



AIR OPERATING PERMIT

Puget Sound Clean Air Agency
1904 Third Avenue – Suite 105
Seattle, Washington 98101

Issued in accordance with the provisions of Puget Sound Clean Air Agency (previously known as Puget Sound Air Pollution Control Agency) Regulation I, Article 7 and Chapter 173-401 WAC.

Pursuant to Puget Sound Clean Air Agency Regulation I, Article 7 and Chapter 173-401 WAC, Graymont Western US Inc (Graymont). is authorized to operate subject to the terms and conditions in this permit.

PERMIT NO.: 11820

DATE OF ISSUANCE: May 4, 2007

ISSUED TO: Graymont Western US Inc (Tacoma Division)

PERMIT EXPIRATION DATE: May 4, 2012

SIC Code, Primary: 3274/2816
NAICS 32741
Nature of Business: Lime Plant and Precipitated Calcium Carbonate Plant
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TABLE OF CONTENTS

I.	EMISSION LIMITS AND PERFORMANCE STANDARDS	3
II.	MONITORING, MAINTENANCE AND RECORDKEEPING PROCEDURES.....	20
III.	PROHIBITED ACTIVITIES	27
IV.	ACTIVITIES REQUIRING ADDITIONAL APPROVAL	29
V.	STANDARD TERMS AND CONDITIONS.....	32
VI.	PERMIT ACTIONS	Error! Bookmark not defined.
VII.	PERMIT SHIELD	50
VIII.	INAPPLICABLE REQUIREMENTS	51
IX.	INSIGNIFICANT EMISSION UNITS.....	52
X.	APPENDIXES.....	53

TABLES

Table 1	Facility-Wide Applicable Requirements	4
Table 2	(EU-1) Calcining Kiln.....	10
Table 3	(EU-2) Coal Handling and Storage System.....	11
Table 4	(EU-3) Lime Processing.....	13
Table 5	(EU-4) Hydrator--Atmospheric.....	15
Table 6	(EU-5) Bulk Loading/Unloading	16
Table 7	(EU-6) Precipitated Calcium Carbonate (PCC) Plant.....	17
Table 8	(EU-7) Miscellaneous Facility Operations	19

I. EMISSION LIMITS AND PERFORMANCE STANDARDS

The following tables list the citation for each “applicable requirement” in the second column. This can be a Puget Sound Clean Air Agency requirement, a Washington State Department of Ecology requirement, or a federal requirement. All requirements are federally enforceable unless they are identified in column two by the words “*STATE ONLY*.”

The third column (Date) contains the adoption or effective date of the requirement. In some cases, the effective dates of the “Federally Enforceable” Requirement and the “State Only” Requirement are different because either the state (or local authority) has not submitted the regulation to the EPA for approval into the State Implementation Plan (SIP), or the state (or local authority) has submitted it and the EPA has not yet approved it. “*STATE ONLY*” adoption dates are in *italicized* font. When the EPA does approve the new requirement by adopting it into the SIP, the old requirement will be replaced and superseded by the new requirement. This replacement will take place automatically, with no changes being made to this permit until the permit is renewed. The new requirement will be enforceable by the EPA as well as the Puget Sound Clean Air Agency from the date that it is adopted into the SIP, and the old requirement will no longer be an applicable requirement.

The first column is used as an identifier for the requirement, and the fourth (Requirement Paraphrase) column paraphrases the requirement. The first and fourth columns are for information only and are not enforceable conditions of this permit. The actual enforceable requirement is embodied in the requirement cited in the second and third columns.

The fifth column (Monitoring, Maintenance & Recordkeeping Method) identifies the methods described in Section II of the permit. Following these methods is required to “reasonably assure continuous compliance” with, and is an enforceable requirement of, this air operating permit. Note that all inspections, tests, and other actions must be documented (see paragraph 4 of Subsection V.O for specific requirements).

The sixth (Emission Standard Period) column identifies the averaging time for the reference test method. The last column (Reference Test Method) identifies the reference method associated with an applicable emission limit that is to be used if and when a source test is required. In some cases where the applicable requirement does not cite a test method, one has been added.

