permit 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.

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**

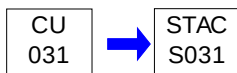
Source ID: 031

Source Name: 6 MMBTU/HR ACI DIRECT HEATER

Source Capacity/Throughput:

5.800 Gal/HR

PROPANE

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

(a) A person may not permit the emission into the outdoor atmosphere of particulate matter from a combustion unit in excess of the following:

(1) The rate of 0.4 pound per million Btu of heat input, when the heat input to the combustion unit in millions of Btus per hour is greater than 2.5 but less than 50.

(2)-(3) Not applicable.

(b) Allowable emissions under subsection (a) are graphically indicated in Appendix A.

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

(a) Nonair basin areas. Combustion units in nonair basin areas must conform with the following:

(1) General provision. A person may not permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO₂, from a combustion unit in excess of the rate of 4 pounds per million Btu of heat input over a 1-hour period, except as provided in paragraph (4).

(2) Commercial fuel oil.

(i) Except as specified in subparagraphs (ii) and (iii), a person may not offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in nonair basin areas if the commercial fuel oil contains sulfur in excess of the applicable maximum allowable sulfur content set forth in the following tables:

Maximum Allowable Sulfur Content Expressed as Parts per Million (ppm) by Weight or Percentage by Weight

Grades Commercial Fuel Oil (Consistent with ASTM D396)	Through August 31, 2020	Beginning September 1, 2020
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No. 2 and lighter oil	500 ppm (0.05%)	15 ppm (0.0015%)
No. 4 oil	2,500 ppm (0.25%)	2,500 ppm (0.25%)
No. 5, No. 6 and heavier oil	5,000 ppm (0.5%)	5,000 ppm (0.5%)

(ii) Commercial fuel oil that was stored in this Commonwealth by the ultimate consumer prior to September 1, 2020, which met the applicable maximum allowable sulfur content for commercial fuel oil through August 31, 2020, in subparagraph (i) at the time it was stored, may be used by the ultimate consumer in this Commonwealth on and after September 1, 2020.

(iii) The Department may temporarily suspend or increase the applicable maximum allowable sulfur content for a commercial fuel oil set forth in subparagraph (i) if the following occur:

(A) The Department receives a written request at the address specified in subsection (h) for a suspension or increase

**SECTION D. Source Level Requirements**

on the basis that compliant commercial fuel oil is not reasonably available in a nonair basin area. The request must include the following:

(I) The nonair basin county or counties for which the suspension or increase is requested.

(II) The reason compliant commercial fuel oil is not reasonably available.

(III) The duration of time for which the suspension or increase is requested and the justification for the requested duration.

(B) The Department determines that an insufficient quantity of compliant commercial fuel oil is reasonably available in the nonair basin area and that the circumstances leading to the insufficiency are due to events that could not have been reasonably foreseen or prevented and are not due to lack of prudent planning on the part of the transferor of the commercial fuel oil into or within the specified nonair basin area.

(C) The Department approves the request, in writing, prior to the transferor distributing the noncompliant commercial fuel oil into or within the specified nonair basin area.

(iv) The Department will limit a suspension or increase in the applicable maximum allowable sulfur content granted under subparagraph (iii) to the shortest duration in which adequate supplies of compliant commercial fuel oil can be made reasonably available, but in no case longer than 60 days from the date the Department grants the suspension or increase.

(3) Equivalency provision. Paragraph (2) does not apply to a person who uses equipment or a process, or to the owner or operator of an installation where equipment or a process is used, to reduce the sulfur emissions from the burning of a fuel with a higher sulfur content than that specified in paragraph (2). The emissions may not exceed those which would result from the use of commercial fuel oil that meets the applicable maximum allowable sulfur content specified in paragraph (2).

(4) Not applicable.

(b)-(e) Not applicable.

(f) Sampling and testing.

(1) For the purpose of determining compliance with the requirements of this section, the actual sulfur content of commercial fuel oil shall be determined by one of the following:

(i) In accordance with the sample collection, test methods and procedures specified under § 139.16 (relating to sulfur in fuel oil).

(ii) Other methods developed or approved by the Department or the Administrator of the EPA, or both.

(2) A refinery owner or operator who produces commercial fuel oil intended for use or used in this Commonwealth is required to sample, test and calculate the actual sulfur content of each batch of the commercial fuel oil as specified in paragraph (1).

