July 30, 2021

Tashni-Ann Dubroy, Ph.D.
Executive Vice President and COO
Howard University
2400 6th Street NW
Suite 440
Washington, DC 20059

Subject: **Draft Title V Operating Permit (Permit No. 006-R2)**

Dear Dr. Dubroy:

The Air Quality Division (AQD) of the District of Columbia Department of Energy and Environment (the Department) has prepared a Draft Title V operating permit pursuant to Chapters 2 and 3 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR 200 and 300). This permit, satisfying applicable regulations, is enclosed. Note that this permit, when issued, will be issued pursuant to the Department's authority under both Chapter 2 and Chapter 3, as mentioned above.

As the responsible official for the equipment covered by this permit at Howard University, it will be your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit once it becomes final and to ensure that any person who operates any emission unit subject to the attached permit does the same.

This draft permit will be subject to a 30-day public comment period beginning on July 30, 2021 and continuing through August 30, 2021. Howard University, affected states (Maryland, Virginia and West Virginia), the U.S. Environmental Protection Agency (EPA), and the general public may comment on the draft permit during this review period. Upon closing of this review period the permit may be modified to address comments received during this period. If no substantive comments are received during the public review period of the draft permit, the permit will continue with an EPA-only review period ending 45 days after the public review period began. If substantive comments are received, they will be addressed and the permit will then be issued as a proposed permit for EPA review only for a period of up to 45 days.

If EPA does not object to the issuance of the permit during their 45-day review period, the permit will be issued as a final permit and will become fully enforceable. If EPA raises objections during this period, the objections will be addressed as necessary by issuance of a modified draft permit.

If you have questions or comments or need further information, please write to this office or contact Thomas Olmstead at (202) 535- 2273 or thomas.olmstead@dc.gov. If you submit

comments by email, please copy me at stephen.ours@dc.gov.

Sincerely,

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division

Attachment: 2

SSO:TJO

District of Columbia
Air Quality Operating Permit

Howard University
2400 6th Street NW
Washington, DC 20059

Chapter 3 Permit No. 006-R2
Draft Title V Operating Permit

ICIS AIR Facility ID: DC0000001100100022

Department of Energy and Environment
Air Quality Division

Effective Date: <insert date>, 2021 Expiration Date: <insert date>, 2026

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

Chapter 3 Permit No. 006-R2 **ICIS-Air Facility ID: DC0000001100100022**

Effective Date: <Insert Date>, 2021 **Expiration Date: <Insert Date>, 2026**

Pursuant to the requirements of Chapter 2, General and Non-Attainment Permits, and Chapter 3, Operating Permits, of Title 20 of the Department of Columbia Municipal Regulation (20 DCMR), the Department of Columbia Department of Energy and Environment, Air Quality Division hereafter referred to as "the Department" or "the Department" as the duly delegated agency, hereby grants approval to operate the emission units listed in Sections III and IV of this permit subject to the terms and conditions of this permit. All terms and conditions of this permit are enforceable by the Department and by the U.S. Environmental Protection Agency (EPA) unless specifically designated as enforceable by the Department only, as annotated by "*".

SUBJECT TO THE TERMS AND CONDITIONS OF THIS PERMIT, approval to operate is granted to:

Permittee

Howard University
2400 6th Street NW,
Washington, DC 20059

Facility Location

Howard University
2400 6th Street NW
Washington, DC 20059

Responsible Official: Tashni-Ann Dubroy, Ph.D., Executive Vice President and COO, Howard University

PREPARED BY:

_____ _____

Thomas Olmstead
Environmental Engineer
Air Quality Division

Date

AUTHORIZED BY:

_____ _____

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division

Date

Table of Contents

I. General Permit Requirements

a. Compliance

1. The Permittee shall comply with all the terms and conditions of this permit. Any non-compliance with this permit constitutes a violation of the federal Clean Air Act and/or District regulations and is grounds for enforcement action, permit revocation, permit modification or denial of permit renewal. [20 DCMR 302.1(g)(1)]

2. In any enforcement action, the Permittee cannot claim as a defense that it would have been necessary to halt or reduce a permitted activity in order to maintain compliance with this permit. [20 DCMR 302.1(g)(2)]

3. To demonstrate compliance, the Permittee must submit an Annual Certification Report to the Department not later than March 1 each year certifying compliance with all permit conditions. See Section I(d)(2) of this permit. [20 DCMR 302.3(e)(1)]

4. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate compliance or non-compliance with any term or condition of this permit. [40 CFR 51.212, 52.12, 52.30, 60.11, and 61.12]

5. In the event of an emergency, as defined by 20 DCMR 399.1, noncompliance with the limits contained in this permit shall be subject to the following provisions [20 DCMR 302.7]:

   A. An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations of this permit if the conditions of Condition I(a)(5)(B) are met.

   B. The affirmative defense of an emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

      i. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;

      ii. The permitted stationary source was at the time being properly operated;

      iii. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements of this permit; and

      iv. The Permittee submitted notice of the emergency to the Department within two (2) working days of the time when emission limitations were exceeded due to the emergency. The notice shall contain description of the emergency,

any steps taken to mitigate emissions, and corrective actions taken pursuant to 20 DCMR 302.1(c)(3)(C)(i).

C. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof; and

D. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

6. In addition to any specific testing requirements specified elsewhere in this permit, the Department reserves the right to require that the Permittee perform additional emission tests using methods approved in advance by the Department. The Department will not require the Permittee to conduct tests with unreasonable frequency. [20 DCMR 502.1]

b. Permit Availability

A copy of this permit shall be available at the permitted facility at all times. A copy of this permit shall be provided to the Department upon request. [20 DCMR 101.1]

c. Record Keeping

1. Where applicable to the monitoring, reporting, or testing requirements of this permit, the Permittee shall keep the following records [20 DCMR 302.1(c)(2)(A)(i-vi)]:

A. The date, place as defined in the permit, and time of sampling or measurements;

B. The date(s) analyses were performed;

C. The company or entity that performed the analyses;

D. The analytical techniques or methods used;

E. The results of the analyses; and

F. The operating conditions, as existing at the time of sampling or measurement.

2. The Permittee must keep and maintain records of all testing results, monitoring information, records, reports, and applications required by this permit for a period of at least five (5) years from the date of such test, monitoring, sample measurement, report or application. [20 DCMR 302.1(c)(2)(B)]

3. Unless more specific requirements are included in Condition III or Condition IV of this permit for a specific operation, for surface painting operations, printing

operations, and photograph processing operations, etc., as applicable, the Permittee shall maintain the following records [20 DCMR 500.1]:

A. The names of the chemical compounds contained in the solvents, reagents, coatings, and other substances used in these activities;

B. The volatile organic compound (VOC) content, measured in weight percent, of solvents used in these activities,

C. The quantity of solvents (not including those that are subject to Condition II(m) of this permit) used in pounds per hour, and

D. The number of hours that solvents were applied each day (exclusive of uses subject to Condition II(m) of this permit).

4. If Section 502(b)(10) changes are made pursuant to Condition I(k) of this permit, the Permittee shall maintain a copy of the notice with the permit. [20 DCMR 302.8(a)]

5. If off-permit changes are made pursuant to Condition I(l) of this permit, the Permittee shall keep a record of all such changes that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. [20 DCMR 302.9(d)]

d. Reporting Requirements

1. Semi-Annual Report: The Permittee shall submit semi-annual reports to the Department by March 1 and September 1 of each year. The September 1 report shall cover January 1 through June 30 of that year; the March 1 report shall cover July 1 through December 31 of the previous year. The March 1 report may be combined with the Annual Certification Report required pursuant to Condition I(d)(2) as long as all requirements of this Condition I(d)(1) are included in that report. Reports due under this condition need only cover the portion of the reporting period during which this permit is in effect where the permit is not in effect for the full reporting period. These reports shall contain the following information [20 DCMR 302.1(c)(3)(A) and (B)]:

A. Fuel use records in the format required by the unit-specific requirements of this permit;

B. All Method 9 visible emissions (opacity) observation results as well as the results of any non-Method 9 monitoring identifying visible emissions, per the unit-specific requirements of this permit;

C. The results of any other required monitoring referencing this section; and

D. A description of any deviation from permit requirements during the period covered by the report.

2. Annual Certification Report: By March 1 of each year, the Permittee shall submit to the Department and EPA an Annual Certification Report certifying compliance with the terms and conditions of this permit. The report shall cover the period from January 1 through December 31 of the previous year. Reports due under this condition need only cover the portion of the reporting period during which this permit is in effect where the permit is not in effect for the full reporting period. [20 DCMR 302.1(c)(3) and 302.3(e)(1)]

   A. The report shall [20 DCMR 302.3(e)(3)]:

      i. Identify each term or condition of the permit that is the basis for certification;

      ii. State the Permittee's current compliance status;

      iii. Describe the testing, monitoring, and record keeping methods used to determine compliance with each emission limit, standard or other requirement over the reporting period; and

      iv. State whether compliance has been continuous or intermittent during the reporting period for each emission limit, standard or other requirement as shown by these testing, monitoring, and record keeping methods.

   B. The report shall include the following information for all fuel burning equipment and stationary internal combustion engines/generators.

      i. Fuel Usage: The total amount of each type and grade of fuel burned during the reporting period shall be reported for each emission unit and for each group of emission units identified as a miscellaneous activity in this permit. Natural gas use shall be reported in therms (where one therm equals 100 cubic feet); fuel oil use shall be reported in gallons. The Permittee shall submit this information in a form approved by the Department. [20 DCMR 500.1]

      ii. Quality of Fuel Information:

         1. For commercial fuel oil, as defined at 20 DCMR 899, the Permittee shall submit copies of all records obtained pursuant to Condition II(f)(9) of this permit during the reporting period.

         2. For all other fuel oils and diesel, unless more specific testing is specified elsewhere in this permit for a given emission unit, the Permittee shall sample and test the fuel oil burned in its fuel burning equipment and

stationary internal combustion engines/generators, using the ASTM methods specified in Condition II(f)(8), at least once each calendar quarter that fuel is fired in the units or at the time of each fuel delivery, whichever is less frequent, and shall report these data with the Annual Certification Report. For each sample, the Permittee must provide [20 DCMR 502]:

a. The fuel oil grade and the ASTM method used to determine the grade;

b. The weight percent sulfur of the fuel oil;

c. The date and time the sample was taken;

d. The name, address, and telephone number of the laboratory that analyzed the sample; and

e. The type of test or test method performed.

In lieu of sampling and testing fuel oil each quarter for each of these data, the Permittee may comply with the requirements of Condition II(f)(9) of this permit for these fuels as well. If this option is chosen, the Permittee shall submit copies of all records obtained pursuant to these requirements during the reporting period.

If any of these data cannot be obtained from the fuel supplier, it is the responsibility of the Permittee to sample the fuel and have it analyzed to obtain the required data.

iii. Boiler and Engine Adjustment Data: For all boiler and engine adjustments required pursuant to the conditions of this permit, the Annual Certification Report shall include sufficient data to substantiate that each boiler and engine has been adjusted in accordance with 20 DCMR 805.8(a), (b), and (c) and any other related requirements specified in this permit. [20 DCMR 500.1]

iv. Visible Emissions Test Data: For all EPA Reference Method 9 (40 CFR 60, Appendix A) testing required by this permit, the Annual Certification Report shall include:

1. The date and time of each test;

2. The name, address, and telephone number of the tester;

3. Proof of the certification of the tester pursuant to Reference Method 9;

4. Identification of the emission unit(s) being observed during the test;

5. The operation rate of the unit being tested, as applicable, as follows: Note that if any of these data are estimated, a description of the estimation technique must also be included.

    a. The boiler load expressed in pounds of steam per hour (where possible) and the percent of rated capacity at which the boiler was operated during the test; or

    b. The percent of rated capacity at which the engine or other equipment was operated during the test;

6. The amount and type of fuel fired during the test; and

7. Data from a minimum of 30 minutes of visible emissions observations.

    Unless otherwise specified in this permit, the Permittee shall fire the fuel expected to have the greatest likelihood to result in visible emissions among the fuels permitted to be used in the unit, unless that fuel has not and will not be used during the reporting period. If the only use of a given fuel in the reporting period is for purposes of periodic testing or combustion adjustment required by this permit, no visible emission test for that fuel will be required under this condition. [20 DCMR 502]

C. As a supplement to the Annual Certification Report submitted to the Department, the Permittee shall submit a report of the emissions from the facility during the previous calendar year. This supplemental report shall be submitted in accordance with Condition I(d)(9) and (10) or by another method specified by the Department. Reports due under this condition need only cover the portion of the reporting period during which this permit is in effect where the permit is not in effect for the full reporting period. The emissions shall be reported on a per emission unit basis (though miscellaneous/insignificant sources and area sources may be grouped in a reasonable manner). If multiple fuels are used in fuel-burning equipment, the emissions shall also be reported on a per fuel basis for each emission unit. In addition, a summary table shall be provided showing total emissions from all units at the site. This emissions supplement shall include [20 DCMR 500.1]:

    i. Emissions of the following pollutants on a per fuel, per emission unit, and sum total basis as described above:

        1. Oxides of nitrogen (NO_x);

        2. Sulfur dioxide (SO_2);

3. Carbon monoxide (CO);

4. Volatile organic compounds (VOCs);

5. Lead (Pb) and lead compounds, as defined in 40 CFR 50.12;

6. Ammonia (NH_3);

7. Particulate matter in each of the following categories:

    a. Total particulate matter (total filterable plus condensable);

    b. Total particulate matter less than 10 microns in aerodynamic diameter (PM10, also known as PM10-PRI), equivalent to PM10-FIL plus PM-CON;

    c. Condensable particulate matter (PM-CON);

    d. Filterable particulate matter less than 10 microns in aerodynamic diameter (PM10-FIL);

    e. Total particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5, also known as PM2.5-PRI), equivalent to PM2.5-FIL plus PM-CON; and

    f. Filterable particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5-FIL); and

8. All hazardous air pollutants (HAPs) as defined in §112(b) of the Clean Air Act, as revised.

ii. Calculations and justification for each emission value reported in the summary table. The emissions reported shall be based on the best reasonably available method for estimating emissions. In general, the following list is the hierarchy of most accurate to least accurate methods:

1. Continuous emission monitoring data,

2. Emissions data calculated based on emissions test data used with process operational/formulation data,

3. Emissions data calculated based on manufacturer's specifications used with process operational/formulation data, and finally,

4. AP-42 or other general emission factors used with process operational/formulation data.

If questions arise as to the most accurate emissions estimation method, the Permittee is encouraged to consult the Department.

iii. In addition to the summary table of total emissions during the calendar year, the Permittee shall submit any additional information the Department may request in order to collect necessary information to comply with the requirements of 40 CFR 51.

D. As a second supplement to the Annual Certification Report, the Permittee shall submit the miscellaneous/insignificant activity inventory required pursuant to Condition IV(c).

3. Progress Reports: If the Permittee is subject to the requirements of a compliance schedule, it shall submit the reports specified in 20 DCMR 302.3(d). These reports shall include:

A. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

4. Notifications and Supplemental Reports: Unless specifically exempted from these requirements elsewhere in this permit, the Permittee shall submit the following notifications and supplemental reports. Notifications or reports of a deviation from a permit condition submitted pursuant to paragraphs A, B, or C below shall contain the following information: the date of the deviation, the time of the deviation, the emission unit involved, the duration and cause of the deviation, and what actions the Permittee took to correct or prevent the deviation. [20 DCMR 302.1(c)(3)(C)]

A. Emergencies: If the Permittee experiences an emergency, as defined in 20 DCMR 399.1, which results in the breach of a permit condition or exceedance of an emission limit, the Permittee shall submit a written notice to the Department within two (2) working days of the date the Permittee first becomes aware of the deviation if the Permittee wishes to assert an affirmative defense authorized under 20 DCMR 302.7. In addition, if the conditions of 20 DCMR 302.7(b) are not followed, the Permittee cannot assert the existence of an emergency as an affirmative defense to an action brought for non-compliance with a technology-based limitation. [20 DCMR 302.1(c)(3)(C)(i)]

B. Threat to Public Health, Safety, and the Environment: The Permittee shall immediately report any permit deviation that poses an imminent and substantial danger to public health, safety, or the environment. [20 DCMR 302.1(c)(3)(C)(ii)] This shall be reported to the Department's Emergency Operations number at (202) 645-5665.

C. Emission Exceedance: The Permittee shall immediately, upon becoming aware, notify the Air Quality Division by telephone via the Department's Emergency Operations number at (202) 645-5665, of any exceedance of any emission limit or any limit established as a surrogate for emissions. Additionally, the Permittee shall submit to the Air Quality Division a written notice of such exceedance within two working days of discovery. [20 DCMR 500.1] Such written notice shall, at a minimum, include the following information:

   i. The name and location of the facility;

   ii. The subject source(s) that caused the excess emissions;

   iii. The time and date of the first observation of the excess emissions;

   iv. The cause and estimated/expected duration of excess emissions;

   v. For sources subject to numerical emissions limitations, the estimated rate of emissions (expressed in the units of the applicable emissions limitation) and the operating data and calculations used in determining the magnitude of the excess emissions; and

   vi. The proposed corrective actions and schedule to correct the conditions causing the excess emission.

D. Operational Flexibility: Prior to making a change as provided for in Condition I(k) of this permit, titled "Section 502(b)(10) Changes" the Permittee shall give written notice to the Department and EPA at least seven calendar days before the change is to be made. The seven (7) calendar day period may be shortened or eliminated for an operational change that must be implemented more quickly to address unanticipated conditions that pose a significant health, safety, or environmental hazard. If less than a seven calendar day notice is given, the Permittee shall provide notice to the Department and EPA as soon as possible after learning of the need to make the change. In the notice, the Permittee must substantiate why seven-day advance notice could not be given. Written notices must include the following information [20 DCMR 302.8]:

   i. A description of the change to be made;

ii. The date on which the change will occur;

iii. Any changes in emissions; and

iv. Any permit terms and conditions that are affected, including those that are no longer applicable.

E. Off-Permit Changes: The Permittee shall provide contemporaneous written notice of off-permit changes, made in accordance with Condition I(l) of this permit, to the Department and EPA. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [20 DCMR 302.9(b)]

F. Periodic Maintenance of Pollution Control Equipment: Whenever it is necessary to shut down air pollution control equipment for periodic maintenance, the Permittee shall report the planned shutdown to the Department at least forty-eight hours prior to shutdown. The prior notice shall include, but not be limited to, the following [20 DCMR 107.2]:

i. Identification of the specific facility to be taken out of service as well as its location and permit number;

ii. The expected length of time that the air pollution control equipment will be out of service;

iii. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;

iv. Measures that will be taken to minimize the length of shutdown period; and

v. The reasons that it would be impossible or impractical to shutdown the source operation during the maintenance period.