In the event of conflict or omission between the information contained in the fourth and sixth columns and the actual statute or regulation cited in the second column, the requirements and language of the actual statute or regulation cited shall govern. For more information regarding any of the requirements cited in the second and third columns, refer to the actual requirements cited.

A. FACILITY-WIDE APPLICABLE REQUIREMENTS

The requirements in this section apply facility-wide to all the emission units regulated by this permit except that monitoring methods specified elsewhere in the permit for specific applicable requirements for specific emission units or activities supersede the general monitoring requirements listed in Section I.A.

Table 1 Facility-Wide Applicable Requirements

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
General						
I.A.1	WAC 173-400-040 WAC 173-400-040 (STATE ONLY)	9/23/93 2/10/05	All emission units are required to use RACT.	No monitoring required	N/A	N/A
Opacity Standards						
I.A.2	Puget Sound Clean Air Agency Reg I: 9.03 (except for 9.03(e)) Puget Sound Clean Air Agency Reg. I: 9.03 (STATE ONLY) WAC 173-400-040(1) WAC 173-400-040(1) (STATE ONLY)	3/11/99 3/25/04 9/23/93 2/10/05	Graymont shall not emit any air pollutants which exhibit greater than 20% opacity for a period or periods aggregating more than 3 minutes in any hour	II.A.1(a) Opacity Monitoring	More than 3 min. in any 1 hr	Ecology Reference Method 9A, 7/12/90 (See Section X)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Particulate Matter Standards						
I.A.3	Puget Sound Clean Air Agency Reg I: 9.09	4/9/98	Graymont shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in a manufacturing process.	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution dated 8/11/83
I.A.4	WAC 173-400-060 WAC 173-400-060 (STATE ONLY).	3/22/91 2/10/05	Graymont shall not emit particulate matter in excess of 0.1 gr/dscf uncorrected for excess air from general process units	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	EPA Method 5 (40 CFR Part 60, Appendix A, July 1, 2005)
I.A.5	WAC 173-400-050(1) WAC 173-400-050(1) (STATE ONLY)	3/22/91 2/10/05	Graymont shall not emit particulate matter in excess of 0.1 gr/dscf corrected to 7% O ₂ from combustion and incineration units.	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	EPA Method 5 (40 CFR Part 60, Appendix A, July 1, 2005)
SO₂ Standards						
I.A.6	Puget Sound Clean Air Agency Reg I: 9.07 WAC 173-400-040(6) first paragraph only. WAC 173-400-040(6) (STATE ONLY)	4/14/94 9/23/93 2/10/05	Graymont shall not emit SO ₂ in excess of 1,000 ppmv (dry) corrected to 7% O ₂ for fuel burning equipment	No monitoring required	(3) 1-hour runs	EPA Method 6C (40 CFR Part 60, Appendix A, July 1, 2005)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
HCl Standards						
I.A.7	Puget Sound Clean Air Agency Reg. I: 9.10(a) (STATE ONLY)	6/9/88	Graymont shall not emit HCl in excess of 100 ppm (dry) corrected to 7% O ₂ for combustion sources	No monitoring required	(3) 1-hour runs	EPA Method 26 or 26A (40 CFR Part 60, Appendix A; July 1, 2005)
Nuisance Standards						
I.A.8	WAC 173-400-040(5) <i>Puget Sound Clean Air Agency Reg. I: 9.11 (STATE ONLY)</i> WAC 173-400-040(5) (STATE ONLY) WAC 173-400-040(2) (STATE ONLY) RCW 70.94.040 (STATE ONLY)	8/20/93 3/11/99 2/10/05 2/10/05 1996	Graymont shall not emit air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	NA	NA
I.A.9	WAC 173-400-040(4) (STATE ONLY)	2/10/05	Graymont shall use recognized good practice and procedures to reduce to a minimum odors which may unreasonably interfere with any other property owners' use and enjoyment of their property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Fugitive Emissions Standards						
I.A.10	WAC 173-400-040(3) WAC 173-400-040(3) <i>(STATE ONLY)</i> WAC 173-400-040(8) WAC 173-400-040(8) <i>(STATE ONLY)</i>	9/23/93 2/10/05 9/23/93 2/10/05	Graymont shall take reasonable precautions to prevent release of fugitive dust.	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
I.A.11	Puget Sound Clean Air Agency Reg. I: 9.15	3/11/99	<p>(a) Graymont shall not cause or allow visible emissions of fugitive dust unless reasonable precautions are employed to minimize the emissions. Reasonable precautions include, but are not limited to, the following:</p> <ol style="list-style-type: none"> (1) The use of control equipment, enclosures, and wet (or chemical) suppression techniques, as practical, and curtailment during high winds; (2) Surfacing roadways and parking areas with asphalt, concrete, or gravel; (3) Treating temporary, low-traffic areas (e.g., construction sites) with water or chemical stabilizers, reducing vehicle speeds, constructing pavement or rip rap exit aprons, and cleaning vehicle undercarriages before they exit to prevent the track-out of mud or dirt onto paved public roadways; or (4) Covering or wetting truck loads or allowing adequate freeboard to prevent the escape of dust-bearing materials <p>(b) Compliance with the provisions of this section shall not relieve Graymont of the responsibility of complying with Reg. I: 9.11.</p>	<p>II.A.1(b) Complaint Response</p> <p>II.A.1(c) Facility-Wide Inspections</p>	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Operations and Maintenance Standards						
I.A.12	Puget Sound Clean Air Agency Reg. I: 9.20(b)	6/9/88	Graymont shall maintain equipment not subject to Puget Sound Clean Air Agency Reg. I, Section 9.20(a) in good working order	II.B Operation and Maintenance (O&M) Plan Requirements	N/A	N/A
I.A.13	Puget Sound Clean Air Agency Reg. I: 7.09(b)	9/10/98	Graymont shall develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III	II.B Operation and Maintenance (O&M) Plan Requirements	NA	NA
I.A.14	RCW 70.94.152(7) (STATE ONLY)	1996	Must maintain and operate equipment requiring an NOC in good working order	II.B Operation and Maintenance (O&M) Plan Requirements	NA	NA
I.A.15	RCW 70.94.040 (STATE ONLY)	1996	Except where specified in a variance permit, as provided in RCW 70.94.181 , it shall be unlawful for any person to cause air pollution or permit it to be caused in violation of chapter 70.94 RCW, or of any ordinance, resolution, rule or regulation validly promulgated thereunder.	No monitoring required	N/A	N/A