(3) Prior to offering for sale, delivering for use, exchanging in trade or permitting the use of commercial fuel oil in this Commonwealth, a person other than the ultimate consumer that accepts a shipment of commercial fuel oil from a refinery or other transferor, shall sample, test and calculate the actual sulfur content of the commercial fuel oil in accordance with paragraph (1) if the shipment lacks the record required under subsection (g)(1) that enables the transferee to determine if the sulfur content of the shipment of commercial fuel oil meets the applicable maximum allowable sulfur content.

(g) Recordkeeping and reporting.

(1) Beginning with the refinery owner or operator who sells or transfers commercial fuel oil into or within this Commonwealth for use in this Commonwealth and ending with the ultimate consumer, each time the physical custody of, or title to, a shipment of commercial fuel oil changes hands, the transferor shall provide to the transferee an electronic or

**SECTION D. Source Level Requirements**

paper record described in this paragraph. This record must legibly and conspicuously contain the following information:

- (i) The date of the sale or transfer.
 - (ii) The name and address of the transferor.
 - (iii) The name and address of the transferee.
 - (iv) The volume of commercial fuel oil being sold or transferred.
 - (v) The identification of the sulfur content of the shipment of commercial fuel oil, determined using the sampling and testing methods specified in subsection (f)(1), expressed as one of the following statements:
 - (A) For a shipment of No. 2 and lighter commercial fuel oil:
 - (I) Prior to September 1, 2020—"The sulfur content of this shipment is 500 ppm or below."
 - (II) On and after September 1, 2020—"The sulfur content of this shipment is 15 ppm or below."
 - (B) For a shipment of No. 4 commercial fuel oil, "The sulfur content of this shipment is 2,500 ppm or below."
 - (C) For a shipment of No. 5, No. 6 and heavier commercial fuel oil, "The sulfur content of this shipment is 5,000 ppm or below."
 - (vi) The location of the commercial fuel oil at the time of transfer.
 - (vii) Except for a transfer to a truck carrier, an owner or operator of a retail outlet or an ultimate consumer, the transferor may substitute the information required under subparagraphs (i)—(vi) with the use of a product code if the following are met:
 - (A) The product code includes the information required under subparagraphs (i)—(vi).
 - (B) The product code is standardized throughout the distribution system in which it is used.
 - (C) Each downstream party is given sufficient information to know the full meaning of the product code.
- (2) The refinery owner or operator shall do both of the following:
- (i) Maintain, in electronic or paper format, the records developed under subsection (f)(2) to determine the actual sulfur content of each batch of the commercial fuel oil.
 - (ii) Provide electronic or written copies of the records developed under subsection (f)(2) of the actual sulfur content of each batch of the commercial fuel oil to the Department upon request.
- (3) The terminal owner or operator shall do both of the following:
- (i) Maintain, in electronic or paper format, the applicable records developed under subsection (f)(3) or (g)(1), or both, to establish the maximum sulfur content of the shipment of commercial fuel oil.
 - (ii) Provide electronic or written copies of the records establishing the maximum sulfur content of the shipment of commercial fuel oil to the Department upon request.
- (4) A person subject to this section shall do both of the following:
- (i) Maintain the applicable records required under paragraphs (1)—(3) in electronic or paper format for 2 years unless a longer period is required under § 127.511(b)(2) (relating to monitoring and related recordkeeping and reporting

**SECTION D. Source Level Requirements**

requirements).

(ii) Provide an electronic or written copy of the applicable record to the Department upon request.

(5) The ultimate consumer shall maintain in electronic or paper format the record containing the information listed in paragraph (1), except in either of the following situations:

(i) The transfer or use of the commercial fuel oil occurs at a private residence.

(ii) The ultimate consumer is an owner of an apartment or condominium building housing private residents and the transfer or use of the commercial fuel oil occurs for use at the building.

(h) Written request. The written request for suspension of or increase in the sulfur content limit on the basis that compliant commercial fuel oil is not reasonably available shall be addressed to the Department of Environmental Protection, Bureau of Air Quality, Chief of the Division of Compliance and Enforcement, P. O. Box 8468, Harrisburg, Pennsylvania 17105-8468.

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.