5. All notifications, reports, and other documentation required by this permit shall be certified by a responsible official, except that if a report of a deviation must be submitted within ten (10) days of the deviation, the report may be submitted in the first instance without a certification, if an appropriate certification is provided within ten (10) days thereafter, together with any corrected or supplemental information required concerning the deviation. [20 DCMR 302.1(c)(3)(D)]

6. Nothing in this permit shall relieve the Permittee from any reporting requirements under federal or District of Columbia regulations.

7. Within 15 days of receipt of a written request, the Permittee shall furnish to the Department any information the Department requests to determine whether cause exists for reopening or revoking the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish the Department with copies of records required to be kept by the permit. [20 DCMR 302.1(g)(5)]

8. The Permittee may request confidential treatment of information submitted in any report required by this permit pursuant to the limitations and procedures in 20 DCMR 301.1(c). [20 DCMR 302.1(c)(3)(E) and 20 DCMR 106]

9. Unless otherwise specified in this permit, Annual Certification Reports, Semi-Annual Reports, notifications, supplemental reports, and other documentation required by this permit shall be sent in hard copy form to [20 DCMR 302.3(e)(4)]:

   Chief, Compliance and Enforcement Branch
   Department of Energy and Environment
   Air Quality Division
   1200 First Street NE, 5th Floor
   Washington DC 20002

   and in electronic form to:

   air.quality@dc.gov

10. Annual Certification Reports must be submitted to EPA Region 3 in electronic form at the following email address. [20 DCMR 302.3(e)(4)]:

    R3_APD_Permits@epa.gov

e. Certification Requirements

With the exception specified in Condition I(d)(5), any document including all application forms, reports, and compliance certifications submitted to the Department pursuant to this permit shall contain a signed certification by a responsible official, as defined in 20 DCMR 399.1, with the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [20 DCMR 301.6]

f. Fees

The Permittee shall pay application and annual fees equal to the amount calculated by methods consistent with 20 DCMR 305. The application fees shall be submitted at the time of renewal application submittal. The annual fees shall be paid no later than 60 days after the Department issues an invoice each year. The check for the fees shall be made

payable to the "D.C. Treasurer" and mailed to the following address or payment may be made by another method specified in the invoice [20 DCMR 302.1(h)]:

Chief, Compliance and Enforcement Branch
Department of Energy and Environment
Air Quality Division
1200 First Street NE, 5th Floor
Washington DC 20002

g. Duty to Provide Supplemental Information

1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application or other submittal, the Permittee shall promptly submit to the Department the relevant supplementary facts and corrected information. [20 DCMR 301.2]

2. The Permittee shall promptly submit to the Department the information necessary to address any requirement that becomes applicable to the Permittee after the date the Permittee submitted any permit application. [20 DCMR 301.2]

3. Upon receipt of a written request, the Permittee shall furnish to the Department, within a reasonable time established by the Department:

   A. Any information that the Department determines is reasonably necessary to evaluate or take final action on a permit application; [20 DCMR 301.1(b)(7)]

   B. Any information the Department requests to determine whether cause exists to reopen, revise, terminate, or revoke this permit, or to determine compliance with the terms and conditions of this permit; [20 DCMR 302.1(g)(5)] and

   C. Copies of any record(s) required to be kept by this permit. [20 DCMR 302.1(g)(5)]

h. Construction, Installation, or Alteration

1. The Permittee shall not initiate construction, installation, or modification of any equipment or facility which emits or controls air pollutants prior to obtaining a construction permit from the Department in accordance with 20 DCMR 200.

2. When construction, installation, or alteration has been performed, the Permittee shall take all actions required by 20 DCMR 301 to obtain a revision of the Title V operating permit to reflect the new or modified equipment.

i. Permit Renewal, Expiration, Reopening, Revision, and Revocation

1. This permit expires five (5) years after its effective date [20 DCMR 302.1 (b)], but may be renewed before it expires pursuant to 20 DCMR 303.

   A. The Permittee shall file an application for renewal of this permit at least six (6) months before the date of permit expiration. [20 DCMR 301.1(a)(5)] Compliance with this requirement may be waived if the Permittee has submitted a request for permit termination by this deadline.

   B. The Permittee's right to operate ceases on the expiration date unless a complete permit renewal application has been submitted to the Department not later than six (6) months prior to the expiration date or the Department has taken final action approving the source's application for renewal by the expiration date. [20 DCMR 301.1(a)(5) and 303.3(b)].

   C. If a timely and complete application for renewal of this permit is submitted to the Department, but the Department, through no fault of the Permittee, fails to take final action to issue or deny the renewal permit before the end of the term of this permit, then this permit shall not expire until the renewal permit has been issued or denied. [20 DCMR 303.3(e)]

   D. An application for renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. The Department may similarly, in issuing a draft renewal permit or proposed renewal permit, specify only those portions that will be revised, supplemented, or deleted, incorporating the remaining permit terms by reference. [20 DCMR 303.1(a) and 303.3(a) through (c)]

2. This permit may be amended at any time in accordance with the requirements of 20 DCMR 303.4 or 303.5, as applicable.

3. This permit shall be reopened for cause if any of the following occur [20 DCMR 303.6(a)]:

   A. The Department or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms of the permit;

   B. Additional applicable requirements under the Clean Air Act become applicable to the facility; provided, that reopening on this ground is not required if the following occurs:

i. The facility is not a major source;

ii. The permit has a remaining term of less than three (3) years;

iii. The effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 20 DCMR 303.3(e); or

iv. The additional applicable requirements are implemented in a general permit that is applicable to the facility and the facility receives approval for coverage under that general permit;

C. Additional requirements (including excess emissions requirements) become applicable to a source under the Acid Rain program; provided, that upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit; or

D. The Department or EPA determines that the permit must be revised to assure compliance by the source with applicable requirements.

4. While a reopening proceeding is pending, the Permittee shall be entitled to the continued protection of any permit shield provided in this permit pending issuance of a modified permit unless the Department specifically suspends the shield on the basis of a finding that the suspension is necessary to implement applicable requirements. If such a finding applies only to certain applicable requirements or to certain permit terms, the suspension shall extend only to those requirements or terms. [20 DCMR 303.6(f)]

5. This permit may be reopened for modifications or revoked for cause by EPA in accordance with 20 DCMR 303.7.

6. The Department may terminate a permit in accordance with 20 DCMR 303.8 at the request of the Permittee or revoke it for cause. Cause for revocation exists if the following occurs [20 DCMR 303.8(a)]:

A. The permitted stationary source is in violation of any term or condition of the permit and the Permittee has not undertaken appropriate action (such as a schedule of compliance) to resolve the violation;

B. The Permittee has failed to disclose material facts relevant to issuance of the permit or has knowingly submitted false or misleading information to the Department;

C. The Department finds that the permitted stationary source or activity substantially endangers public health, safety, or the environment, and that the danger cannot be removed by a modification of the terms of the permit;

D. The Permittee has failed to pay permit fees required under 20 DCMR 305 and Section I(f) of this permit; or

E. The Permittee has failed to pay a civil or criminal penalty imposed for violations of the permit.

7. The Permittee may at any time apply for termination of all or a portion of this permit relating solely to operations, activities, and emissions that have been permanently discontinued at the permitted stationary source. An application for termination shall identify with specificity the permit or permit terms that relate to the discontinued operations, activities, and emissions. In terminating all or portions of this permit pursuant to this condition, the Department may make appropriate orders for the submission of a final report or other information from the Permittee to verify the complete discontinuation of the relevant operations, activities, and emissions. [20 DCMR 303.8(f)]

8. The Permittee may apply for termination of this permit on the ground that its operations, activities, and emissions are fully covered by a general permit for which it has applied for and received coverage pursuant to 20 DCMR 302.4. [20 DCMR 303.8(g)]

9. Except as provided under 20 DCMR 303.5(b) for minor permit modifications, the filing of a permit reopening, revocation or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [20 DCMR 302.1(g)(3)]

j. Permit and Application Consultation

The Permittee is encouraged to consult with Department personnel at any time concerning the construction, operation, modification or expansion of any facility or equipment; the operation of required pollution control devices or systems; the efficiency of air pollution control devices or systems; applicable requirements; or any other air pollution problem associated with the installation.

k. Section 502(b)(10) Changes

Under the following conditions, the Permittee is expressly authorized to make Clean Air Act ("the Act") Section 502(b)(10) changes without a permit amendment or permit modification provided that such a change is not a modification under any provision of Title I of the Act, does not include any changes in the date(s) included in any compliance

schedule, and does not result in a level of emissions exceeding the emissions allowed under the permit, whether expressed herein as a rate of emissions or in terms of total emissions: [20 DCMR 302.8]

1. Before making a change under this provision, the Permittee shall provide advance written notice to the Department and to the Administrator, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected including those which are no longer applicable. The Permittee shall thereafter maintain a copy of the notice with the permit, and the Department shall place a copy with the permit in the public file. The written notice shall be provided to the Department and the Administrator at least seven (7) days before the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to the unanticipated conditions, the Permittee shall provide notice to the Department and the Administrator immediately upon learning of the need to make the change;

2. A permitted source may rely on the authority of this section to trade increases and decreases in emissions within the stationary source, where the applicable requirements provide for the emissions trades without a permit revision. In such a case, the advance written notice provided by the Permittee shall identify the underlying authority authorizing the trading and shall state when the change will occur, the types and quantities of emissions to be traded, the permit terms or other applicable requirements with which the source will comply through emissions trading, and any other information as may be required by the applicable requirement authorizing the emissions trade;

3. Any permit shield provided under Condition V of this permit pursuant to 20 DCMR 302.6 shall not apply to changes made under this section, except those provided for in Condition I(k)(4) of this permit; however, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the changes; provided, that the Permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The shield may be reinstated for emissions and operations affected by the change:

    A. If subsequent changes cause the stationary source's operations and emissions to revert to those contained in the permit and the Permittee resumes compliance with the terms and conditions of the permit; or

    B. If the Permittee obtains a significant modification to the permit pursuant to Condition I(i) of this permit to codify the change in the permit, and the modified permit expressly provides protection under the shield for the change; and

4. Upon the request of the Permittee, the Department shall issue a permit that contains terms and conditions allowing for the trading of emissions increases and decreases in the permitted stationary source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements. The Permittee shall include in its application proposed replicable procedures and permit terms that assure that the emissions trades are quantifiable and enforceable and comply with all applicable requirements and 20 DCMR Sections 302.1 and 302.3. The permit shield under Condition V of this permit shall apply to permit terms and conditions authorizing such increases and decreases in emissions. Under this paragraph, the written notification required under this section shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.

l. Off-Permit Changes

The Permittee may make any change in its operations or emissions not addressed or prohibited in this permit without obtaining an amendment or modification of this permit subject to the following requirements and restrictions [20 DCMR 302.9]:

1. The change shall meet all applicable requirements and may not violate any existing permit term or condition;

2. The Permittee shall provide contemporaneous written notice of the change to the Department and the Administrator. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;

3. The change shall not qualify for any permit shield found in Condition V of this permit;

4. The Permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes; and

5. The Permittee may not make, without a revision of its permit, a change that is not addressed or prohibited by its permit if such change is subject to any requirements under Title IV of the Act or is a modification under any provision of Title I of the Act.

m. Economic Incentives

This permit shall require no revision under any approved economic incentives, marketable permits, emissions trading, or other similar programs or processes for changes that are provided for in this permit. [20 DCMR 302.1(i)]

n. Emissions Trading and Averaging

There are no applicable emissions trading or averaging applicable at this facility, unless otherwise specified in this permit. [20 DCMR 302.1(k)]

o. Entry and Inspection

The Permittee shall allow authorized officials of the District, upon presentation of identification, to [20 DCMR 302.3(b) and 20 DCMR 101] *Note: This is a streamlined condition. The requirements of 20 DCMR 302.3(b) are more stringent than those of 20 DCMR 101, thus this permit only incorporates the conditions of 20 DCMR 302.3(b). Compliance with these conditions will be considered compliance with both regulations.*:

1. Enter upon the Permittee's premises where a source or emission unit is located, an emissions related activity is conducted, or where records required by this permit are kept;

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and 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; and

4. As authorized by the federal Clean Air Act, as amended [42 U.S.C. 7401 et seq.] and D.C. Official Code § 8-101.05a, sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement.

p. Enforcement

1. Failure to comply with the federally enforceable terms and conditions of this permit constitutes a violation of the federal Clean Air Act. The District, EPA, and/or citizens may enforce federally enforceable permit terms and conditions. [20 DCMR 302.2(a) and 20 DCMR 302.1(g)(1)]

2. Failure to comply with the terms and conditions of this permit designated as a District-only requirement constitutes a violation of the District of Columbia air

quality laws and regulations. The Department will enforce these permit terms and conditions. [20 DCMR Chapter 1]

3. Failure to comply with permit terms and conditions is grounds for enforcement action, permit revocation, or for denial of a permit renewal application [20 DCMR 302.1(g)(1)]; and/or administrative, civil, or criminal enforcement action. [20 DCMR 105]

4. In any enforcement proceeding, the Permittee shall have the burden of proof when seeking to establish the existence of an emergency. [20 DCMR 302.7(c)]

5. This permit may be amended, reopened, modified, revoked, or reissued for cause in accordance with 20 DCMR 303 and Condition I(i) of this permit. Except as provided under 20 DCMR 303.5, the filing by the Permittee of a request for a permit revision, termination, or notification of planned changes or anticipated noncompliance, does not stay any term or condition of this permit. [20 DCMR 302.1(g)(3)]

q. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege to the Permittee. [20 DCMR 302.1(g)(4)]

r. Severability

The provisions of this permit are severable. If any part of this permit is held invalid, the remainder of this permit shall not be affected thereby and shall remain valid and in effect. [20 DCMR 302.1(f)]

s. Alternative Operating Scenarios

No alternative operating scenarios are applicable unless specified in the emission unit specific conditions of this permit (Condition III). [20 DCMR 302.1(j)]

II. Facility-Wide Permit Requirements

The Permittee shall comply with the following facility-wide permit requirements wherever applicable to the facility:

a. General Maintenance and Operations

At all times, including periods of start-up and malfunction, the Permittee shall, to the extent practicable, maintain and operate stationary sources and fuel-burning equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. [20 DCMR 606.4]

b. Visible Emissions

1. Visible emissions shall not be emitted into the outdoor atmosphere from stationary sources (excluding fuel-burning equipment placed in initial operation before January 1, 1977); provided, that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, soot blowing, adjustment of combustion controls, or malfunction of equipment. [20 DCMR 606.1]

2. Visible emissions whose opacity is in excess of ten percent (10%) (unaveraged), at any time shall not be permitted into the outdoor atmosphere, from any fuel-burning equipment placed in initial operation before January 1, 1977; provided that [20 DCMR 606.2]:

   A. Opacity not in excess of forty percent (40%) (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period other than during start-up of equipment;

   B. During start-up of equipment, opacity not in excess of forty percent (40%) [averaged over six (6) minutes] shall be permitted for an aggregate of five (5) times per start-up; and

   C. In addition to the emissions permitted under Condition II(b)(2)(A), during shutdown of equipment, opacity not in excess of fifteen percent (15%) (unaveraged) shall be allowed and in addition, opacity not in excess of thirty percent (30%) [averaged over three (3) minutes] shall be permitted for an aggregate of three (3) times per shutdown.

Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition II(b) as stated above.

c. Control of Fugitive Dust

The Permittee shall ensure that fugitive dust from the facility is controlled in accordance with 20 DCMR 605 as follows:

1. Reasonable precautions shall be taken to minimize the emission of any fugitive dust into the outdoor atmosphere. The reasonable precautions shall include, but not be limited to, the following:

   A. In the case of unpaved roads, unpaved roadways, and unpaved parking lots;

      i. Use of binders, chemicals, or water in sufficient quantities and at sufficient frequencies to prevent the visible emission of dust due to the movement of vehicles or of the wind; and

      ii. Prompt clean-up of any dirt, earth, or other material from the vicinity of the road, roadway, or lot which has been transported from the road, roadway, or lot due to anthropogenic activity or due to natural forces.

   B. In the case of paved roads, paved roadways, and paved parking lots: Maintenance of the road, roadway, lot, or paved shoulder in a reasonably clean condition through reasonably frequent use of water, sweepers, brooms, or other means, through reasonably frequent removal of accumulated dirt from curb-side gutters, through reasonably prompt repair of pavement, or through any other means;

   C. In the case of vehicles transporting dusty material or material which is likely to become dusty:

      i. Fully covering the material in question, with a tarpaulin or other material; and

      ii. Operation, maintenance, and loading of the vehicle, distribution of the loaded material on or in the vehicle, and limiting the quantity of material loaded on or in the vehicle, so that there will be no spillage of the material onto the roads;

   D. In the case of vehicles which accumulate dirt on the wheels, undercarriages, and other parts of the vehicle, due to the movement of the vehicle on dusty, dirty or muddy surfaces: Water washing of all of the dirty parts of the vehicle to thoroughly remove the dirt before or immediately after the vehicle leaves the dusty, dirty, or muddy surface;

   E. In the case of the demolition of buildings or structures: Use, to the extent possible, of water;

   F. In the case of removal of demolition debris which is dusty or likely to become dusty: Use of water to thoroughly wet the material before moving or removing the material and keeping it wet or otherwise in a dust-free condition until eventual disposal;

G. In the case of loading and unloading of dusty material and in the case where dry sand-blasting or dry abrasive cleaning is necessary: Use of enclosed areas or hoods, vents, and fabric filters. If it is shown to the satisfaction of the Department that use of enclosed areas, hoods, vents, and fabric filters is not possible, alternate control techniques acceptable to the Department and designed to minimize the emissions to the extent possible shall be utilized; and

H. In the case of stockpiles of dusty material: Use, where possible, of closed silos, closed bins or other enclosures which are adequately vented to fabric filters. Where the use of closed silos, closed bins, or other enclosures is not possible, thorough wetting of the material before loading onto the stockpile and keeping the stockpile wetted, covered, or otherwise in a non-dusty condition.