B. EMISSION UNIT SPECIFIC APPLICABLE REQUIREMENTS

The requirements in Section I.B. only apply to the specific emission units cited; however, the requirements in Section I.A. also apply. If the monitoring and recordkeeping method for any requirement in Section I.A. was more extensive for specific emission units, the requirement was repeated in this section with the additional monitoring and recordkeeping requirements.

1. Emission Unit #1 (EU-1): Calcining Kiln

This emission unit consists of the Calcining Kiln and Baghouse for manufacturing of lime.

Table 2 (EU-1) Calcining Kiln

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.1	Puget Sound Clean Air Agency Reg I: 9.03 (except for 9.03(e)) Puget Sound Clean Air Agency Reg. I: 9.03 (STATE ONLY) WAC 173-400-040(1) WAC 173-400-040(1) (STATE ONLY)	3/11/99 3/25/04 9/23/93 2/10/05	Graymont shall not emit any air pollutants which exhibit greater than 20% opacity for a period or periods aggregating more than 3 minutes in any hour	II.A.2(a) Daily Visible Emissions Monitoring	More than 3 min. in any 1 hr	Ecology Reference Method 9A, 7/12/90 (See Section X)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.2	Puget Sound Clean Air Agency Reg I: 9.09	4/9/98	Graymont shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in a manufacturing process.	II.A.2(a) Daily Visible Emissions Monitoring II.A.2(c) Calcining (Lime) Kiln PM Testing II.C Compliance Assurance Monitoring (CAM)	(3) 1-hour runs	40 CFR 60, Appendix A, Reference Method 5D as modified by Puget Sound Clean Air Agency (see Section X)
EU-1.3	Order of Approval No. 5619, Condition 4	12/22/94	PM ₁₀ emission rate from the calcining kiln baghouse shall not exceed 20.1 lb/hr	II.A.2(a) Daily Visible Emissions Monitoring II.A.2(c) Calcining (Lime) Kiln PM Testing II.C Compliance Assurance Monitoring (CAM)	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

NA = Not Applicable

2. Emission Unit #2 (EU-2): Coal Handling and Storage System

This emission unit consists of Coal Unloading, Handling, Transload, and Storage Equipment.