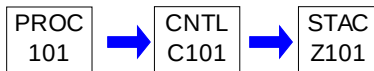
No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: COAL PREPARATION PLANT (1.0 MM TPY)

Source Capacity/Throughput: 400.000 Tons/HR COAL

**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.**# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

All conveyors and radial stackers shall be covered.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #021]

002 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Each hopper, screen, and transfer point shall be fully enclosed, or partially enclosed and equipped with water sprays. All coal shall be adequately wetted prior to, during, and after processing, as necessary, to control fugitive emissions.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #020]

003 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall employ the use of existing vegetation as wind barriers around coal storage piles.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #019]

**SECTION D. Source Level Requirements****# 004 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

All conveying equipment, radial stackers, and front-end loaders used to stockpile, transfer, and load coal shall maintain a minimal amount of drop height at all times so as to prevent fugitive emissions.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #018]

005 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Coal shall be stockpiled in such a manner that it may be adequately wetted by the on-site pressurized water truck to control fugitive emissions.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #017]

VII. ADDITIONAL REQUIREMENTS.**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.250]****Subpart Y - Standards of Performance for Coal Preparation Plants****Applicability and designation of affected facility.**

(a) The provisions of this subpart apply to affected facilities in coal preparation and processing plants that process more than 181 megagrams (Mg) (200 tons) of coal per day.

(b)-(c) Not applicable.

(d) The provisions in §§60.251, 60.252(b)(1) through (3), and (c), 60.253(b), 60.254(b) and (c), 60.255(b) through (h), 60.256(b) and (c), 60.257, and 60.258 of this subpart are applicable to any of the following affected facilities that commenced construction, reconstruction or modification after May 27, 2009: Thermal dryers, pneumatic coal-cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, transfer and loading systems, and open storage piles.

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.254]**Subpart Y - Standards of Performance for Coal Preparation Plants****Test methods and procedures.**

(a)-(b) Not applicable.

(c) The owner or operator of an open storage pile, which includes the equipment used in the loading, unloading, and conveying operations of the affected facility, constructed, reconstructed, or modified after May 27, 2009, must prepare and operate in accordance with a submitted fugitive coal dust emissions control plan that is appropriate for the site conditions as specified in paragraphs (c)(1) through (6) of this section.

(1) The fugitive coal dust emissions control plan must identify and describe the control measures the owner or operator will use to minimize fugitive coal dust emissions from each open storage pile.

(2) For open coal storage piles, the fugitive coal dust emissions control plan must require that one or more of the following control measures be used to minimize to the greatest extent practicable fugitive coal dust: Locating the source inside a partial enclosure, installing and operating a water spray or fogging system, applying appropriate chemical dust suppression agents on the source (when the provisions of paragraph (c)(6) of this section are met), use of a wind barrier, compaction, or use of a vegetative cover. The owner or operator must select, for inclusion in the fugitive coal dust emissions control plan, the control measure or measures listed in this paragraph that are most appropriate for site conditions. The plan must also explain how the measure or measures selected are applicable and appropriate for site conditions. In addition, the plan must be revised as needed to reflect any changing conditions at the source.

(3) Any owner or operator of an affected facility that is required to have a fugitive coal dust emissions control plan may petition the Administrator to approve, for inclusion in the plan for the affected facility, alternative control measures other than those specified in paragraph (c)(2) of this section as specified in paragraphs (c)(3)(i) through (iv) of this section.

**SECTION D. Source Level Requirements**

(i) The petition must include a description of the alternative control measures, a copy of the fugitive coal dust emissions control plan for the affected facility that includes the alternative control measures, and information sufficient for EPA to evaluate the demonstrations required by paragraph (c)(3)(ii) of this section.

(ii) The owner or operator must either demonstrate that the fugitive coal dust emissions control plan that includes the alternate control measures will provide equivalent overall environmental protection or demonstrate that it is either economically or technically infeasible for the affected facility to use the control measures specifically identified in paragraph (c)(2).

(iii) While the petition is pending, the owner or operator must comply with the fugitive coal dust emissions control plan including the alternative control measures submitted with the petition. Operation in accordance with the plan submitted with the petition shall be deemed to constitute compliance with the requirement to operate in accordance with a fugitive coal dust emissions control plan that contains one of the control measures specifically identified in paragraph (c)(2) of this section while the petition is pending.

(iv) If the petition is approved by the Administrator, the alternative control measures will be approved for inclusion in the fugitive coal dust emissions control plan for the affected facility. In lieu of amending this subpart, a letter will be sent to the facility describing the specific control measures approved. The facility shall make any such letters and the applicable fugitive coal dust emissions control plan available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.

(4) The owner or operator must submit the fugitive coal dust emissions control plan to the Administrator or delegated authority as specified in paragraphs (c)(4)(i) and (c)(4)(ii) of this section.

(i) The plan must be submitted to the Administrator or delegated authority prior to startup of the new, reconstructed, or modified affected facility, or 30 days after the effective date of this rule, whichever is later.