2. The emission of fugitive dust from the following is prohibited:

A. Any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process;

B. Heater-planers in repairing asphaltic concrete pavements;

C. Portable tar-melters, unless close-fitting lids, in good repair, for the tar-pots are available and are used;

D. The ventilation of any tunneling operation; or

E. The cleaning of exposed surfaces through the use of compressed gases.

3. All persons shall comply with the provisions of this Condition and those of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23).

4. In those circumstances where it is not possible to comply with specific provisions of both this Condition and the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), the provisions of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), shall prevail.

d. Open Fires

Open fires shall be prohibited at the Permittee's facility, except as otherwise provided for in 20 DCMR 604.2. [20 DCMR 604]

e. Asbestos

The Permittee shall adhere to the requirements of 20 DCMR 800* and 40 CFR 61, Subpart M, pertaining to handling of asbestos-containing materials.

f. Fuel Oil Sulfur Content

Except where a more stringent requirement exists elsewhere in this permit, the Permittee shall comply with the following requirements governing the sulfur content of fuel oils: [20 DCMR 801]

1. The purchase, sale, offer for sale, storage, transport, or use of fuel oil that contains more than one percent (1%) sulfur by weight in the District is prohibited, if the fuel oil is to be burned in the District.

2. On and after July 1, 2016, commercial fuel oil that is purchased, sold, offered, stored, transported, or used in the District shall meet the following requirements, unless otherwise specified in Condition II(f)(5):

   A. Number two (No. 2) commercial fuel oil shall not contain sulfur in excess of five hundred parts per million (500 ppm) by weight, or five one-hundredths percent (0.05%) by weight;

   B. Number four (No. 4) commercial fuel oil shall not contain sulfur in excess of two thousand five hundred parts per million (2,500 ppm) by weight, or twenty-five one-hundredths percent (0.25%) by weight; and

   C. Number five (No. 5) and heavier fuel oils are prohibited.

3. On and after July 1, 2018, the purchase, sale, offer for sale, storage, transport, or use of number two (No. 2) commercial fuel oil is prohibited if it contains more than fifteen parts per million (15 ppm) or fifteen ten-thousandths percent (0.0015%) by weight of sulfur, unless otherwise specified in Condition II(f)(5).

4. Fuel oil that was stored in the District by the ultimate consumer prior to the applicable compliance date in Condition II(f)(2) or (3), which met the applicable maximum sulfur content at the time it was stored, may be used in the District after the applicable compliance date.

5. When EPA temporarily suspends or increases the applicable limit or percentage by weight of sulfur content of fuel required or regulated by EPA by granting a waiver in accordance with Clean Air Act § 211(c)(4)(C) provisions, the federal waiver shall apply to corresponding limits for fuel oil in the District as set forth in Condition II(f)(2) or (3).

6. If a temporary increase in the applicable limit of sulfur content is granted under Condition II(f)(5):

A. The suspension or increase in the applicable limit will be granted for the duration determined by EPA; and

B. The sulfur content for number two (No. 2) and lighter fuel oils may not exceed five hundred parts per million (500 ppm) by weight.

7. Unless precluded by the Clean Air Act or the regulations thereunder, Conditions II(f)(2) and (3) shall not apply to:

   A. A person who uses equipment or a process to reduce the sulfur emissions from the burning of a fuel oil, provided that the emissions may not exceed those that would result from the use of commercial fuel oil that meets the applicable limit or percentage by weight specified in Condition II(f)(2) or (3);

   B. The Permittee of a stationary source where equipment or a process is used to reduce the sulfur emissions from the burning of a fuel oil, provided that the emissions may not exceed those that would result from the use of commercial fuel oil that meets the applicable limit or percentage by weight specified in Condition II(f)(2) or (3); and

   C. Commercial fuel oil that is transported through the District but is not intended for purchase, sale, offering, storage, or use in the District.

8. For the purpose of determining compliance with the requirements of this section, the sulfur content of fuel oil shall be determined in accordance with the sample collection, test methods, and procedures specified under 20 DCMR 502.6 (relating to sulfur in fuel oil) as follows:

   A. Testing of fuel oil shall be undertaken in accordance with the most current version of the following methods, as appropriate for the application:

      i. To obtain fuel samples:

         1. ASTM D 270, "Standard Method of Sampling Petroleum and Petroleum Products";

         2. ASTM D 4057, "Practice for Manual Sampling of Petroleum and Petroleum Products"; or

         3. ASTM D 4177, "Standard Practice for Automatic Sampling of Petroleum and Petroleum Products";

      ii. To determine the fuel oil grade:

1. ASTM D 396, "Standard Specification for Fuel Oils"; or

2. ASTM D 975, "Standard Specification for Diesel Fuel Oils";

iii. To determine the sulfur concentration of fuels:

1. ASTM D 129, "Standard Test Method for Sulfur in Petroleum Products (General Bomb Method)";

2. ASTM D 1266, "Standard Test Method for Sulfur in Petroleum Products (Lamp Method)";

3. ASTM D 1552, "Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method)";

4. ASTM D 2622, "Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry";

5. ASTM D 4294, "Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry;" or

6. ASTM D 5453, "Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Spark Ignition Engine Fuel, Diesel Engine Fuel, and Engine Oil by Ultraviolet Fluorescence;" and

iv. Other methods developed or approved by the Department or EPA.

9. The following recordkeeping and reporting requirements shall apply to any purchase, sale, offering for sale, storage, transportation, or use of commercial fuel oil in the District:

A. On or after the applicable compliance dates specified in Conditions II(f)(2) and (3), at the time of delivery, the transferor of commercial fuel oil shall provide to the transferee an electronic or paper record of the fuel data described as follows, which must legibly and conspicuously contain the following information:

i. The date of delivery;

ii. The name, address, and telephone number of the transferor;

iii. The name and address of the transferee;

iv. The volume of fuel oil being sold or transferred;

v. The fuel oil grade; and

vi. The sulfur content of the fuel oil as determined using the sampling and testing methods specified in Condition II(f)(8), which may be expressed as the maximum allowable sulfur content.

B. All applicable records required under Condition II(f)(9)(A) shall be maintained in electronic or paper format for not less than five (5) years; *Note that this is a streamlined requirement. Compliance with the five (5) year record keeping requirement in 20 DCMR 302.1(c)(2)(B) will ensure compliance with the three (3) year record keeping requirement in 20 DCMR 801.9(b).*

C. An electronic or paper copy of the applicable records required under Condition II(f)(9)(A) shall be provided to the Department upon request;

D. The ultimate consumer shall maintain the applicable records required under (a) in electronic or paper format for not less than five (5) years, unless the transfer or use of the fuel oil occurs at a private residence; *Note that this is a streamlined requirement. Compliance with the five (5) year record keeping requirement in 20 DCMR 302.1(c)(2)(B) will ensure compliance with the three (3) year record keeping requirement in 20 DCMR 801.9(d).*

E. A product transfer document that meets federal requirements, such as a Bill of Lading, may be used for the data in Condition II(f)(9)(i) through (vi) and shall be considered a certification that the information is accurate; and

F. The Department may opt to require supplemental sampling and testing of the fuel oil to confirm the certifications.

g. <u>Onroad Engine Idling and Nonroad Diesel Engine Idling*</u>

1. The Permittee shall ensure that the provisions of 20 DCMR 900.1 pertaining to onroad engine idling are met at the facility. Specifically, the Permittee shall ensure that no engine of a gasoline or diesel powered motor vehicle, the engine of a public vehicle for hire, including buses with a seating capacity of twelve (12) or more persons, shall idle for more than three (3) minutes while the motor vehicle is parked, stopped, or standing, on the premises or on roadways adjacent to the premises for the purpose of serving the premises, including for the purpose of operating air conditioning equipment in those vehicles, except as follows:

A. To operate private passenger vehicles;

B. To operate power takeoff equipment including: dumping, cement mixers, refrigeration systems, content delivery, winches, or shredders;

C. To idle the engine for five (5) minutes to operate heating equipment when the ambient air temperature is thirty two degrees Fahrenheit (32 ^{o}F) or below; or

D. To operate warming buses during a Cold Emergency Alert in accordance with 20 DCMR 900.1(d).

2. No person owning, operating, leasing, or having control over a nonroad diesel engine, or the holder of the permit for the activity for which the nonroad diesel engine is being operated, shall cause or allow the idling of a nonroad diesel engine under its control or on its property for more than three (3) consecutive minutes. [20 DCMR 900.2]

3. Condition II(g)(2) does not apply to locomotives, generator sets, marine vessels, recreational vehicles, farming equipment, military equipment when it is being used during training exercises, emergency or public safety situations, or any private use of a nonroad diesel engine that is not for compensation. [20 DCMR 900.3]

4. The idling limit in Condition II(g)(2) does not apply to [20 DCMR 900.4]:

A. Idling necessary to ensure the safe operation of the equipment and safety of the operator, such as conditions specified by the equipment manufacturer in the manual or an appropriate technical document accompanying the nonroad diesel engine;

B. Idling for testing, servicing, repairing, diagnostic purposes, or to verify that the equipment is in good working order, including regeneration of a diesel particulate filter, in accordance with the equipment manufacturer manual or other technical document accompanying the nonroad diesel engine;

C. Idling for less than fifteen (15) minutes when queuing (*i.e.*, when nonroad diesel equipment, situated in a queue of other vehicles, must intermittently move forward to perform work or a service), not including the time an operator may wait motionless in line in anticipation of the start of a workday or opening of a location where work or a service will be performed.

D. Idling by any nonroad diesel engine being used in an emergency or public safety capacity;

E. Idling for a state or federal inspection to verify that all equipment is in good working order, if idling is required as part of the inspection; and

F. Idling for up to five (5) consecutive minutes to operate heating equipment when the ambient air temperature is thirty-two degrees Fahrenheit (32^{o}F) or below.

h. Fleet Maintenance

The Permittee shall ensure that the engines, power, and exhaust mechanisms of each vehicle of its motor fleet is equipped, adjusted, maintained, and operated so as to prevent the escape of a trail of visible fumes or smoke for more than ten (10) consecutive seconds. [20 DCMR 901]*

i. Lead in Gasoline

The Permittee shall ensure that gasoline sold at the facility contains no more than one gram of lead per gallon. [20 DCMR 902]*

j. Odors and Nuisance Air Pollutants

The Permittee shall ensure that the facility does not emit into the atmosphere any odorous or other air pollutant, from any source, in any quantity, and of any characteristic and duration which is, or is likely to be, injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life and property. [20 DCMR 903]*

k. Risk Management

1. The Permittee shall ensure that the requirements of 40 CFR part 68, as in effect on September 30, 1997, are complied with at the site for the purposes of preventing, detecting, and responding to accidental chemical releases to the air, pursuant to the requirements of Section 112(r) of the Federal Clean Air Act with the terms used and defined in those provisions. [20 DCMR 402]*

2. Should this stationary source, as defined in 40 CFR part 68.3, become subject to part 68, then the Permittee shall submit a risk management plan (RMP) by the date specified in Part 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification required by 40 CFR part 70 or 71. [20 DCMR 302.1(d)]

l. Protection of Stratospheric Ozone

The Permittee shall comply with the protection of stratospheric ozone requirements contained in 40 CFR 82 as follows [20 DCMR 302.1 and 399.1 "Applicable Requirement" (k)]:

1. If the Permittee manufactures, transforms, destroys, imports, or exports a Class I or Class II substance, the Permittee is subject to all the requirements as specified in 40 CFR 82, Subpart A (Production and Consumption Controls).

2. If the Permittee performs a service on a motor vehicle that involves an ozone-depleting substance refrigerant or regulated substitute substance in the MVAC, then Permittee is subject to all the applicable requirements as specified in 40 CFR 82, Subpart B (Servicing of Motor Vehicle Air Conditioners).

3. The Permittee shall comply with the ban on nonessential products containing Class I substances and ban on nonessential products containing or manufactured with Class II substances as specified in 40 CFR 82, Subpart C.

4. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR 82 Subpart E, as applicable.

5. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, as applicable.

6. The Permittee may switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant New Alternatives Policy (SNAP) program promulgated pursuant to 40 CFR 82, Subpart G.

7. Halon Emissions Reduction: Any person testing, servicing, maintaining, repairing or disposing of equipment that contains halons or using such equipment during technical training and any person disposing of halons, manufacturers of halon blends, and organizations employing technicians who service halon containing equipment shall comply with the requirements of 40 CFR 82, Subpart H.

8. The Permittee shall comply with the ban on refrigeration and air-conditioning appliances containing HCFCs as specified in 40 CFR 82, Subpart I.

m. Architectural and Industrial Maintenance Coatings

1. Paints and refinishing coatings that contain VOCs in excess of the limits specified in the table below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 773.1, 774.1, and 774.10]

VOC Content Limits for Architectural Coatings.[1]

Coating Category	**VOC Content Limit (Grams VOC per liter)[2]**
Flat Coatings	100
Non-flat Coatings	150
Non-flat- High Gloss Coatings	250
Specialty Coatings	
Antenna Coatings	530

Coating Category	**VOC Content Limit (Grams VOC per liter)[2]**
Antifouling Coatings	400
Bituminous Roof Coatings	300
Bituminous Roof Primers	350
Bond Breakers	350
Calcimine Recoater	475
Clear Wood Coatings	
●Clear Brushing Lacquers	680
●Lacquers (including lacquer sanding sealers)	550
●Sanding Sealers (other than lacquer sanding sealers)	350
●Varnishes	350
Concrete Curing Compounds	350
Concrete Surface Retarders	780
Conjugated Oil Varnish	450
Conversion Varnish	725
Dry Fog Coatings	400
Faux Finishing Coatings	350
Fire-Resistive Coatings	350
Fire-Retardant Coatings	
●Clear	650
●Opaque	350
Floor Coatings	250
Flow Coatings	420
Form-Release Compounds	250
Graphic Arts Coatings (Sign Paints)	500
High-Temperature Coatings	420
Industrial Maintenance Coatings	340
Impacted Immersion Coatings	780
Low-Solids Coatings[3]	120
Magnesite Cement Coatings	450
Mastic Texture Coatings	300
Metallic Pigmented Coatings	500
Multi-Color Coatings	250
Nuclear Coatings	450
Pre-Treatment Wash Primers	420
Primers, Sealers, and Undercoaters	200
Reactive Penetrating Carbonate Stone Sealer	600
Quick-Dry Enamels	250
Quick-Dry Primers, Sealers and Undercoaters	200
Recycled Coatings	250
Roof Coatings	250

Coating Category	VOC Content Limit (Grams VOC per liter)[2]
Rust Preventative Coatings	400
Shellacs	
●Clear	730
●Opaque	550
Specialty Primers, Sealers, and Undercoaters	350
Stains	250
Stone Consolidants	450
Swimming Pool Coatings	340
Swimming Pool Repair and Maintenance Coatings	340
Temperature-Indicator Safety Coatings	550
Thermoplastic Rubber Coatings and Mastics	550
Traffic Marking Coatings	150
Waterproofing Sealers	250
Waterproofing Concrete/Masonry Sealers	400
Wood Preservatives	350

[1] Limits are expressed in grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to tint bases. Manufacturer's maximum recommendation means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.

[2] Conversion factor: one pound VOC per gallon (U.S.) = 119.95 grams per liter.

[3] Units for this coating are grams of VOC per liter (pounds of VOC/gallon) of coating, including water and exempt compounds.

2. The Permittee shall not apply a coating that is thinned to exceed the applicable VOC limit specified in the above table. [20 DCMR 774.5]

3. The Permittee shall not apply any rust preventive coating for industrial use, unless such a rust preventive coating complies with the industrial maintenance coating VOC limit specified in the above table. [20 DCMR 774.6]

4. For any coating that does not meet any of the definitions for the specialty coatings categories listed in the table above, the VOC content limit shall be determined by classifying the coating as a flat coating or a non-flat coating, based on its gloss, as defined in 20 DCMR 799, and the corresponding flat or non-flat coating limit shall apply. [20 DCMR 774.7]

5. Notwithstanding the provisions of Condition II(m)(1) of this permit, a person or facility may add up to ten percent (10%) by volume of VOC to a lacquer to avoid blushing of the finish during days with relative humidity greater than seventy percent (70%) and temperature below sixty-five degrees Fahrenheit (65° F) or eighteen degrees Celsius (18º C) at the time of application, provided that the coating contains acetone and no more than five hundred fifty grams (550 g.) of VOC per liter of coating, less water and exempt compounds, before the addition of VOC. [20 DCMR 774.10]

n. Adhesives and Sealants

1. Any person who supplies, sells, offers for sale, or uses or applies adhesives, sealants, or adhesive or sealant primers shall comply with the following, except as provided in Condition II(n)(2). Unless specified in Condition III, this permit does not authorize the Permittee to manufacture any adhesive, sealant, adhesive primer, or sealant primer.: [20 DCMR 201 and 20 DCMR 743.1]

   A. No person shall sell, supply, offer for sale, use or apply any adhesive, sealant, adhesive primer, or sealant primer manufactured on and after January 1, 2012, within the District of Columbia in excess of the applicable VOC content limits specified in the following Table of Standards, except as provided in Conditions II(n)(1)(D) and II(n)(2) [20 DCMR 744.1 and 744.2]:

Table of Standards. VOC Content Limits for Adhesives, Sealants, Adhesive Primers, Sealant Primers and Adhesives Applied to Particular Substrates.