Table 3 (EU-2) Coal Handling and Storage System

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
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Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-2. 1.	Order of Approval No. 2121A Condition	03/18/81	Specific Condition: Coal shall not exceed 1.0% sulfur by weight	II.A.2(b) Fuel Sulfur Monitoring	NA	ASTM D3176, ASTM D2234-76, ASTM D4239 for Sulfur in Coal (See Section X)
EU-2. 2.	Order of Approval No. 5619, Condition 8	12/22/94	PM ₁₀ emission rate from the coal baghouse shall not exceed 0.5 lb/hr	II.A.1(a) Opacity Monitoring	At least 1-hr per run	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

NA = Not Applicable

3. Emission Unit #3 (EU-3): Lime Processing

This emission unit consists of lime processing and lime dust handling control and associated equipment with the MAC-120RPT 224 Baghouse and the MAC Filter 39AVSC III Baghouse. A 200 ton dolomitic lime storage silo and conveyor system, vented to an existing baghouse, was installed as an off-permit change after issuance of Order of Approval No. 8256 on September 6, 2000. Order No. 8256 has no special conditions. Another 200 ton dolomite lime storage silo and conveyor system, vented to a new 2,000 cfm baghouse, was installed as an off-permit change after issuance of Order of Approval No. 8350 on September 6, 2000.

Table 4 (EU-3) Lime Processing

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-3. 1.	Order of Approval No. 5856; Condition 4	1/24/96	PM ₁₀ emissions from the MAC-120RPT 224 and the MAC filter 39AVSC III baghouse shall not exceed 0.02 gr/dscf	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)
EU-3. 2.	Order of Approval No. 5856; Condition 5	1/24/96	Opacity from the MAC Filter 39AVSC III baghouse shall not exceed 10% for 3 minutes in any 1 hour	II.A.1(a) Opacity Monitoring	More than 3 min. in any 1 hr	Ecology Reference Method 9A, 7/12/90 (See Section X)
EU-3. 3.	Order of Approval No. 5856; Condition 6	1/24/96	The MAC-120RPT 224 baghouse shall not exceed a total of 4,380 hours of operation in any consecutive 12-month period	II.A.2(d) Operating Logs	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-3. 4.	Order of Approval No. 8350; Condition 3	12/11/01	PM emissions shall not exceed 0.02 gr/dscf from this dolomite material handling system.	II.A.2(e) Dolomite baghouse inspection	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

NA = Not Applicable

4. Emission Unit #4 (EU-4): Hydrator--Atmospheric

This emission unit consists of the Hydrator-Atmospheric, Wet Scrubber, and associated equipment for the Lime Manufacturing Process.

Table 5 (EU-4) Hydrator--Atmospheric

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-4. 1.	Order of Approval No. 5619; Condition 5:	12/22/94	PM ₁₀ emission rate from the hydrator scrubber shall not exceed 1.2 lb/hr	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)
EU-4. 2.	Order of Approval No. 5619; Condition 6:	12/22/94	PM ₁₀ emission rate from the hydrate bag and silo baghouse shall not exceed 3.7 lb/hr	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

NA = Not Applicable

5. Emission Unit #5 (EU-5): Bulk Loading/Unloading

This emission unit consists of the Bulk Loading/Unloading Baghouse and associated equipment.