(ii) The plan must be revised as needed to reflect any changing conditions at the source. Such revisions must be dated and submitted to the Administrator or delegated authority before a source can operate pursuant to these revisions. The Administrator or delegated authority may also object to such revisions as specified in paragraph (c)(5) of this section.

(5) The Administrator or delegated authority may object to the fugitive coal dust emissions control plan as specified in paragraphs (c)(5)(i) and (c)(5)(ii) of this section.

(i) The Administrator or delegated authority may object to any fugitive coal dust emissions control plan that it has determined does not meet the requirements of paragraphs (c)(1) and (c)(2) of this section.

(ii) If an objection is raised, the owner or operator, within 30 days from receipt of the objection, must submit a revised fugitive coal dust emissions control plan to the Administrator or delegated authority. The owner or operator must operate in accordance with the revised fugitive coal dust emissions control plan. The Administrator or delegated authority retain the right, under paragraph (c)(5) of this section, to object to the revised control plan if it determines the plan does not meet the requirements of paragraphs (c)(1) and (c)(2) of this section.

(6) Where appropriate chemical dust suppression agents are selected by the owner or operator as a control measure to minimize fugitive coal dust emissions, (1) only chemical dust suppressants with Occupational Safety and Health Administration (OSHA)-compliant material safety data sheets (MSDS) are to be allowed; (2) the MSDS must be included in the fugitive coal dust emissions control plan; and (3) the owner or operator must consider and document in the fugitive coal dust emissions control plan the site-specific impacts associated with the use of such chemical dust suppressants.

008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.258]

Subpart Y - Standards of Performance for Coal Preparation Plants
Reporting and recordkeeping.

(a) The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:

**SECTION D. Source Level Requirements**

(1) The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.

(2) The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.

(3) The amount and type of coal processed each calendar month.

(4) The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.

(5) Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.

(6) Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g., objections, to the plan and any actions relative to the alternative control measures, e.g., approvals, shall be noted in the logbook as well.

(7)-(10) Not applicable.

(b)-(d) Not applicable.

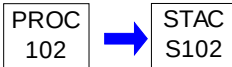
**SECTION D. Source Level Requirements**

Source ID: 102

Source Name: 2 DIESEL EMERGENCY GENERATOR ENGINES (732 & 287-BHP)

Source Capacity/Throughput: 112.000 Gal/HR Diesel Fuel

Conditions for this source occur in the following groups: G01

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Visible emissions from the Cummins 500DFEK and Cummins 175DSHAB emergency diesel engines stacks shall not exceed the following limitations:

Equal to or greater than 10% for a period or periods aggregating more than three minutes in any one hour.

Equal to or greater than 30% at any time.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #006]

Operation Hours Restriction(s).**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The engines comprising Source ID 102 are emergency diesel engines. Each Cummins engines, models 500DFEK and 175DSHAB 2, shall not exceed 500 hours of operation in any 12-month period. A non-resettable hour meter shall be installed on each engine and operation of each engine shall be recorded.

[Authorization from Plan Approval PA-32-00424A issued 10/30/14 (Modification) Section C, Condition #009 for two Cummins engines]

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).

**SECTION D. Source Level 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) 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 D. Source Level Requirements**

Source ID: 103

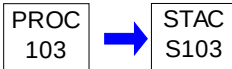
Source Name: 1374 HP EMERGENCY GENERATOR

Source Capacity/Throughput:

71.900 Gal/HR

Diesel Fuel

Conditions for this source occur in the following groups: G01

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

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The Caterpillar engine shall not exceed 500 hours of operation in any 12-month period. A non-resettable hour meter shall be installed and operation shall be recorded.

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: G01

Group Description: Emergency Generators-Subpart IIII

Sources included in this group

ID	Name
102	2 DIESEL EMERGENCY GENERATOR ENGINES (732 & 287-BHP)
103	1374 HP EMERGENCY GENERATOR

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

(a) Subsections (b) and (c) apply to all processes except combustion units, incinerators and pulp mill smelt dissolving tanks.

(b) Not applicable.

(c) For processes not listed in subsection (b)(1), including but not limited to, coke oven battery waste heat stacks and autogeneous zinc coker waste heat stacks, the following shall apply:

(1) Prohibited emissions. No person may permit the emission into the outdoor atmosphere of particulate matter from any process not listed in subsection (b)(1) in a manner that the concentration of particulate matter in the effluent gas exceeds any of the following:

(i) .04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.

(ii)-(iii) Not applicable.

(2) Not applicable.

(d) Not applicable.