Adhesive, sealant, adhesive primer or sealant primer category	VOC content limit (grams VOC per liter[#])
CATEGORY 1: ADHESIVES	**VOC Limits (g/L)**
ABS welding	400
Ceramic tile installation	130
Computer diskette jacket manufacturing	850
Contact or contact bond	250
Cove base installation	150
CPVC welding	490
Indoor floor covering installation	150
Metal to urethane/rubber molding or casting	850
Motor vehicle	250
Motor vehicle weatherstrip	750
Multi-purpose construction	200
Non-membrane roof installation/repair	300

Adhesive, sealant, adhesive primer or sealant primer category	VOC content limit (grams VOC per liter[#])
Outdoor floor covering installation	250
Plastic cement welding (except ABS, PVC or CPVC)	510
PVC welding	510
Single-ply roof membrane installation/repair	250
Structural glazing	100
Thin metal laminating	780
Tire retread	100
Perimeter bonded sheet vinyl flooring installation	660
Waterproof resorcinol glue	170
Sheet-applied rubber installation	850
CATEGORY 2: SEALANTS	**VOC Limits in (g/L)**
Architectural	250
Marine deck	760
Non-membrane roof installation / repair	300
Roadway	250
Single-ply roof membrane	450
Other	420
CATEGORY 3: ADHESIVE PRIMERS	**VOC Limits in (g/L)**
Automotive glass	700
Motor vehicle glass bonding	900
Plastic cement welding	650
Single-ply roof membrane	250
Traffic marking tape	150
Other	250
CATEGORY 4: SEALANT PRIMERS	**VOC Limits in (g/L)**
Architectural – non-porous material	250
Architectural – porous material	775
Marine deck	760
Other	750
CATEGORY 5: ADHESIVES APPLIED TO PARTICULAR SUBSTRATES	**VOC Limits in (g/L)**
Flexible vinyl	250
Fiberglass	200
Reinforced plastic composite	200
Metal	30
Porous material (other than wood)	120

Adhesive, sealant, adhesive primer or sealant primer category	VOC content limit (grams VOC per liter[#])
Rubber	250
Wood	30
Other substrates	250

[#] The VOC content is determined as the weight of VOCs, less water and exempt compounds as specified in 20 DCMR 747.

B. The VOC content limits in the Table of Standards in Condition II(n)(1)(A) for adhesives applied to particular substrates (such as, Category 5), shall apply as follows [20 DCMR 744.3]:

i. If an operator uses an adhesive or sealant subject to a specific VOC content limit for such adhesive or sealant in the Table of Standards in Condition II(n)(1)(A), such specific limit applies rather than an adhesive-to-substrate limit; and

ii. If an adhesive is used to bond dissimilar substrates together, the applicable substrate category with the highest VOC content shall be the limit for such use.

C. Except as provided in Conditions II(n)(1)(D) and II(n)(2), any person subject to Condition II(n) using a surface preparation or cleanup solvent shall [20 DCMR 744.4]:

i. Except as provided in Condition II(n)(1)(C)(ii) for single-ply roofing, not use materials containing VOCs for surface preparation, unless the VOC content of the surface preparation solvent is less than seventy grams per liter (70 g./L);

ii. If a surface preparation solvent is used in applying single-ply roofing, not use materials for surface preparation containing VOCs, unless the composite vapor pressure of the surface preparation solvent, excluding water and exempt compounds, does not exceed forty-five millimeters of mercury (45 mm. Hg) at twenty degrees Celsius (20º C) or sixty-eight degrees Fahrenheit (68° F);

iii. Except as provided in Condition II(n)(1)(C)(iv), not use materials containing VOCs for the removal of adhesives, sealants, or adhesive or sealant primers from surfaces, other than spray application equipment, unless the composite vapor pressure of the solvent used, excluding water and exempt compounds, is less than forty-five millimeters of mercury (45 mm. Hg) at twenty degrees Celsius (20º C) or sixty-eight degrees Fahrenheit (68° F); and

iv. Remove an adhesive, sealant, adhesive primer, or sealant primer from the parts of spray application equipment by:

1. An enclosed cleaning system, or an equivalent cleaning system as determined by the SCAQMD's "General Test Method for Determining Solvent Losses from Spray Gun Cleaning Systems," dated October 3, 1989;

2. Using a solvent with a VOC content of seventy grams (70 g) of VOC per liter of material, or less; or

3. Soaking parts containing dried adhesive in a solvent as long as the composite vapor pressure, excluding water and exempt compounds, of the solvent is nine and one half millimeters of mercury (9.5 mm. Hg) at twenty degrees Celsius (20º C) or sixty-eight degrees Fahrenheit (68° F) or less and is kept in a closed container, which shall be closed except when depositing or removing parts of materials from the container.

D. Any person using an adhesive, sealant, adhesive primer, or sealant primer subject to Condition II(n) who wishes to comply with Conditions II(n)(1)(A) and (C) with the use of an add-on control device in accordance with 20 DCMR 744.5 shall first obtain a permit pursuant to 20 DCMR 200, which shall specify the conditions under which this compliance method may be used. [20 DCMR 744.5 and 20 DCMR 200]

E. Any person using adhesives, sealants, adhesive primers, sealant primers, or surface preparation or cleanup solvents subject to Condition II(n) shall [20 DCMR 744.6]:

i. Store or dispose of all absorbent materials, such as cloth or paper, which are moistened with adhesives, sealants, primers, or solvents subject to Condition II(n), in non-absorbent containers that shall be closed except when placing materials in or removing materials from the container;

ii. Store all VOC-containing adhesives, sealants, adhesive primers, sealant primers, surface preparation and cleanup solvents, and related waste materials in closed containers;

iii. Ensure that mixing and storage containers used for VOC-containing adhesives, sealants, adhesive primers, sealant primers, surface preparation and cleanup solvents, and related waste materials are kept closed at all times except when depositing or removing these materials;

iv. Minimize spills of VOC-containing adhesives, sealants, adhesive primers,

sealant primers, surface preparation and cleanup solvents, and related waste materials;

v. Convey VOC-containing adhesives, sealants, adhesive primers, sealant primers, surface preparation and cleanup solvents, and related waste materials from one location to another in closed containers or pipes; and

vi. Minimize VOC emission from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

F. No person shall solicit, require the use or specify the application of any adhesive, sealant, adhesive primer, sealant primer, surface preparation or cleanup solvent if such use or application results in a violation of the provisions of 20 DCMR Chapter 7. The prohibition of this condition shall apply to all written or oral contracts under which any adhesive, sealant, adhesive primer, sealant primer, and surface preparation or cleanup solvent subject to Condition II(n) is to be used at any location in the District of Columbia. [20 DCMR 744.7]

2. Exemptions and exceptions to Condition II(n) are as follows: [20 DCMR 745]

A. Condition II(n) shall not apply to the use of the following compounds: [20 DCMR 745.1]

i. Adhesives, sealants, adhesive primers, or sealant primers being tested or evaluated in any research and development, quality assurance or analytical laboratory, provided records are maintained as required in Condition II(n)(5);

ii. Adhesives, sealants, adhesive primers, and sealant primers that are subject to VOC standards in 20 DCMR § 720 (Consumer Products – VOC Standards);

iii. Adhesives and sealants that contain less than twenty grams (20 g) of VOC per liter of adhesive or sealant, less water and less exempt compounds, as applied;

iv. Cyanoacrylate adhesives;

v. Adhesives, sealants, adhesive primers, or sealant primers that are sold or supplied by the manufacturer or supplier in containers with a net volume of sixteen (16) fluid ounces or less, or a net weight of one pound (1 lb) or less, except plastic cement welding adhesives and contact adhesives; or

vi. Contact adhesives that are sold or supplied by the manufacturer or supplier in containers with a net volume of one gallon (1 gal) or less.

B. The requirements of Condition II(n) shall not apply to the use of adhesives, sealants, adhesive primers, sealant primers, or surface preparation and cleanup solvents in the following operations [20 DCMR 745.2]:

   i. Tire repair operations, provided the label on the adhesive states "For Tire Repair Only";

   ii. In the assembly, repair, and manufacture of aerospace components or undersea-based weapon system components;

   iii. Medical equipment manufacturing; or

   iv. Plaque laminating operations in which adhesives are used to bond clear, polyester acetate laminate to wood with lamination equipment installed before July 1, 1992, provided that records are maintained in accordance with Condition II(n)(2)(E).

C. The provisions of Condition II(n) (except Condition II(n)(2)(E)) shall not apply to a person who uses or applies any adhesive, sealant, adhesive primer, and sealant primer at a stationary source if the total VOC emissions from all adhesives, sealants, adhesive primers, and sealant primers used at the stationary source are less than two hundred pounds (200 lb) per calendar year, or an equivalent volume. [20 DCMR 745.3]

D. The provisions of Conditions II(n)(1)(A) and (C) shall not apply to the use of any adhesives, sealants, adhesive primers, sealant primers, cleanup solvents, and surface preparation solvents, provided the total volume of non-complying adhesives, sealants, primers, cleanup and surface preparation solvents applied facility-wide at a stationary source does not exceed fifty-five gallons (55 gal) per calendar year. [20 DCMR 745.4]

E. Any person claiming an exemption pursuant to Conditions II(n)(2)(B)(iv) through II(n)(2)(D) shall record and maintain monthly operational records sufficient to demonstrate compliance, and in accordance with Conditions II(n)(3) and (4). [20 DCMR 745.5]

F. Condition II(n) shall not apply to a distributor who sells, supplies or offers for sale in the District of Columbia any adhesive, sealant, adhesive primer, or sealant primer that does not comply with Condition II(n)(1)(a) provided that such distributor makes and keeps records demonstrating:

   i. The adhesive, sealant, adhesive primer, or sealant primer is intended for shipment and use outside of the District of Columbia; and

ii. The distributor has taken reasonable precautions to assure that the adhesive, sealant, adhesive primer, or sealant primer is not distributed to, or within, the District of Columbia.

G. Condition II(n)(2)(F) shall not apply to any adhesive, sealant, adhesive primer, or sealant primer that is sold, supplied, or offered for sale by any person to a retail outlet in the District of Columbia.

3. Each person subject to Condition II(n) shall maintain records demonstrating compliance with the regulations, including, but not limited to, the following information [20 DCMR 746.1]:

A. A list of each adhesive, sealant, adhesive primer, sealant primer cleanup solvent, and surface preparation solvent in use and in storage;

B. A data sheet or material list that provides the material name, manufacturer identification, and material application;

C. Catalysts, reducers, or other components used and the mix ratio;

D. The VOC content of each product as supplied;

E. The final VOC content or vapor pressure, as applied; and

F. The monthly volume of each adhesive, sealant, adhesive primer, sealant primer, cleanup or surface preparation solvent used.

4. All records made to determine compliance with Condition II(n) shall be maintained for five (5) years from the date such record is created and shall be made available to the District of Columbia within ninety (90) days of a request. [20 DCMR 746.3]

5. For adhesives, sealants, adhesive primers, and sealant primers subject to the laboratory testing exemption pursuant to Condition II(n)(2)(A)(i), the person conducting the testing shall make and maintain records of all such materials used, including, but not limited to, the product name, the product category of the material or type of application, and the VOC content of each material. [20 DCMR 746.4]

6. Testing and calculations to determine compliance with Condition II(n) shall be performed as specified in 20 DCMR 747.

7. A person shall not apply a VOC-containing adhesive, adhesive primer, sealant, or sealant primer at a stationary source unless applied by one (1) of the following application methods using equipment operated in accordance with the specifications of the equipment manufacturer [20 DCMR 749.1]:

A. Electrostatic application;

B. High volume low pressure (HVLP) spraying;

C. Flow coating;

D. Roller coating or hand application methods, including non-spray application methods similar to hand or mechanically powered caulking gun, brush coating, or direct hand application methods;

E. Dip coating (including electrodeposition coating):

F. Airless spraying;

G. Air-assisted airless spraying; or

H. Other adhesive application method that a person has demonstrated and the Department has determined achieves a transfer efficiency equivalent to or better than that achieved by HVLP spraying.

III. Emission Unit Specific Requirements

This operating permit identifies emission units based on information provided by the Permittee and cites specific applicable regulations from 20 DCMR, as well as the Code of Federal Regulations (CFR). These cited regulations and rules stipulate the conditions under which the Permittee is permitted to operate, the control equipment (where applicable) that must be used to minimize air pollution, and the monitoring, testing, record keeping, and reporting requirements that will enable the Permittee to demonstrate, to the Department and EPA, compliance with regulatory requirements.

Operation of the emission units listed below is permitted subject to the facility complying with the following emission limits, standards, and other requirements specified herein and elsewhere in this permit [20 DCMR 300].

Emission Units [1]					
Boilers					
Emission Unit ID	**Emission Unit Name**	**Location**	**Heat Input Capacity (MMBtu/hr)**	**Chapter 2 Permit No.[2]**	**Permit Approval Date[2]**
HUSC #4	CU-18	2244 10th St NW	8.27	7231	11/20/2018
Power Plant Temporary Boiler #3	CU-19	2240 6th Street NW	37	7248	12/1/2020
Power Plant Temporary Boiler #4	CU-20	2240 6th Street	37	7249	12/1/2020

		NW			
Power Plant Temporary Boiler #5	CU-21	2240 6th Street NW	37.8	7250	12/1/2020
Power Plant Temporary Boiler #6	CU-22	2240 6th Street NW	37	7251	12/1/2020
Howard University Hospital (HUH) Temporary Boiler	CU-23	2041 Georgia Avenue NW	37	7252	12/1/2020

Generator Sets[3]

Emission Unit ID	Emission Unit Location	Generator Output (kWe)	Engine Output (bhp)	Fuel	Chapter 2/Source Category Permit No.[2]	Permit Coverage Approval Date[2]
EG-1	Admin Building	250	419	Diesel	--	--
EG-2	Bethune Annex	350	587	Diesel	--	--
EG-8	College of Medicine #1	125	210	Diesel	--	--
EG-18	New Health Science Library	350	587	Diesel	--	--
EG-23	WHUR 96.3	50	84	Diesel	--	--
EG-29	HUSC #1	25	50	Diesel	7115-SC-0070	9/27/2018
EG-30	HU Middle School	65	101	Diesel	7115-SC-0069	9/27/2018
EG-31	College of Pharmacy	100	157.5	Diesel	7048-SC-0101-R1	9/14/2020
EG-32	Wonder Plaza Portable Trailer Mtd.	200	314	Diesel	7048-SC-0041-R1	9/14/2020
EG-33	WHUT TV	150	237	Diesel	7048-SC-0148-R1	9/14/2020
EG-34	HUIRB	350	536	NG	7043-SC-0030-R1	9/14/2020
GEN-35	College of Medicine #2	30	49	Diesel	7302	2021
EG-36	Cramton Auditorium	150	275	Diesel	7048-SC-0042-R1	9/14/2020
EG-39	College of Dentistry	30	84	NG	7116-SC-0004	9/27/2018
EG-45	Medical Arts Building #2	20	36.3	Diesel	7115-SC-0074	11/6/2018

Other Significant Units

HUSC Gasoline Dispensing Station with one nozzle

One (1) 6,000 gallon gasoline underground storage tank (UST-2)

[1]Miscellaneous/Insignificant activities are listed separately in Condition IV of this permit.
[2]The permit numbers and approval dates listed here are for the Chapter 2 permits under which these units were previously permitted and are for reference only. The requirements of these permits have been incorporated into this Title V operating permit and these separate Chapter 2 permit numbers will no longer be maintained.
[3]All generator sets listed are emergency generator sets except GEN-35.

a. Emission Units: Non-NSPS Compression and Spark Ignition Internal Combustion Engine (ICE) Powered Emergency Generator Sets: Nine (9) total [i.e., eight (8) diesel and one (1) natural gas] fired emergency standby generator sets not subject to NSPS (40 CFR 60) Subparts IIII and JJJJ as follows:

Emission Unit ID	Emission Unit Location	Generator Output (kWe)	Engine Output (bhp)	Fuel	Install Date
EG-1	Admin Building	250	419	Diesel	1993
EG-2	Bethune Annex	350	587	Diesel	1994
EG-8	College of Medicine #1	125	210	Diesel	1980
EG-18	New Health Science Library	350	587	Diesel	2001
EG-23	WHUR 96.3	50	84	Diesel	1980
EG-29	HUSC #1	25	50	Diesel	Unknown
EG-30	HU Middle School	65	101	Diesel	2005
EG-39	College of Dentistry	30	84	Natural Gas	1980
EG-45	Medical Arts Building #2 (trailer mounted)	20	36.3	Diesel	2014[†]

[†] Date of manufacture unknown, but determined to have been manufactured prior to April 1, 2006 and is not subject to NSPS Subpart IIII. See documentation with source category permit approval 7115-SC-0074.

1. Emission Limitations:

   A. Visible emissions shall not be emitted into the outdoor atmosphere from these generators, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four (24) hour period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment. [20 DCMR 606.1]

   Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition III(a)(1)(A) as stated above.

   B. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely

to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

2. Operational Limitations:

A. The emergency generator sets listed above shall be operated for fewer than 500 hours in any 12-consecutive-month period. If operation of 500 hours or more is desired, the Permittee shall submit an application to amend this permit to comply with the conditions of 20 DCMR 805 and shall obtain the Department's approval of such application prior to initiating such operation. [20 DCMR 201]

B. Except as specified in Condition III(a)(2)(C), the emergency generator sets shall be operated only during emergencies resulting from electrical power outages due to: a failure of the electrical grid; on-site disaster; local equipment failure; or public service emergencies such as flood, fire, natural disaster, or severe weather conditions (e.g. hurricane, tornado, blizzard, etc.). [20 DCMR 201]

C. Each of the emergency generator sets may be operated for the purpose of maintenance checks and readiness testing for a period not to exceed one hundred (100) hours per calendar year as specified in Condition III(a)(2)(C)(i) and (ii) below. Any such operation shall be considered as part of the 500 hours allowed under Condition III(a)(2)(A) above. [20 DCMR 201]

i. The emergency generator sets may be operated for the purpose of 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. [40 CFR 63.6640(f)(2)(i) and DCMR 201]; and

ii. Each of the emergency generator sets may be operated for up to fifty (50) hours per calendar year in non-emergency situations, subject to the following conditions [40 CFR 63.6640(f)(4) and 20 DCMR 201]:

1. Any such operation shall be counted as part of the 100 hours per calendar year for maintenance and testing as provided in Condition III(a)(2)(C);

2. These 50 hours of non-emergency operations per calendar year cannot be used for peak shaving, or as part of any program to supply power to generate income for the facility as part of a financial arrangement with another entity;

3. All operations prohibited under Condition III(a)(2)(E) are also prohibited under this condition; and

4. All operations resulting from a deviation in voltage or frequency from the electric provider to the premises shall be considered non-emergency operation and counted as part of this 50 hour per calendar year allowance.

D. The Permittee shall comply with the following fuel requirements:

i. For the diesel-fired units, the Permittee shall purchase only diesel fuel that contains a maximum sulfur content of 15 ppm (0.0015 percent by weight) for use in the generator sets. [20 DCMR 201, 20 DCMR 801.1, and 40 CFR 63.6604(b)] *Note that this is a streamlined requirement. Compliance with the more stringent requirement of 40 CFR 63.6604(b) as accepted pursuant to 20 DCMR 201 will ensure compliance with 20 DCMR 801.1.*

ii. The natural gas-fired unit shall fire only natural gas. [20 DCMR 201]

E. The emergency generator sets shall not be operated in conjunction with a voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant, or system operator. [20 DCMR 201]

F. The emergency generator sets shall be operated and maintained in accordance with the manufacturer's emission-related written instructions or develop and implement a written maintenance plan consistent with industry standards for similar models if manufacturer instructions are unavailable. Any Permittee-developed maintenance plan must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e), 40 CFR 63.6640(a), 40 CFR 63, Subpart ZZZZ, Table 6, and 20 DCMR 201]

G. In addition to the requirements of Condition III(a)(2)(F), the following maintenance activities shall be performed on the schedules specified [40 CFR 63.6603(a), 40 CFR 63.6640(a), and 40 CFR 60, Subpart ZZZZ, Table 2d]:

i. For diesel emergency generator sets:

1. Change oil and filter every 500 hours of operation or annually, whichever comes first, except that sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) in order to extend this specified oil change requirement. If such an oil analysis program is to be used, the plan shall be submitted to the Department for review at the time of its establishment;

2. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and

3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

ii. For natural gas emergency generator sets:

1. Change oil and filter every 500 hours of operation or annually, whichever comes first, except that sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) in order to extend this specified oil change requirement. If such an oil analysis program is to be used, the plan shall be submitted to the Department for review at the time of its establishment;

2. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and

3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

H. The Permittee shall minimize each engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [40 CFR 63.6625(h)]

I. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall maintain and operate the units in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this permit and 40 CFR 63, Subpart ZZZZ have been achieved. Determination of whether acceptable operating procedures are being used will be based on information available to the Department and the EPA Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, review of operation and maintenance records, and inspection of the source. [20 DCMR 201 and 40 CFR 63.6605]

3. Monitoring and Testing:

A. The Permittee shall monitor the date, time, duration, and reason for each emergency generator start-up to ensure compliance with Conditions III(a)(2)(A), (B), (C), and (E) of this permit. [20 DCMR 302.1(c)(1)(B) and 20 DCMR 500.2]

B. In order to ensure compliance with Condition III(a)(2)(A), the Permittee shall monitor the total hours of operation each month with the use of a properly functioning, non-resettable hour metering device. Such a device must be installed if not already installed on the equipment. [40 CFR 63.6625(f) and 40 CFR 63.6655(f)]

C. For the diesel-fired units, the Permittee shall monitor and/or test for the sulfur content in diesel fuel/No. 2 fuel oil obtained for use in the generator engines in accordance with Condition I(d)(2)(B)(ii) to ensure compliance with Condition III(a)(2)(D) and III(a)(4)(C) of this permit. [20 DCMR 500.2 and 20 DCMR 502.6]

4. Record Keeping Requirements:

A. For each of the generator sets, the following information shall be recorded, initialed (except records generated automatically by an electronic system), and maintained in a log at the facility (or readily accessible electronically from the facility) for a period not less than five (5) years from the date the information is obtained [20 DCMR 500.8, 20 DCMR 302.1(c)(2)(B), 40 CFR 63.6660, 40 CFR 66.6655, and 40 CFR 63.10(b)]:

i. The date, time, duration, and reason for each start-up of the emergency generator, including the following specific information:

1. If the unit is operated in non-emergency situations pursuant to Condition III(a)(2)(C)(ii), the specific purpose for each operation period must be recorded; and

2. If the unit is operated for emergency purposes, what classified the operation as emergency;

ii. The total hours of operation for each month and the cumulative 12-month rolling period shall be calculated and recorded within 15 days of the end of each calendar month for the previous month and the 12-month period ending at the end of that month;

iii. The total hours of operation for maintenance checks and readiness testing and non-emergency operation pursuant to Condition III(a)(2)(C) each month, and totaled for each calendar year by January 15 of each year for the previous calendar year.

iv. The total hours of operation each calendar year for non-emergency purposes pursuant to Condition III(a)(2)(C)(ii), totaled by January 15 of each calendar year for the previous calendar year;

v. Records of the maintenance performed on the unit *[Note that these records must be sufficient to document that the Permittee is complying with the requirements of Condition III(a)(2)(F) and (G).]*;

vi. Records of the results of any visible emissions monitoring performed,

including the information required for reporting pursuant to Condition I(d)(2)(B)(iv);

vii. Records of the occurrence and duration of each malfunction of operation;

viii. Records of the actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunction process and air pollution control and monitoring equipment to its normal or usual manner of operation; and

ix. Records of the quantity of fuel used in the unit, recorded on a monthly basis and summed for each calendar year.

B. The Permittee shall maintain a copy of each emergency generator set's manufacturer's maintenance and operating recommendations at the facility. If such documentation is unavailable, the Permittee shall maintain documentation of the written maintenance plan consistent with industry standards in accordance with which the unit is being maintained. [20 DCMR 500.2]

C. The Permittee shall comply with the requirements of Condition I(d)(2)(B)(ii) to ensure compliance with Condition III(a)(2)(D) of this permit.

b. Emission Units: NSPS CI-ICE Emergency Generator Sets: Five (5) diesel fired emergency standby generator sets subject to NSPS (40 CFR 60) Subpart IIII as follows:

Emission Unit ID	Emission Unit Location	Generator Output (kWe)	Engine Output (bhp)	Date of Manufacture	Install Date
EG-31	College of Pharmacy	100	157.5	2006	Unknown
EG-32	Wonder Plaza Portable Trailer Mtd.	200	314	2006	2008
EG-33	WHUT TV	150	237	4/28/2014	2014
EG-36	Cramton Auditorium	150	275	2011	2011

1. Emissions Limitations

A. Emissions from each of the generator sets shall not exceed those found in the following table as measured using the procedures set forth in 40 CFR 89, Subpart E for NMHC, NOx, and CO and 40 CFR 89.112(c) for PM. [40 CFR 60.4205(a) and (b), 40 CFR 60.4202(a), 40 CFR 60, Subpart IIII, Table 1, and 40 CFR 89.112(a)-(c)]

Pollutant Emission Limits (g/kW-hr)					
Emission Unit ID	NMHC+NOx	HC	NOx	CO	PM
EG-31	--	--	9.2	--	--
EG-32	--	1.3	9.2	11.4	0.54
EG-35	9.5	--	--	5.5	0.80
EG-33 EG-36	4.0	--	--	3.5	0.20

B. Visible emissions shall not be emitted into the outdoor atmosphere from these generators, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].

Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition III(b)(1)(B) as stated above.

C. For EG-33 and EG-36, in addition to Condition III(b)(1)(B), exhaust opacity, measured and calculated as set forth in 40 CFR 86, Subpart I, shall not exceed [40 CFR 60.4205(b), 40 CFR 60.4202(a), and 40 CFR 89.113]:

i. 20 percent during the acceleration mode;

ii. 15 percent during the lugging mode;

iii. 40 percent during the peaks in either the acceleration or lugging modes. Note that this condition is streamlined with the requirements of 20 DCMR 606.1.

D. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

2. Operational Limitations

A. Each of the emergency generator sets shall be operated for fewer than 500 hours in any 12-consecutive-month period. If operation of 500 hours or more is desired, the Permittee shall submit an application to amend this permit to comply with the conditions of 20 DCMR 805 and shall obtain the Department's approval of such application prior to initiating such operation. [20 DCMR 201 and 20 DCMR 805.1(c)(2)]

B. Except as specified in Condition III(b)(2)(C), the emergency generator sets shall be operated only during emergencies resulting from electrical power outages due to: a failure of the electrical grid; on-site disaster; local equipment failure; or public service emergencies such as flood, fire, natural disaster, or severe weather conditions (e.g. hurricane, tornado, blizzard, etc.). [20 DCMR 201]

C. The emergency generator sets may be operated for the purpose of maintenance checks and readiness testing, and in non-emergency situations for a period not to exceed one hundred (100) hours per calendar year as specified in Conditions III(b)(2)(C)(i) and (ii) below. Any such operation shall be considered as part of the 500 hours allowed under Condition III(b)(2)(A) above, as applicable. [40 CFR 60.4211(f)]

i. The emergency generator sets may be operated for the purpose of 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. [40 CFR 60.4211(f)(2)(i) and DCMR 201]; and

ii. Each of the emergency generator sets may be operated for up to fifty (50) hours per calendar year in non-emergency situations, subject to the following conditions [40 CFR 60.4211(f)(3) and 20 DCMR 201]:

1. Any such operations shall be counted as part of the 100 hours per calendar year for maintenance and testing as provided in Condition III(b)(2)(C);

2. These 50 hours of non-emergency operations per calendar year cannot be used for peak shaving, or as part of any program to supply power to generate income for the facility as part of a financial arrangement with another entity;

3. All operations prohibited under Condition III(b)(2)(F) are also prohibited under this condition; and

4. All operations of the emergency generator sets resulting from a deviation in voltage or frequency from the electric provider to the premises shall be considered non-emergency operation and counted as part of this 50 hour per calendar year allowance.

D. The emergency generator sets shall fire only diesel fuel that contains a maximum sulfur content of 15 parts per million (0.0015 percent by weight) and either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent. [20 DCMR 801.1 and 40 CFR 60.4207(b)] *Note that this is a streamlined requirement. Compliance with the more stringent requirement of 40 CFR 60.4207(b) reflected here will ensure compliance with 20 DCMR 801.1.*

E. Each of the emergency generator sets shall be operated and maintained in accordance with the recommendations of the equipment manufacturer. [40 CFR 60.4211(a)(1) and (c) and 20 DCMR 201]

F. The emergency generator sets shall not be operated in conjunction with a voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant, or system operator. [20 DCMR 201]

G. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the units in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 201]

3. Monitoring and Testing Requirements:

A. The Permittee shall monitor the date, time, duration, and reason for each emergency generator set startup to ensure compliance with Condition III(b)(2)(A), (B), (C) and (F). [20 DCMR 500.2 and 20 DCMR 302.1(c)(1)(B) and (C)]

B. In order to ensure compliance with Condition III(b)(2)(A), the Permittee shall monitor the total hours of operation each month with the use of a properly functioning, non-resettable hour metering device. [40 CFR 60.4209(a) and 40 CFR 60.4214(b)]

C. The Permittee shall monitor and/or test for the sulfur content in the diesel fuel obtained for use in the generator engine in accordance with Condition I(d)(2)(B)(ii) to ensure compliance with Conditions III(b)(2)(D) and III(b)(4)(C) of this permit. [20 DCMR 500.2, 20 DCMR 502.6]

4. Record Keeping Requirements:

A. For each emergency generator set, the following information shall be recorded, initialed (except records generated automatically by an electronic system), and maintained in a log at the facility (or readily accessible electronically from the facility) for a period not less than five (5) years from the date the information is obtained [20 DCMR 302.1(c)(2)(B) and 20 DCMR 500.8]:

i. The date, time, duration, and reason for each start-up of each emergency generator set including the following specific information:

1. If the unit is operated in non-emergency situations pursuant to Condition III(b)(2)(C)(ii), the specific purpose for each operation period must be recorded; and

2. If the unit is operated for emergency purposes, what classified the operation as emergency.

ii. The total hours of operation for each month and the cumulative 12-month rolling period shall be calculated and recorded within 15 days of the end of each calendar month for the previous month and the 12-month period ending at the end of that month;

iii. The total hours of operation for maintenance checks and readiness and non-emergency operation pursuant to Condition III(b)(2)(C) each month, recorded within 15 days of the end of each calendar month, and totaled for each calendar year by January 15 of each year for the previous calendar year;

iv. The total hours of operation each calendar year for non-emergency purposes pursuant to Condition III(b)(2)(C)(ii);

v. Records of the maintenance performed on the unit *[Note that these records must be sufficient such that the Permittee is complying with the requirements of Condition III(b)(2)(E)]*; [40 CFR 60.4211(a)]

vi. Records of the results of any visible emissions monitoring performed, including the information required for reporting pursuant to Condition I(d)(2)(B)(iv);

vii. Records of the occurrence and duration of each malfunction of operation;

viii. Records of the actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner

of operation; and

ix. Records of the quantity of fuel used in the unit, recorded on a monthly basis and summed for each calendar year.

B. For each generator set, the Permittee shall maintain a copy of the emergency generator's manufacturer's maintenance and operating recommendations at the facility or at an electronic location readily accessible from the facility. [20 DCMR 501 and 40 CFR 60.4211(a)]

C. The Permittee shall comply with the requirements of Condition I(d)(2)(B)(ii) to ensure compliance with Condition III(b)(2)(D) of this permit.

D. The Permittee shall maintain a copy of each generator engine's EPA Certificate of Conformity at the facility (or at an electronic location readily accessible from the facility) at all times. [40 CFR 60.4214(a)(2)(iii)]

c. Emission Unit: NSPS SI-ICE Emergency Generator Set: One (1) natural gas fired emergency standby generator set subject to NSPS (40 CFR 60) Subpart JJJJ, as follows:

Emission Unit ID	Emission Unit Location	Generator Output (kWe)	Engine Output (bhp)	Date of Manufacture	Install Date
EG-34	HUIRB	350	536	2/20/2014	2015

1. Emissions Limitations:

A. Emissions from this generator set shall not exceed those found in the following table as measured using the procedures set forth in 40 CFR 60.4244 [40 CFR 60.4233(e), 40 CFR 60.4244, and Subpart JJJJ, Table 1]:

Pollutant Emission Limits (g/hp-hr)		
NOx	CO	VOC
2.0	4.0	1.0

B. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment. [20 DCMR 606.1]

Note that 20 DCMR 606 is subject to an EPA-issued call for a State

Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition III(c)(1)(B) as stated above.

C. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

2. Operational Limitations:

A. The emergency generator set shall be operated for fewer than 500 hours in any given 12 month period. If operation of 500 hours or more is desired, the Permittee shall submit an application to amend this permit to comply with the conditions of 20 DCMR 805 and shall obtain the Department's approval of such application prior to initiating such operation. [20 DCMR 201 and 20 DCMR 805.1(c)]

B. Except as specified in Condition III(c)(2)(C), the emergency generator set shall be operated only during emergencies resulting from electrical power outages due to: a failure of the electrical grid; on-site disaster; local equipment failure; or public service emergencies such as flood, fire, natural disaster, or severe weather conditions (e.g., hurricane, tornado, blizzard, etc.). [20 DCMR 201]

C. The emergency generator set may be operated for the purpose of maintenance checks and readiness testing and in non-emergency situations for a period not to exceed one hundred (100) hours per calendar year as specified in Conditions III(c)(2)(C)(i) and (ii) below. Any such operation shall be considered as part of the 500 hours allowed under Condition III(c)(2)(A) above. [40 CFR 60.4243(d)]

i. The emergency generator set may be operated for the purpose of 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 [40 CFR 60.4243(d)(2)(i) and DCMR 201]; and

ii. The emergency generator set may be operated for up to fifty (50) hours per calendar year in non-emergency situations, subject to the following conditions [40 CFR 60.4243(d)(3) and 20 DCMR 201]:

1. Any such operation shall be counted as part of the 100 hours per calendar year for maintenance and testing as provided in Condition III(c)(2)(C);

2. These 50 hours of non-emergency operations per calendar year cannot be used for peak shaving, or as part of any program to supply power to generate income for the facility as part of a financial arrangement with another entity;

3. All operations prohibited under Condition III(c)(2)(F) are also prohibited under this condition; and

4. All operations resulting from a deviation in voltage or frequency from the electric provider to the premises shall be considered non-emergency operation and counted as part of this 50 hour per calendar year allowance.

D. The emergency generator set shall fire only natural gas. [20 DCMR 201]

E. The emergency engine shall be certified by the manufacturer according to the procedures specified in 40 CFR 60, Subpart JJJJ, and shall be operated and maintained in accordance with the equipment manufacturer's emission-related instructions. [20 DCMR 201 and 40 CFR 60.4243(a)]

F. The emergency generator set shall not be operated in conjunction with a voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant, or system operator. [20 DCMR 201]

G. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the unit in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 201]

3. Monitoring and Testing Requirements:

A. The Permittee shall monitor the date, time, duration, and reason for the emergency generator set startup to ensure compliance with Conditions

III(c)(2)(A), (B), (C) and (F). [20 DCMR 500.2 and 20 DCMR 302.1(c)(1)(B) and (C)]

B. In order to ensure compliance with Condition III(c)(2)(A), the Permittee shall monitor the total hours of operation each month with the use of properly functioning, non-resettable hour metering device. [40 CFR 60.4237 and 60.4245(b)]

C. The Permittee shall conduct and allow the Department access to conduct tests of air pollution emissions from any source as requested. [20 DCMR 502.1]

4. Record Keeping Requirements:

A. The following information shall be recorded, initialed (except records generated automatically by an electronic system), and maintained in a log at the facility (or readily accessible electronically from the facility) for a period not less than five (5) years from the date the information is obtained [20 DCMR 302.1(c)(2)(B), 20 DCMR 500.8, and 40 CFR 60.4245(a)]:

i. The date, time, duration, and reason for each start-up of the emergency generator set including the following information;

1. If the unit is operated in non-emergency situations pursuant to Condition III(c)(2)(C)(ii), the specific purpose for each operation period must be recorded; and

2. If the unit is operated for emergency purposes, what classified the operation as emergency.

ii. The total hours of operation for each month and the cumulative 12-month rolling period shall be calculated and recorded within 15 days of the end of each calendar month for the previous month and the 12-month period ending at the end of that month;

iii. The total hours of operation for maintenance checks and readiness testing and non-emergency operation pursuant to Condition III(c)(2)(C) each month, recorded within 15 days of the end of each calendar month for the previous month, and totaled for each calendar year by January 15 of each year for the previous calendar year;

iv. The total hours of operation each calendar year for non-emergency purposes pursuant to Condition III(c)(2)(C)(ii);

v. Records of the quantity of fuel used in the engine/generator, recorded on a monthly basis by the 15th day of each month for the previous calendar month;

vi. Records of the maintenance performed on the unit *[Note that these records must be sufficient to show that the Permittee is complying with the requirements of Condition III(c)(2)(E)];* [40 CFR 60.4243(a)]

vii. Records of the results of any visible emissions monitoring performed, including the information required for reporting pursuant to Condition I(d)(2)(B)(iv);

viii. Records of the occurrence and duration of each malfunction of operation; and

ix. Records of the actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

B. The Permittee shall maintain a copy of the emergency generator's manufacturer's maintenance and operating recommendations at the facility or in an electronic location readily accessible from the facility. [20 DCMR 501]

C. The Permittee shall maintain a copy of the EPA Certificate of Conformity at the facility (or at an electronic location readily accessible from the facility) at all times. [40 CFR 60.4245(a)]

d. Emission Units: CU-18, CU-19, CU-20, CU-21, CU-22, and CU-23 Boilers:

Emission Unit ID	Emission Unit Name	Location	Heat Input Capacity (MMBtu/hr)
HUSC #4	CU-18	2244 10th St NW	8.27
Power Plant Temporary Boiler #3	CU-19	2240 6th Street NW	37
Power Plant Temporary Boiler #4	CU-20	2240 6th Street NW	37
Power Plant Temporary Boiler #5	CU-21	2240 6th Street NW	37.8
Power Plant Temporary Boiler #6	CU-22	2240 6th Street NW	37
Howard University Hospital (HUH) Temporary Boiler	CU-23	2041 Georgia Avenue NW	37

1. Emission Limitations:

A. Each of the boilers shall not emit pollutants in excess of the following:

i. For Power Plant Temporary Boilers #3, #4, #6, and the HUH Temporary Boiler, the following [20 DCMR 201]:

Pollutant	Emissions Burning Natural Gas (lb/hr)	Emissions Burning ULSD (lb/hr)
Oxides of Nitrogen (NOx)	1.35	4.26
Carbon Monoxide (CO)	1.37	1.33
Sulfur Dioxide (SO_2)	0.02	0.74
Total Particulate Matter [PM(total)]†	0.33	0.89

† PM Total includes both filterable and condensable fractions.

ii. For Power Plant Temporary Boiler #5 the following [20 DCMR 201]:

Pollutant	Emissions Burning Natural Gas (lb/hr)	Emissions Burning ULSD (lb/hr)
Oxides of Nitrogen (NOx)	1.38	4.36
Carbon Monoxide (CO)	1.40	1.36
Sulfur Dioxide (SO_2)	0.02	0.75
Total Particulate Matter [PM(total)]†	0.34	0.91

† PM Total includes both filterable and condensable fractions.

iii.For HUSC #4 the following [20 DCMR 201]:

Pollutant	Emissions Burning Natural Gas (lb/hr)
Oxides of Nitrogen (NOx)	0.60
Carbon Monoxide (CO)	0.31
Sulfur Dioxide (SO_2)	0.005
Total Particulate Matter [PM(total)]†	0.06

† PM Total includes both filterable and condensable fractions.