002 [25 Pa. Code §123.21]**General**

(a) This section applies to sources except those subject to other provisions of this article, with respect to the control of sulfur compound emissions.

(b) No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO₂, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4202]**Subpart IIII - 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 manufa**

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) Not applicable.

(2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

(b)-(h) Not applicable.

**SECTION E. Source Group Restrictions.**

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021; 88 FR 4471, Jan. 24, 2023]

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.**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]****Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****Am I subject to this subpart?**

(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.

(1) Not applicable.

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

- (i) Manufactured after April 1, 2006, and are not fire pump engines, or
- (ii) Not applicable.

(3) Not applicable.

(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.

(b) Not applicable.

(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

**SECTION E. Source Group Restrictions.**

sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d)-(e) Not applicable.

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

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4205]

Subpart IIII - 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?

(a) Not applicable.

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c)-(f) Not applicable.

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

006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]

Subpart IIII - 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 37969, June 28, 2011]

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4207]

Subpart IIII - 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?

(a) Not applicable.

(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.

40 CFR § 1090.305 ULSD standard:

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

(b) Sulfur standard. 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.

(2) Maximum aromatic content of 35 volume percent.

(c) [Reserved]

(d)-(e) Not applicable.

[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,

**SECTION E. Source Group Restrictions.**

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008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4209]**Subpart IIII - 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.

(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.

(b) Not applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]**Subpart IIII - 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?**

(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:

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

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

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

(b) Not applicable.

(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.

(d) - (e) Not applicable.

(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, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

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

(2) You may operate your emergency stationary ICE for the purpose specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency 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).

(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

**SECTION E. Source Group Restrictions.**

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.

(ii)-(iii) [Reserved]

(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 for maintenance and testing 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.

(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:

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

(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.

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

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

(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.

(ii) [Reserved]

(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:

(1)-(2) Not applicable.

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 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. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) Not applicable.

[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; 87 FR 48605, Aug. 10, 2022]

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4219]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What definitions apply to this subpart?

**SECTION E. Source Group Restrictions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the CAA and in subpart A of this part.

**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description		
031	6 MMBTU/HR ACI DIRECT HEATER		
Emission Limit		Pollutant	
0.400	Lbs/MMBTU	PM10	
500.000	PPMV	By Weight	SOX
102	2 DIESEL EMERGENCY GENERATOR ENGINES (732 & 287-BHP)		
Emission Limit		Pollutant	
500.000	PPMV	dry basis	SOX
0.040	gr/DRY FT3	TSP	
103	1374 HP EMERGENCY GENERATOR		
Emission Limit		Pollutant	
500.000	PPMV	dry basis	SOX
0.040	gr/DRY FT3	TSP	

Site Emission Restriction Summary

Emission Limit	Pollutant
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**SECTION H. Miscellaneous.**

1. The capacities/throughputs and other information listed in Section A, D, and F, excluding those in permit restrictions, are for informational purposes only and are not enforceable limits.
2. The following description is for information purposes only:

This State Only Operating Permit (SOOP) authorizes Western Allegheny Energy, LLC to operate a coal preparation plant at their Brush Valley Mine Coal Preparation Plant, located in Center Township, Indiana County.

The facility primarily stores and screens coal.

3. Air contamination sources at the Facility are as follows:

- Pit Conveyor
- ROM Stockpile.
- Screen
- Oversize Coal Radial Stacker.
- Oversize Coal Stockpiles.
- Clean Coal Conveyor.
- Clean Coal Radial Stacker.
- Clean Coal Stockpiles.
- Truck Loadout by Front-end Loader.
- Paved and Unpaved Roadways.
- One (1) Emergency Diesel Engine - Cummins 500DFEK rated at 732 bhp.
- One (1) Emergency Diesel Engine - Cummins 175DSHAB rated at 187 bhp.
- One (1) Emergency Diesel Engine - Caterpillar C-32 rated at 1,372 hp.
- 6 MMBtu/hr ACI Direct Heater, MAH-6, propane fired heater for the mine.

4. Air pollution prevention equipment at the facility includes the following:

- Pressurized water truck with pressurized spray gun; stockpile and roadway control.
- Paving, sweeper, and pressurized water truck; roadway control.
- Truck tarping; truck shipping control.
- Covers; each conveyor and each radial stacker.
- Water sprays; each transfer point and screen control.
- Partial enclosures; transfer point, ROM Screen.

On August 4, 2016, this permit was amended to change the name of the Owner/Operator from Western Allegheny Energy LLC to Rosebud Mining Company and the name of the Permit Contact from Dennis Foster to Dennis Grelle.



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