B. Visible emissions shall not be emitted into the outdoor atmosphere from the boilers, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]

Note that 20 DCMR 606 is subject to an EPA-issued call for a State

Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition III(d)(1)(B) as stated above.

C. In addition to the requirements of Condition III(d)(1)(B), whenever the Power Plant temporary boilers and the HUH temporary boiler are operating using fuel oil, they shall not emit any gases into the atmosphere of gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. This standard applies at all times except during periods of startup, shutdown, or malfunction. [20 DCMR 205 and 40 CFR 60.43c(c) and (d)]

D. Total suspended particulate matter (TSP) emissions from each of the boilers shall not be greater than the following:

   i. 0.07 pounds per million BTU for the Power Plant temporary boilers and the HUH temporary boiler; and

   ii. 0.11 pounds per million BTU for the HUSC #4 boiler [20 DCMR 600.1].

E. NO_x and CO emissions shall not exceed those achieved with the performance of annual combustion adjustments on each boiler. Such combustion adjustments shall be performed using each allowable fuel, except that adjustments of HUSC #4 and the four power plant boilers need not be performed using ULSD unless and until the units have been connected to a ULSD supply, in which case tuning shall be performed using that fuel within 30 days of the first use of oil. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the boilers with the following characteristics [20 DCMR 805.8(a) and (b)]:

   i. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;

   ii. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NOx and, to the extent practicable, minimize emissions of CO;

iii. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and

iv. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in Condition III(d)(1) of this permit.

F. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

2. Operational Limitations:

A. The primary fuel for the boilers (and the sole fuel for the HUSC #4 boiler) shall be natural gas. Ultra-low sulfur diesel (ULSD) shall only be used in accordance with Conditions III(d)(2)(B), (C), and (D). No other fuels are approved for use in these boilers. [20 DCMR 201]

B. The alternative fuel for the boilers shall be ULSD, except the HUSC #4 boiler, which shall burn only natural gas. The Permittee shall not purchase ULSD containing more than 0.0015 percent sulfur (15 ppm) by weight for use in the boilers. [20 DCMR 801.3, 40 CFR 60.42c(d), and 40 CFR 63.11210(f)] *Note that this is a streamlined permit condition. This limit established is based on the requirement of 20 DCMR 801.3 and 40 CFR 63.11210(f) and is more stringent than the requirements 40 CFR 60.42c(d). Therefore, compliance with this limitation will ensure compliance with these standards.*

C. In addition to complying with Condition III(d)(2)(D), the Power Plant temporary boilers and the HUH temporary boiler, in aggregate, shall limit fuel usage to the following:

i. Total natural gas consumption of a combined 1,271 million standard cubic feet (MMscf) in any 12-consecutive-month period; and

ii. Total ULSD consumption of a combined 799,000 gallons in any 12-consecutive-month period. [20 DCMR 201]

Note that these fuel usage limits are established to avoid applicability of 20 DCMR 204 and therefore must be maintained in future permits for this equipment.

D. The Power Plant temporary boilers #3, #4, #5, and #6 shall only operate on ULSD for the following reasons: [20 DCMR 201, 40 CFR 63.11195(e) and 40 CFR

63.11237]

i. During periods of gas curtailment;

ii. During periods of gas supply interruption; or

iii. For periodic testing, maintenance, or operator training on liquid fuel not to exceed a combined total of 48 hours (per boiler) during any calendar year.

E. For the HUH Temporary Boiler, in addition to the requirements of Condition III(d)(1)(E), the Permittee shall perform tune-ups biennially in accordance with Condition III(d)(2)(F), while burning the type of fuel that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up. This biennial tune-up may be combined with the annual combustion adjustment required pursuant to Condition III(d)(1)(E) as long as the requirements of Conditions III(d)(1)(E) and III(d)(2)(F) are met during the tune-up/adjustment. Subsequent tune-ups under this condition must be conducted no more than 25 months after the previous tune-up. The first biennial tune-up must be no later than 25 months after the initial start-up of the boiler. [40 CFR 63.11201(b) and 63.11223]

F. In order to demonstrate continuous compliance, each tune-up required for the HUH Temporary Boiler pursuant to Condition III(d)(2)(E) shall be performed to meet the following criteria: [40 CFR 63.11223(b)]

i. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the Permittee may delay the burner inspection until the next scheduled unit shutdown, but the Permittee must inspect each burner at least once every 36 months).

ii. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.

iii. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the Permittee may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection).

iv. Optimize total emissions of NOx and CO in accordance with Condition III(d)(1) (E)(ii). This optimization should be consistent with the manufacturer’s specifications, if available, and with any nitrogen oxide requirement to which the unit is subject. *Note that this is a streamlined requirement. 40 CFR 63.11223(b)(4) calls for optimization of CO, but ensuring that any NOx requirement is met, while 20 DCMR 805.8(a)(2) is a*

NOx requirement that requires that NOx emissions are minimized, and, to the extent practicable, CO is also minimized. As such, the optimization should be primarily focused on NOx and secondarily focused on CO to ensure compliance with both regulatory requirements.

v. Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be made using a portable carbon monoxide analyzer.

vi. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

G. The boilers shall be maintained and operated at all times in a manner consistent with the manufacturer's specifications for the equipment. [20 DCMR 201]

H. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate each boiler in a manner consistent with good air pollution control practice for minimizing emissions and according to the manufacturer's recommended procedures. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 201, 40 CFR 63.11201(b) and 40 CFR 63.11205(a)]

3. <u>Monitoring and Testing Requirements:</u>

A. By no later than May 30, 2021, the Permittee shall conduct performance tests on each of the temporary boilers (Power Plant temporary boilers #3, #4, #5, and #6, and the HUH temporary boiler), using each of the allowable fuels (natural gas and ULSD[1]), to determine compliance with Conditions III(d)(1)(A) (except SO_2 which can be determined from fuel sulfur content), (B), (C), and (D) and shall furnish the Department and EPA with a written report of the results of such performance tests in accordance with the following requirements [20 DCMR 502]:

i. Test protocols shall be submitted a minimum of thirty (30) days in advance of the proposed test date as follows. The testing shall be conducted in accordance with Federal and District requirements. The protocol shall clearly denote that

[1] The power plant boilers need not be tested on ULSD at this time if they have yet been connected to a ULSD source. If one or more is subsequently connected to a ULSD source, a separate testing program on ULSD shall be performed pursuant to Condition III(d)(3)(A) within 180 days of connection of the unit to the ULSD source.

40 CFR 60, Subpart Dc visible emissions testing is a part of the testing program and the protocol for such testing shall be consistent with the requirements of 40 CFR 60.11(e).

1. One (1) original test protocol shall be submitted to the following address:

   Chief, Compliance and Enforcement Branch
   Department of Energy and Environment
   Air Quality Division
   1200 First Street NE, 5th Floor
   Washington DC 20002

2. An electronic copy of the test protocol shall be submitted to the following addresses:

   air.quality@dc.gov

   and

   R3_ECADAIRMAIL@epa.gov

   and;

3. Two (2) copies of the test protocol shall be submitted to the following address [40 CFR 60.4(a)[2]]:

   Chief, Air Section
   Enforcement and Compliance Assurance Division
   Air, RCRA and Toxics Branch
   US EPA Region 3
   1650 Arch Street – 3ED21
   Philadelphia PA 19103

ii. The test protocol and test date(s) shall be approved by the Department prior to initiating any testing. The Department and, for 40 CFR 60, Subpart Dc visible emissions testing, EPA, must have the opportunity to observe the test for the results to be considered for acceptance.

iii. The final results of the testing shall be submitted to the Department and EPA within sixty (60) days of the test completion. One (1) original test report and one (1) copy shall be submitted to the EPA mailing address in Condition III(d)(3)(A)(i) above, one (1) copy shall be submitted to the Department's

[2] This address varies from that found in 40 CFR 60.4(a) due to reorganization of the EPA Region 3 office.

address, and an electronic copy shall be submitted to the email addresses in the same condition.

iv. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the Permittee shall notify the EPA Administrator and the Department as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the EPA Administrator and the Department by mutual agreement. [40 CFR 60.6(d)] *Note that rescheduling under this condition does not extend any deadline for completion of the testing contained in this permit document.*

v. The final report of the results shall include the emissions test report (including raw data from the test) as well as a summary of the test results and a statement of compliance or non-compliance with the relevant permit conditions to be considered valid. The summary of results and statement of compliance or non-compliance shall contain the following information:

1. A statement that the Permittee has reviewed the report from the emissions testing firm and agrees with the findings.

2. Permit number(s) and condition(s) which are the basis for the compliance evaluation.

3. Summary of results with respect to the permit condition.

4. Statement of compliance or non-compliance with each relevant permit condition.

vi. The results must demonstrate to the Department's satisfaction that the emission unit is operating in compliance with the applicable regulations and conditions of this permit; if the final report of the test results shows non-compliance the Permittee shall propose corrective action(s). Failure to demonstrate compliance through the test may result in enforcement action.

B. If the Department requests testing of the HUSC #4 boiler in accordance with Condition I(a)(6), the Permittee shall conduct performance testing on the boiler to determine compliance with Conditions III(d)(1)(A)(iii) (except SO2) and III(d)(1)(D)(ii) and shall furnish the Department with a written report of the results of such performance test in accordance with the following requirements [20 DCMR 502]:

i. One (1) original test protocol and an electronic copy of that protocol shall be

submitted to the following addresses a minimum of thirty (30) days in advance of the proposed test date. The test shall be conducted in accordance with Federal and District requirements.

Chief, Compliance and Enforcement Branch
Department of Energy and Environment
Air Quality Division
1200 First Street NE, 5th Floor
Washington, DC 20002

and

air.quality@dc.gov

ii. The test protocol and test date(s) shall be approved by the Department prior to initiating any testing. The Department must have the opportunity to observe the test for the results to be considered for acceptance.

iii. The final results of the testing shall be submitted to the Department within sixty (60) days of the test completion. One (1) original copy and one electronic copy of the test report shall be submitted to the addresses in Condition III(d)(3)(B)(i) above.

iv. The final report of the results shall include the emissions test report (including raw data from the test) as well as a summary of the test results and a statement of compliance or non-compliance with permit conditions to be considered valid. The summary of results and statement of compliance or non-compliance shall contain the following information:

1. A statement that the Permittee has reviewed the report from the emissions testing firm and agrees with the findings.

2. Permit number(s) and condition(s) which are the basis for the compliance evaluation.

3. Summary of results with respect to the permit condition(s).

4. Statement of compliance or non-compliance with the permit condition.

v. The results must demonstrate to the Department's satisfaction that the emission unit is operating in compliance with the applicable regulations and conditions of this permit; if the final report of the test results shows non-compliance the Permittee shall propose corrective action(s). Failure to demonstrate compliance through the test may result in enforcement action.

C. Visible emissions monitoring for the temporary boilers (Power Plant temporary boilers #3, #4, #5, and #6, and the HUH temporary boiler) shall be performed as follows:

i. At least once per month when operating on natural gas and once per week when operating on ULSD, during operation of the equipment, the Permittee shall observe each stack for a period of at least three minutes. Such visible emissions observations need not be performed in accordance with Reference Method 9, but may instead be only observations for the presence or absence of visible emissions (similar to the procedures set forth in EPA Reference Method 22). If any unit is not used during a given month, this shall be so noted and such records shall be maintained in accordance with Condition III(d)(4)(C).

If visible emissions are observed by this monitoring, or at any other time, the Permittee shall either shut the process down and make the necessary repairs/adjustments to correct the cause of the visible emissions or shall make arrangements for prompt observation by an individual certified in accordance with EPA Reference Method 9 to determine compliance with Conditions III(d)(1)(B) and (C).

ii. In order to determine compliance with Condition III(d)(1)(B) and regardless of whether or not emissions are observed pursuant to Condition III(d)(3)(C)(i) of this permit, the Permittee shall conduct a minimum of one visible emissions test of each boiler each calendar year for each fuel permitted to be burned since the last visible emissions test required under this permit condition. Visible emissions testing required under Condition III(d)(3)(A) meets the requirements of this condition on the year that it is conducted. If the only combustion of a given fuel since the last test was burned during periodic testing required by this permit, no visible emissions test for that fuel will be required under this condition. Such a test program shall consist of a minimum of 30 minutes of opacity observations of each boiler firing each fuel and shall be performed by a person certified in accordance with EPA Reference Method 9 (40 CFR 60, Appendix A). *Note that the data obtained (instantaneous 15-second readings that form the basis of 6-minute averages) by testing in accordance with Condition III(d)(3)(C)(iii) may be used to meet the requirements of this condition if performed at a time that meets the scheduling requirements of this condition.*

iii. In order to determine compliance with Condition III(d)(1)(C), when applicable due to connection of equipment to a fuel oil supply, and within 180 days of connection to the fuel oil source, visible emissions testing shall be performed in accordance with EPA Reference Method 9 (40 CFR 60, Appendix A-4) and the following. [40 CFR 60.47c(a) and (c)] This testing is

only required if the equipment is connected to fuel oil for 30 days or more during the term of this permit. [20 DCMR 502.1]:

1. The total time of observations shall be 3 hours (30 6-minute averages). The observation period may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation. [40 CFR 60.11(b) and 40 CFR 60.47c(a)]

2. After the initial visible emissions testing performed pursuant to Condition III(d)(3)(A), the Permittee shall comply with one of the following Conditions III(d)(3)(C)(iii)(2)(a), (b), or (c):

    a. The Permittee shall conduct visible emissions tests using the procedures in Condition III(d)(3)(C)(iii)(1) according to the applicable schedule in Conditions III(d)(3)(C)(iii)(2)(a)(I) through (IV), as determined by the most recent 40 CFR 60, Appendix A-4, Method 9 performance test results.

        I. If no visible emissions are observed, a subsequent Method 9 of appendix A-4 of 40 CFR 60 performance test must be completed within 12 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that ULSD is combusted, whichever is later;

        II. If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent Method 9 of appendix A-4 of 40 CFR 60 performance test must be completed within 6 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that ULSD is combusted, whichever is later;

        III. If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent Method 9 of appendix A-4 of 40 CFR 60 performance test must be completed within 3 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that ULSD is combusted, whichever is later; or

        IV. If the maximum 6-minute average opacity is greater than 10 percent, a subsequent Method 9 of appendix A-4 of 40 CFR 60 performance test must be completed within 45 calendar days from the date that the most recent performance test was conducted.

b. If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A-4 of this part performance test, the owner or operator may, as an alternative to performing subsequent Method 9 of appendix A-4 of 40 CFR 60 performance tests, elect to perform subsequent monitoring using Method 22 of appendix A-7 of this 40 CFR 60 according to the procedures specified in Conditions III(d)(3)(C)(iii)(2)(b)(I) and (II) as follows:

I. The Permittee shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using Method 22 of appendix A-7 of this 40 CFR 60 and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (i.e. , 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (i.e., 90 seconds per 30 minute period), the Permittee shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (i.e., 90 seconds) or conduct a new Method 9 of appendix A-4 of 40 CFR 60 performance test using the procedures in Condition III(d)(3)(C)(iii)(1) within 45 calendar days.

II. If no visible emissions are observed for 10 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

c. If the maximum 6-minute opacity is less than 10 percent during the most recent Method 9 of appendix A-4 of 40 CFR 60 performance test, the Permittee may, as an alternative to performing subsequent Method 9 of appendix A-4 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the EPA Administrator. The observations shall be similar, but not necessarily identical, to the requirements in Condition III(d)(3)(C)(iii)(2)(b). For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems." This

document is available from the U.S. Environmental Protection Agency (U.S. EPA); Office of Air Quality and Planning Standards; Sector Policies and Programs Division; Measurement Policy Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods.

D. Visible emissions monitoring for the HUSC #4 boiler shall be performed as follows:

i. At least once per quarter, during operation of the boiler, the Permittee shall conduct visual observations of the emissions from that boiler. If no operations are occurring for the boiler during a given quarter, this shall be so noted. If emissions are visible, the Permittee shall make arrangements for prompt visible emissions testing by a person certified in accordance with EPA Reference Method 9 (40 CFR 60, Appendix A). Such a test shall consist of a minimum of 30 minutes of opacity observations for the boiler in question.

ii. Regardless of whether or not emissions are observed pursuant to Condition III(d)(3)(D)(i) of this permit, the Permittee shall conduct a minimum of one visible emissions test of the boiler each year. Such a test program shall consist of a minimum of 30 minutes of opacity observations of the boiler and shall be performed by a person certified in accordance with EPA Reference Method 9 (40 CFR 60, Appendix A).

E. In order to show compliance with Conditions III(d)(2)(B) and the SO_2 requirements of Condition III(d)(1)(A), the Permittee shall sample the fuel oil burned in the boilers at the time of each fuel delivery, immediately after the fuel tank is filled and before any oil is combusted. For each sample, the Permittee must analyze the sample and provide: [20 DCMR 502 and 40 CFR 60.46c(d)(2) and (e)]

i. The fuel oil type and the ASTM method used to determine the type (see the definition of distillate oil in 40 CFR 60.41c for appropriate ASTM methods);

ii. The weight percent sulfur of the fuel oil as determined using ASTM test method D-4294 or D-5453 or other method approved in advance by the Department;

iii. The date and time the sample was taken;

iv. The name, address, and telephone number of the laboratory that analyzed the sample; and

v. The type of test or test method performed.

In lieu of sampling and testing fuel oil at the time of each fuel delivery for each of these data, the Permittee may obtain any or all of these data from the fuel oil supplier at the time of delivery and submit fuel receipts and fuel supplier certifications for all fuel deliveries that provide all of the above quality of fuel data (or those for which sampling and testing was not performed at the time of delivery) as well as the name of the fuel oil supplier, the date of delivery, a statement from the oil supplier that the oil complies with the definition of "distillate oil" in 40 CFR 60.41c[3], and the sulfur content of the oil.

Note that the sulfur content data obtained from the fuel supplier must be the results of specific tests of the fuel at hand or the most recent representative fuel analysis from the fuel terminal prior to the fuel supplier obtaining the fuel for delivery to the Permittee, if such terminal analyses are performed on at least a monthly basis. General fuel specifications are not acceptable for this datum.

Terminal specifications (with references to appropriate ASTM methods as defined above) may be used to document the fuel oil type if the fuel supplier provides written certification that this was the material purchased from the terminal and delivered to the facility. If this method of determining the fuel oil type is used, the Department may opt to require occasional supplemental sampling and testing of the fuel oil to confirm these certifications.

If any of these data cannot be obtained from the fuel supplier, it is the responsibility of the Permittee to sample the fuel and have it analyzed to obtain the required data.

F. The Permittee shall monitor the consumption of natural gas and ULSD fired in the boilers when operated to ensure compliance with Condition III(d)(2)(C) and to ensure data is being collected for reporting pursuant to Conditions I(d)(1)(A) and I(d)(2)(B)(i).

4. Record Keeping Requirements:

The Permittee shall maintain the following records for a period of not less than five (5) years from the date of each test, monitoring, sample measurement, report,

[3] Per 40 CFR 60.41c, "distillate oil" means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396 (incorporated by reference, see 40 CFR 60.17), diesel fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see 40 CFR 60.17), kerosine, as defined by the American Society of Testing and Materials in ASTM D3699 (incorporated by reference, see 40 CFR 60.17), biodiesel as defined by the American Society of Testing and Materials in ASTM D6751 (incorporated by reference, see 40 CFR 60.17), or biodiesel blends as defined by the American Society of Testing and Materials in ASTM D7467 (incorporated by reference, see 40 CFR 60.17).

application, or other activity. Such records must be kept in a form suitable and readily available for expeditious review and must be kept on-site or be accessible from a central location by computer or other means that instantly provides access at the site for at least two years after the date of each recorded action. Records may be kept offsite for the remaining three years, but must be made available to authorized officials of the District upon request: [20 DCMR 302.1(c)(2)(B), 20 DCMR 500.8, 40 CFR 60.48c(i), and 40 CFR 63.11225(d)]

A. The Permittee shall keep records of the results of all emissions testing required for each boiler pursuant to Conditions III(d)(3)(A) and (B) and I(a)(6) of this permit;

B. The Permittee shall keep records of the results of all fuel sulfur testing and fuel supplier certifications obtained pursuant to Condition III(d)(3)(E);

C. The Permittee shall maintain records of all visible emissions monitoring performed pursuant to Conditions III(d)(3)(C)(i) and III(d)(3)(D)(i), including notes indicating when no observations were performed as a result of no operations of the boiler that week, month or quarter, as applicable to the specified monitoring frequency. These records shall be maintained in an organized fashion, shall include the identity of the person performing the monitoring, and shall be readily available for inspection by the Department;

D. The Permittee shall maintain records of all Method 9 visible emissions testing performed pursuant to Conditions III(d)(3)(C)(i), (ii), and (iii). These records shall include documentation indicating whether the results show compliance with Conditions III(d)(1)(B) and (C). These records shall include the following [40 CFR 60.48c(c)]:

   i. For each performance test conducted using Method 9 of appendix A-4 of 40 CFR 60, the Permittee shall keep the records including the information specified in Conditions III(d)(4)(D)(i)(1) through (3) as follows:

      1. Dates and time intervals of all opacity observation periods;

      2. Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and

      3. Copies of all visible emission observer opacity field data sheets;

   ii. For each performance test conducted using Method 22 of appendix A-4 of 40 CFR 60, the Permittee shall keep the records including the information specified in Conditions III(d)(4)(D)(ii)(1) through (4) as follows:

1. Dates and time intervals of all visible emissions observation periods;

2. Name and affiliation for each visible emission observer participating in the performance test;

3. Copies of all visible emission observer opacity field data sheets; and

4. Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the Permittee to demonstrate compliance with the applicable monitoring requirements;

iii. For each digital opacity compliance system, the Permittee shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the EPA Administrator;

E. The Permittee shall maintain records of all Method 9 visible emissions testing performed pursuant to Conditions III(d)(3)(D)(i) and (ii). These records shall also include the identity of the person performing the visible emissions testing and documentation of his/her Method 9 certification. These records shall include documentation indicating whether the results show compliance with Condition III(d)(1)(B).

F. The Permittee shall maintain records of all instances of boiler operation using ULSD, including the date(s) of such operation, reason for operation using that fuel, the identity of boiler(s) in which it is burned, and the number of hours the boiler(s) are operated using that fuel on each date. These data shall additionally be maintained in a rolling 12-month sum format for each boiler. These ULSD records are not required for any boiler not yet connected to a ULSD supply until such time as such a connection is made. [20 DCMR 500.2 and 40 CFR 63.11225(c)(2)(iv)];

G. The Permittee shall keep records of the type and amount of each fuel used for each boiler, showing the therms or standard cubic feet of natural gas combusted each month as well as gallons of ULSD combusted each month. These records shall be summed on a calendar year basis. These records shall be submitted to the Department and EPA semi-annually on a schedule coinciding with the reporting required by Conditions I(d)(1) and I(d)(2). [20 DCMR 500.2, 40 CFR 60.48c(g)(2), (g)(3), and (j), 40 CFR 63.11210(f), and 40 CFR 63.11225(c)(2)(iv)];

H. The Permittee shall keep records of the dates and duration of ULSD use for temporary boilers #3, #4, #5, and #6 each calendar year during periodic testing, maintenance, or operator training on liquid fuel to show compliance with

Condition III(d)(2)(D)(iii) [20 DCMR 201, 40 CFR 63.11195(e) and 40 CFR 63.11237];

I. The Permittee shall keep records of the following information regarding the combustion adjustments required pursuant to Condition III(d)(1)(E) for each boiler: [20 DCMR 805.8(c)]

   i. The date on which the combustion process was last adjusted;

   ii. The name, title, and affiliation of the person who made the adjustments;

   iii. The NO_x emission rate, in ppmvd, after the adjustments were made;

   iv. The CO emission rate, in ppmvd, after the adjustments were made;

   v. The CO2 concentration, in percent (%) by volume dry basis, after the adjustments were made;

   vi. The O2 concentration, in percent (%) by volume dry basis, after the adjustments were made; and

   vii. Any other information that the Department may require.

J. The Permittee shall keep the tune-up records necessary to comply with Condition III(d)(5)(E) of the permit for all tune-ups performed pursuant to Conditions III(d)(2)(E) and (F) [40 CFR 63.11223(b)(6) and 20 DCMR 500.1].

K. The Permittee shall keep records of all maintenance performed on the boilers so as to document compliance with Conditions III(d)(2)(G) and (H). These records shall be initialed to attest to their accuracy.

L. The Permittee must keep a copy of each notification and report that was submitted to comply with 40 CFR 63, Subpart JJJJJJ (Conditions III(d)(5)(E), (G). (H), (I), and (J)) for the HUH temporary boiler and this section and all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted. [40 CFR 63.11225(c)(1)]

M. The Permittee must keep records of the occurrence and duration of each malfunction of each boiler, or of any associated air pollution control and monitoring equipment. [20 DCMR 500 and, for the HUH Temporary Boiler, 40 CFR 63.11225(c)(4)]

N. The Permittee must keep records of all actions taken during periods of malfunction to minimize emissions in accordance with the general duty to

minimize emissions in Condition III(d)(2)(H), including corrective actions to restore the malfunctioning boiler, air pollution control equipment, or monitoring equipment to its normal or usual manner of operation. [20 DCMR 500 and, for the HUH Temporary Boiler, 40 CFR 63.11225(c)(5)]

5. Notification and Reporting Requirements[4]

A. The Permittee shall furnish EPA and the Department, written notifications as follows [40 CFR 60.4(a), 40 CFR 60.7(a), and 40 CFR 60.48c(a)]:

i. A notification of the date construction of the equipment is commenced, postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form; and

ii. A notification of the actual date of initial startup of each boiler, postmarked within 15 days after such date. This date shall be considered the date the boiler commenced operation for purposes of Condition I(d)(4).

iii. These notifications shall include the design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility [40 CFR 60.48c(a)]:

iv. These notifications shall be submitted to the following addresses:

Chief, Compliance and Enforcement Branch
Air Quality Division
1200 First Street NE, 5th Floor
Washington, DC 20002

and[5]

Chief, Air Section
Enforcement and Compliance Assurance Division
Air, RCRA and Toxics Branch
US EPA Region 3
1650 Arch Street – 3ED21
Philadelphia PA 19103

and

[4] Condition III(d)(5) does not apply to HUSC #4 boiler (CU-18)

[5] The EPA address listed varies from that found in 40 CFR 60.4(a) due to reorganization of the EPA Region 3 office.

R3_ECADAIRMAIL@epa.gov

and

air.quality@dc.gov

B. The Permittee shall submit to the EPA Administrator the performance test data from the initial visible emissions testing required pursuant to Condition III(d)(3)(A) as well as the subsequent visible emissions testing required pursuant to Condition III(d)(3)(C)(iii). [40 CFR 60.48c(b)]

C. The Permittee shall submit the results of all testing required by Conditions III(d)(3)(A) and I(a)(6) as specified in Condition III(d)(3)(A), except that the Department may specify and require different submittal procedures to be followed in cases of testing required pursuant to Condition I(a)(6).

D. Reports shall be submitted to the EPA Administrator and copied to the Department, at the addresses listed in Condition III(d)(5)(A)(iv) on a semi-annual basis with the reporting periods being January 1 through June 30 and July 1 through December 31 or each year. All reports shall be postmarked by the 30th day following the end of the reporting period. [40 CFR 60.48c(j). These reports shall contain the following:

i. Opacity excess emissions reports as required pursuant to 40 CFR 60.48c(c);

ii. Records of fuel supplier certifications containing the following information:

1. The name of the ULSD supplier;

2. A statement from the ULSD supplier that the ULSD complies with the specifications under the definition of "distillate oil" in 40 CFR 60.41c; and

3. The sulfur content or maximum sulfur content of the ULSD; and

iii. A certified statement signed by the Permittee that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period.

E. In relation to the tune-ups of the HUH Temporary Boiler required pursuant to Conditions III(d)(2)(E) and (F), the Permittee shall maintain onsite and submit, if requested by the EPA Administrator or the Department, an annual report containing the information in paragraphs III(d)(5)(E)(i) through (iii) of this section [40 CFR 63.11223(b)(6) and 20 DCMR 500.1].

i. The concentration of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up.

ii. A description of any corrective actions taken as a part of the tune-up of the boiler.

iii. The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

F. If the Permittee has switched fuels or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within 40 CFR 63, Subpart JJJJJJ, in the boiler becoming subject to 40 CFR 63, Subpart JJJJJJ, or in the boiler switching out of 40 CFR 63, Subpart JJJJJJ due to a fuel change that results in the boiler meeting the definition of gas-fired boiler, as defined in §63.11237, or the Permittee has taken a permit limit that resulted in the Permittee becoming subject to 40 CFR 63, Subpart JJJJJJ or no longer being subject to 40 CFR 63, Subpart JJJJJJ, the Permittee must provide notice of the date upon which the Permittee switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify [40 CFR 63.11225(g)]:

i. The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice.

ii. The date upon which the fuel switch, physical change, or permit limit occurred.

G. Notifications required by Condition III(d)(5)(F) shall be submitted to EPA at the following address [40 CFR 63.13(a)[6]]:

Chief, Air Section
Enforcement and Compliance Assurance Division
Air, RCRA and Toxics Branch
US EPA Region 3
1650 Arch Street – 3ED21
Philadelphia PA 19103

and shall be submitted electronically to the Department at:

[6] The address listed varies from that found in 40 CFR 63.13(a) due to reorganization of the EPA Region 3 office.

air.quality@dc.gov

H. For the HUH Temporary Boiler, if not already completed at the time of issuance of this permit, submit an "Initial Notification of Applicability" to the EPA Administrator with respect to the applicability of 40 CFR 63, Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources as required by 40 CFR 63.11225(a)(4).

I. For the HUH Temporary Boiler, submit a biennial compliance report containing the following information with the annual Title V compliance certification required pursuant to the facility's Title V permit by March 1, 2021 and every two years thereafter [40 CFR 63.11225(b)]:

i. Company name and address;

ii. Statement by a responsible official, with the official's name, title, phone number, e-mail address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR 63, Subpart JJJJJJ. This notification must include the following certification of compliance, as applicable, and signed by a responsible official:

"This facility complies with the requirements in 40 CFR § 63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."

iii. If the source experiences any deviations from the applicable requirements during the reporting period, include a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken.

e. Emission Unit UST-2: One (1) 6,000 gallon gasoline underground storage tank

1. Operational Limits:

A. The Permittee must equip this storage tank with a Stage I Vapor Recovery System (VRS) which shall remain operational whenever gasoline is being transferred into the tank. [20 DCMR 704]

B. The transfer of gasoline from the delivery vessel into the stationary storage container shall occur only if the container is equipped with a submerged fill pipe and the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than ninety percent (90%) by weight of organic compounds in the vapor displaced from the stationary container location. [20 DCMR 704.1]

C. The vapor recovery portion of the Stage I VRS shall include either or both of the following [20 DCMR 704.2]:

   i. A vapor return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container; or

   ii. A refrigeration-condensation system or equivalent designed to recover no less than ninety percent (90%) by weight of the organic compounds in the displaced vapor.

D. If a vapor-tight return system is used to meet the requirements of Condition (III)(e)(1)(A), the system shall be constructed as to be adapted to retrofit with an absorption system, refrigeration-condensation system, or equivalent vapor removal system. [20 DCMR 704.3]

E. The operation or maintenance of any delivery vessel, or of any part of any liquid delivery system, or vapor collection or recovery system used or designed to be used in connection with the loading or unloading of the delivery vessel, shall be performed in a manner that is vapor-tight or in a manner so that there is no avoidable visible liquid leakage or liquid spillage. [20 DCMR 704.6]

F. The storage tank shall only be filled with the use of delivery vessels with posted certificates showing that the vessel passed a leak test within the past year in accordance with 20 DCMR 704.4(b) and (c). [20 DCMR 704.4(f)]

G. Gasoline monthly throughput shall be maintained below 10,000 gallons every calendar month[7]. [20 DCMR 201]

H. The Permittee shall not handle or allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following [40 CFR 63.11116(a)]:

   i. Minimize gasoline spills;

   ii. Clean up spills as expeditiously as practicable;

[7] Monthly throughput as defined in 40 CFR 63.11132 means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

iii. Cover all open gasoline containers and all gasoline storage fill-pipes with a gasketed seal when not in use; and

iv. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

2. Monitoring and Testing Requirements:

A. The Permittee shall monitor operation of the equipment to ensure compliance with Condition III(e)(1)(E) and (H).

B. Prior to filling of the tank by a delivery vessel, the Permittee shall take affirmative action to ensure that the delivery vessel has a clear an unequivocal certificate indicating that it has been leak tested within the past year and that the leak test showed compliance with the standards specified in Condition III(e)(1)(F). [20 DCMR 704.4(f)]

C. The Permittee shall monitor gasoline throughput on a monthly basis and otherwise as necessary to ensure compliance with Condition III(e)(1)(G).

3. Record Keeping and Reporting Requirements:

A. The Permittee shall maintain copies of the manufacture's specifications and design drawing for the tank and VRS to document compliance with Conditions III (e)(1)(A) through (D).

B. The Permittee shall maintain records of any leak identified pursuant to the monitoring required by Condition III(e)(2)(A) and the actions taken to correct the identified problem.

C. The Permittee shall maintain records of each delivery of fuel and documentation that each delivery vehicle was checked to ensure compliance with Condition III(e)(1)(F). The person checking to ensure that an appropriate certificate is posted on the delivery vehicle pursuant to Condition III(e)(2)(B) shall initial and date the record of this check.

D. The Permittee shall maintain a record of the monthly throughput of the gasoline dispenser and must make these records available within 24 hours of a request by the Department or EPA.[8] [20 DCMR 500.1 and 40 CFR 63.11116(b)]

[8] Monthly throughput as defined in 40 CFR 63.11132 means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF

f. Emission Unit: Gasoline Dispensing Station with one nozzle

The Permittee shall ensure that a Stage II Vapor Recovery System on the dispensing pump remains operational and complies with the following requirements [20 DCMR 705]:

1. Emission Limitations:

An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]*

2. Operational Limits:

A. The transfer of gasoline to any vehicular fuel tank from any stationary storage container shall be prohibited unless the transfer is made through a fill nozzle designed, operated, and maintained as follows [20 DCMR 705.1]:

i. To prevent the discharge of the gasoline vapors to the atmosphere from either the vehicle filler neck or the fill nozzle;

ii. To direct the displaced vapor from the vehicular fuel tank to either of the following

1. A system, utilizing a process other than vacuum assist, wherein at least ninety percent (90%) by weight of the organic compounds in the displaced vapors are removed, recovered, or destroyed; or

2. A system, utilizing a vacuum assist process, wherein at least ninety-six percent (96%) by weight of the organic compounds in the displaced vapors are removed, recovered or destroyed; and

iii. To prevent vehicular fuel tank overfills or spillage.

B. The Permittee shall equip the gasoline dispensing unit with a vapor balance system meeting the following specifications [20 DCMR 705.6]:

i. A vapor-tight vapor return hose to conduct the vapors displaced from the vehicular fuel tank to the gasoline dispensing facility's gasoline storage tank(s);

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during the previous 364 days, and then dividing that sum by 12.

ii. A vapor-tight seal to prevent the escape of gasoline vapors into the atmosphere from the interface between the fill nozzle and the filler neck of the vehicular fuel tank;

iii. A fill nozzle with a built-in no-seal no-flow feature designed to prevent the discharge of gasoline from the nozzle unless the seal described in paragraph (ii) of this subsection is engaged;

iv. A fill nozzle with a built-in feature, designed to automatically shut off the flow of gasoline when the pressure in the vehicular fuel tank exceeds ten (10 in.) inches of water gauge;

v. A vapor return hose equipped with a device that will automatically shut off the flow of gasoline through the fill nozzle when gasoline circulates back from the fill nozzle through the vapor hose to the facility's gasoline storage tank(s);

vi. A vapor return hose no longer than nine feet (9 ft.) in length unless the hose is attached to a device designed to keep the hose out of the way of vehicles (when the nozzle is not in use) and to drain the hose of any collected or condensed gasoline; and

vii. A gasoline dispensing system equipped with a device designed to prevent the dispensing of gasoline at any rate greater than eight (8) gallons per minute.

C. The fill nozzle system shall be maintained in good repair and proper operating practices including, but not limited to, the following practices shall be followed [20 DCMR 705.7]:

i. Draining the vapor return hose as often as is necessary, but at least once each operating day, of any collected or condensed gasoline;

ii. Waiting as long as is necessary, but at least three (3) seconds after the shut off of the fuel, before disconnecting the nozzle from the fill neck, in order to balance the pressure between the vehicular fuel tank and the facility's gasoline storage tank(s); and

iii. After each fuel delivery, placing the vapor return hose on an area where vehicles will not ride over the vapor return hose.

D. The transfer of gasoline to any vehicular fuel tank from any stationary storage tank shall be prohibited, unless the transfer is made through a fill nozzle designed to automatically shut off the transfer of gasoline when the vehicular fuel tank is full or nearly full. [20 DCMR 705.8]

E. Any additional transfer of gasoline to any vehicular fuel tank from a stationary storage tank after the dispensing system has automatically shut off the transfer of gasoline by virtue of the vehicular fuel tank being full or nearly full shall be prohibited. [20 DCMR 705.9]

F. The Permittee shall take the actions necessary to ensure that all parts of the system used at the facility for compliance with the section are maintained in good repair, and to ensure that any person whether attendant, customer, or other, who uses the facility, does so in accordance with proper operating practices and otherwise in compliance with the requirements of this section. [20 DCMR 705.10]

G. The transfer of gasoline to any vehicular fuel tank from any stationary storage tank where a system for the control of gasoline vapors resulting from motor vehicle fueling operations is required shall be prohibited unless the operator posts conspicuously the operating instructions and warnings for the system in the gasoline dispensing area. The Permittee shall [20 DCMR 705.12]:

i. Clearly describe how to fuel vehicles correctly with vapor recovery nozzles utilized at the station;

ii. Include a prominent display of the telephone number of the service station Permittee for making complaints; and

iii. Include warnings that:

1. Repeated attempts to continue dispensing, after the system has indicated that the vehicle fuel tank is full, may result in spillage or recirculation of gasoline; and

2. Breathing gasoline vapors is hazardous to health.

3. Monitoring and Testing Requirements:

A. The Permittee shall monitor operation of the equipment to ensure compliance with Condition III(f)(2)(A).

B. The Permittee shall conduct Stage II vapor recovery testing at least once every calendar year, and no more than thirteen (13) calendar months from the previous testing, to include all of the following, as applicable to the equipment [20 DCMR 502]:

i. A leak test in accordance with the California Air Resources Board (CARB) Vapor Recovery Test Procedure TP-201.3, as amended;

ii. An air-to-liquid volume ratio test in accordance with CARB's Vapor Recovery Test Procedure TP-201.5, as amended;

iii. A dynamic pressure performance test in accordance with CARB's Vapor Recovery Test Procedure TP-201.4, as amended;

iv. A vapor return line vacuum integrity test for the Healy Model 400 ORVR System in accordance with CARB Executive Order G-70-186, Exhibit 4 (October 26, 1998), or superseding order;

v. A vapor return line vacuum integrity test for the Healy Model 600 System in accordance with CARB Executive Order G-70-165 Exhibit 4 (April 20, 1995), or superseding order;

vi. A leak rate and cracking pressure test in accordance with most recent version of CARB's TP-201.1E, (October 8, 2003) as amended; and

vii. A tie tank test in accordance with most recent version of CARB's TP-201.3C, (July 26, 2012) as amended.

4. Record Keeping and Reporting Requirements:

A. The Permittee shall maintain copies of the manufacture's specifications and design drawings for the vapor recovery system to document compliance with Conditions III(f)(2)(A) and (B).

B. The Permittee shall maintain records of any leak identified pursuant to the monitoring required of Condition III(f)(3)(A) and (B) and the actions taken to correct the identified problem.

C. The Permittee shall maintain records of the results of any test performed on the gasoline dispensing system and associated vapor recovery system.

D. The Permittee shall maintain a record of the monthly throughput of the gasoline dispenser.

E. The Permittee shall submit annually the results of Stage II testing required pursuant to Condition III(f)(3)(B) with the annual certification report required pursuant to Condition I(d)(2) of this permit.

g. Emission Unit: NSPS CI-ICE Non-Emergency Generator Set: One (1) diesel fired generator set subject to NSPS (40 CFR 60) Subpart IIII as follows:

Emission Unit ID	Emission Unit Location	Generator Output (kWe)	Engine Output (bhp)	Date of Manufacture	Install Date
GEN-35	College of Medicine #2	30	49	2006	2010

1. Emission Limitations:

A. Emissions from the generator set shall not exceed those found in the following table: [40 CFR 60.4204(a), 40 CFR 60, Subpart IIII, Table 1]

Pollutant Emission Limits (g/kWm-hr)		
NMHC+NOx	CO	PM
9.5	5.5	0.80

B. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].

Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a "SIP call") requiring the District to revise 20 DCMR 606. See "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction", 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition III(g)(1)(B) as stated above.

C. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

2. Operational Limitations:

A. The generator engine shall fire only diesel fuel that contains a maximum sulfur content of 15 ppm (0.0015 percent by weight) and either a minimum cetane index

of 40 or a maximum aromatic content of 35 volume percent. [20 DCMR 801.1 and 40 CFR 60.4207(b)] *Note that this is a streamlined requirement. Compliance with the more stringent requirement of 40 CFR 60.4207(b) reflected here will ensure compliance with 20 DCMR 801.1.*

B. The generator shall not be operated in conjunction with a voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant, or system operator. [20 DCMR 201]

C. The generator set and all of its appurtenances shall be maintained and operated as follows: [40 CFR 60.4211(a)]

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

ii. Change only those emission-related settings that are permitted by the manufacturer; and

iii. Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to the unit.

D. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the unit in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 201]

3. <u>Monitoring and Testing Requirements:</u>

A. The Permittee shall monitor the total number of hours of operation of the generator set each month with the use of a properly operating non-resettable hour meter installed on the unit. [20 DCMR 500.1]

B. The Permittee shall monitor and/or test for the sulfur content in the diesel fuel obtained for use in the generator engine in accordance with Condition I(d)(2)(B)(ii) to ensure compliance with Conditions III(g)(2)(A) and (4)(C) of this permit. [20 DCMR 502.3 and 502.6]

C. The Permittee shall conduct and allow the Department access to conduct tests of air pollution emissions from any source as requested. [20 DCMR 502.1]

D. The Permittee shall maintain an awareness of the operation of the generator set to identify potential exceedances of Condition III(g)(1)(B). If significant visible emissions are observed from the unit, the Permittee shall have the visible emissions tested by a qualified person certified to perform testing pursuant to 40 CFR 60, Reference Method 9. [20 DCMR 502.1]

4. Record Keeping and Reporting Requirements:

A. The following information shall be recorded, initialed, and maintained in a log at the facility for a period not less than five (5) years from the date the information is obtained [20 DCMR 500.8]:

i. The total hours of operation for each month and the cumulative 12-month rolling period shall be calculated and recorded within 15 days of the end of each calendar month for the previous month and the 12-month period ending at the end of that month;

ii. Records of the maintenance performed on the unit, sufficient to show compliance with Conditions III(g)(2)(C) and (D);

iii. Records of the results of any visible emissions monitoring performed, including the information required for reporting pursuant to Condition I(d)(2)(B)(iv);

iv. Records of any complaints received by the Permittee about the operation of the generator set;

v. Records of the occurrence and duration of each malfunction of operation;

vi. Records of the actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation; and

vii. Records of the quantity of fuel used in the unit, recorded on a monthly basis and summed for each calendar year.

B. The Permittee shall maintain a copy of the generator's manufacturer's maintenance and operating recommendations at the facility. [20 DCMR 501]

C. For each delivery of diesel fuel, the Permittee shall maintain one of the following:

i. A fuel delivery receipt containing the date, fuel type, and amount of the delivery and certification from the fuel supplier that the fuel delivered was tested in accordance with an appropriate ASTM method (specified in the

certification) and met the requirements of Condition III(g)(2)(A); or

ii. A fuel delivery receipt and documentation of sampling and analysis containing the following information:

1. The fuel oil type and the ASTM method used to determine the type (see the definition of distillate oil in 40 CFR 60.41c for appropriate ASTM methods);

2. The weight percent sulfur of the fuel as determined using ASTM test method D-4294 or D-5453 or other methods approved in advance by the Department;

3. The date and time the sample was taken;

4. The name, address, and telephone number of the laboratory that analyzed the sample; and

5. The test method used to determine the sulfur content.

D. The Permittee shall maintain a copy of the EPA Certificate of Conformity for the generator's engine at the facility at all times. [20 DCMR 500.1]

E. The Permittee shall, within ten (10) days of becoming aware of a deviation from any condition of this permit, submit a written report to the Department at the following address [20 DCMR 502]:

Chief, Compliance and Enforcement Branch
Department of Energy and Environment
Air Quality Division
1200 First Street NE, 5th Floor
Washington DC 20002

IV. Miscellaneous/Insignificant Activities

a. The Department does not consider the "miscellaneous activities" (also commonly known as "insignificant activities") listed in Condition IV(d) to be significant sources. However, they are subject to the General Permit Requirements (Condition I) and Facility-Wide Permit Requirements (Condition II) of this permit as well as the conditions specified below for each unit type. [See EPA White Paper, Wegman, July 10, 1995]

b. Emissions from the miscellaneous activities must be reasonably estimated, and the Permittee shall report the estimated emissions, as well as the specifics of the method(s) of estimation, in the annual emission statement required by Condition I(d)(2)(C) of this

permit. [20 DCMR 500]

c. The Permittee shall maintain an inventory of the miscellaneous/insignificant activities listed in Condition IV(d) of this permit and shall submit a current copy of this inventory to the Department annually with the annual Title V certification report. The Permittee must obtain pre-approval for the installation of new types of units and dual fuel fired units with heat input ratings less than 5 MMBTU/hr not specifically identified in Condition IV(d).

d. The following activities are subject to Condition IV(a), (b), and (c):

1. Laboratory fume hoods, morgue, and photography developing equipment:

A. Emission Limit

No person shall discharge into the atmosphere more than fifteen (15) pounds of volatile organic compound (VOC) emissions in any one (1) day, nor more than three pounds (3 lb.) in any one (1) hour, from any combination of articles, machines, units, equipment, or other contrivances at a facility, unless the uncontrolled VOC emissions are reduced by at least ninety percent (90%) overall capture and control efficiency. [20 DCMR 700.2]

B. Monitoring and Record Keeping

Unless another monitoring and record keeping approach is approved by the Department, the Permittee shall maintain daily records of solvent usage in the laboratory fume hoods, morgue, and photography developing equipment and subtract out recovered waste solvent to determine daily VOC emissions from the equipment. Such records shall be made available to the Department upon verbal or written request. These records shall be totalized for purposes of reporting annual emissions in accordance with Condition IV(b).

i. The Permittee shall maintain continually updated records of all solvent purchases and all solvents in storage for use in the laboratory fume hoods, morgue, and photography developing equipment.

ii. The Permittee shall maintain an inventory of all laboratory fume hoods, morgue, and photography developing equipment and shall submit a copy of the inventory to the Department annually with the annual Title V certification report.

2. Woodworking shop dust collection systems in the Sculpture and Fine Arts Buildings:

All captured dust emissions shall be controlled by an exhaust system attached to a

baghouse unit which collects the particulates into a barrel and vents within the building. The baghouse unit shall be maintained in accordance with the recommendations of the manufacturer;

3. Underground Storage Tanks (USTs) for diesel;

4. Aboveground Storage Tanks (ASTs) for diesel;

5. Induced draft cooling towers;

6. Fuel burning equipment (as defined in 20 DCMR 199) with heat input ratings less than five (5) MMBTU per hour and burning natural gas only including: Hot water heaters (as defined at 40 CFR 63.11237) with a capacity of no more than 120 gallons or are tankless but provide on-demand hot water, or a hot water boiler (i.e. not generating steam) with heat input ratings less than 1.6 MMBTU/hr, small dryers with heat input ratings less than five (5) MMBTU/hr and burning natural gas only, small boilers with heat input ratings less than five (5) MMBTU/hr and burning natural gas only, heating, air conditioning, and refrigeration operations [except as covered by Condition II(l) of this permit] including natural gas fired space heaters/furnaces, packaged HVAC units with heat input ratings less than 1.6 MMBTU/hr and natural gas fired kitchen equipment including dining facilities. These small fuel burning units shall comply with the following requirements:

   A. <u>Emission Limits:</u>

      i. Particulate matter emissions from each unit with a heat input rating less than or equal to 3.5 MMBTU/hr shall not exceed 0.13 pounds per million Btu. [20 DCMR 600.1] *Note that the Permittee is deemed to have complied with this requirement by complying with the operational limits specified in Condition IV(d)(6)(B)(i) below, unless other credible evidence of a violation of this limit is identified.*

      ii. Particulate matter emissions from each unit with a heat input rating greater than 3.5 MMBTU/hr and less than 5 MMBTU/hr shall determine its particulate matter limit (to the nearest hundredth of a pound per MMBTU) from the following equation [20 DCMR 600.1]:

      $E = 0.17455 \times H^{-0.23522}$

      Where:

      E = the allowable emissions in pounds per MMBTU of heat input and

      H = the heat input of the unit in MMBTU/hr

Note that the Permittee is deemed to have complied with this requirement by complying with the operational limit specified in Condition IV(d)(6)(B)(i) below, unless other credible evidence of a violation of this limit is identified.

B. Operational Limits:

i. The equipment shall burn only natural gas. [20 DCMR 201]

ii. The fuel burning equipment shall be operated at all times in a manner consistent with the manufacturer's specifications for the equipment.[20 DCMR 201.1]

C. Monitoring and Testing Requirements:

i. The Department reserves the right to require the Permittee to conduct performance tests on any of the fuel burning equipment for any reasonable purposes, in accordance with Condition I(a)(6). If such testing is required the Permittee shall furnish the Department with a written report of the results of such performance tests in accordance with the following requirements [20 DCMR 502]:

1. One (1) original test protocol shall be submitted to the following addresses a minimum of thirty (30) days in advance of the proposed test date. The test shall be conducted in accordance with Federal and District requirements.

Chief, Compliance and Enforcement Branch
Air Quality Division
Department of Energy and Environment
1200 First Street, NE, 5th Floor
Washington DC 20002

and

air.quality@dc.gov

2. The test protocol and test date(s) shall be approved by the Department prior to initiating any testing. The Department must have the opportunity to observe the test for the results to be considered for acceptance.

3. The final results of the testing shall be submitted to the Department within sixty (60) days of the test completion. One (1) original copy of the test report shall be submitted to the addresses in Condition IV(d)(6)(C)(i)(1) above.

4. The final report of the results shall include the emissions test report (including raw data from the test) as well as a summary of the test results and a statement of compliance or non-compliance with permit conditions to be considered valid. The summary of results and statement of compliance or non-compliance shall contain the following information:

    a. A statement that the Permittee has reviewed the report from the emissions testing firm and agrees with the findings.

    b. Permit number(s) and condition(s) which are the basis for the compliance evaluation.

    c. Summary of results with respect to each permit condition.

    d. Statement of compliance or non-compliance with each permit condition.

5. The results must demonstrate to the Department's satisfaction that the emission unit is operating in compliance with the applicable regulations and conditions of this permit; if the final report of the test results shows non-compliance the Permittee shall propose corrective action(s). Failure to demonstrate compliance through the test may result in enforcement action.

ii. The Permittee shall monitor fuel use to collect data on the quantities of fuel used.

D. Record Keeping and Reporting Requirements:

i. The Permittee shall maintain records of the amount of fuel used in each unit each month. Where multiple units of this type are served by a single fuel meter, fuel usage may be aggregated where appropriate. These data shall be maintained in a rolling twelve month sum format.

ii. The Permittee shall keep records of the results of all emissions testing required for the fuel burning equipment pursuant to Conditions IV(d)(7)(C)(i) and I(a)(6) in accordance with the requirements specified in Condition I(c).

V. Permit Shield

No permit shield is granted. [20 DCMR 302.6]

VI. Compliance Schedule

a. The Permittee shall continue to comply with all applicable requirements. [20 DCMR

301.5(h)(3)(A)]

b. The Permittee shall meet, in a timely manner, all applicable requirements that become effective during the term of this permit, including, but not limited to, any new air quality regulations and any specific compliance schedules adopted in response to any enforcement action taken against the Permittee by the Department or EPA. [20 DCMR 301.5(h)(3)(B) and (C)]