Table 6 (EU-5) Bulk Loading/Unloading

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-5. 1.	Order of Approval No. 5619; Condition 7	12/22/94	PM ₁₀ emission rate from the bulk loading/unloading baghouse shall not exceed 4.1 lb/hr	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

NA = Not Applicable

6. Emission Unit #6 (EU-6): Precipitated Calcium Carbonate (PCC) Plant

This emission unit consists of a Slaker, Carbonators, Demisters, Baghouses, and associated equipment for the manufacturing, storage and transfer of precipitated calcium carbonate. A 33,000 gallon carbonator vented to a demister was installed as an off-permit change after issuance of Order of Approval No. 8146 on June 13, 2000. Carbonator No. 2 (30 ton-per-day, 15' diameter x 13.5') for the PCC Pilot Plant (XPCC) controlled by a Demister (15' diameter x 13' long) rated at 2,500 cfm and 10 inches water pressure drop was installed as an off-permit change after issuance of Order of Approval No. 8351 on December 11, 2001. Two 40,000 gallon carbonators, each vented to a demister, were installed as an off-permit change after issuance of Order of Approval No. 8672 on June 10, 2002.

Table 7 (EU-6) Precipitated Calcium Carbonate (PCC) Plant

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-6. 1.	Order of Approval No. 5619; Condition 9 Order of Approval No. 8672; Condition 3	12/22/94 06/10/02	PM ₁₀ emission rates from each of the PCC plant carbonators shall not exceed 0.5 lb/hr	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)
EU-6. 2.	Order of Approval No. 8146; Condition 3	06/13/00	PM ₁₀ emission rates from demister on PCC Plant carbonator shall not exceed 0.5 lb/hr	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-6. 3.	Order of Approval No. 5619; Condition 10	12/22/94	PM ₁₀ emission rates from the PCC plant baghouse shall not exceed 3.9 lb/hr	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)
EU-6. 4.	Order of Approval No. 8351; Condition 3	12/11/01	PM ₁₀ emissions from Carbonator No. 2 shall not exceed 0.02 gr/dscf	II.A.2(f) Carbonator No. 2 inspection	(3) 1-hour runs	PM ₁₀ by EPA Method 5D, Puget Sound Clean Air Agency Method 5 or EPA Method 201A/202 July 1, 2005 (See Section X)

NA = Not Applicable

7. Emission Unit #7 (EU-7): Miscellaneous Facility Operations

This section contains insignificant emission units (and their ancillary equipment) as defined in WAC 173-401 and other equipment and activities that do not have specific applicable requirements as listed elsewhere in this permit. Insignificant emission units that are categorically exempt under WAC 173-401-532 are not listed in this section. There are no specific applicable requirements.

Table 8 (EU-7) Miscellaneous Facility Operations

Industrial Process	Equipment
Calcining Kiln	Pre-heater
	Drag Chain
	Backspill Elevator
Coal Unloading, Handling, Transloading, and Storage	Baghouse(s)
Limestone Handling	Stockpiles
	Conveyors
	Bins, Hopper(s), and Storage Areas
	Screen(s)
	Baghouse(s)/Dust Collector(s)
Lime Processing	Crushers
	Screens
	Conveyors
	Diversers
	Bins and Silos
	Baghouse(s)/Dust Collector(s)
Hydration	Mixing Equipment
	Secondary Hydrator
	Tanks (mixing and water make-up)
	Roller Mill
	Conveyors
	Baghouse(s)/Dust Collector(s)
XPCC Process	Two Reactor/Carbonators
	Demister
	Slaker
	Baghouse(s)/Dust Collector(s)

APPLICABLE REQUIREMENTS

NO EMISSION UNIT SPECIFIC STATE/Puget Sound Clean Air Agency REQUIREMENTS. However, general requirements of Section I.A. apply.

II. MONITORING, MAINTENANCE AND RECORDKEEPING PROCEDURES

A. *Minimum Monitoring and Maintenance Requirements.*

1. Facility-Wide Monitoring

(a) *Opacity Monitoring*

Graymont shall conduct inspections once-per-quarter of the facility for visible emissions, including

- Coal unloading, handling, transload, and storage equipment;
- Lime processing;
- Hydrator - atmospheric;
- Bulk loading/unloading baghouse and associated equipment; and
- Precipitated Calcium Carbonate (PCC) Plant.

Inspections are to be performed while the equipment is in operation during daylight hours. If visible emissions other than uncombined water are observed, Graymont shall, within 24 hours of the initial observation, take corrective action until there are no visible emissions or, alternatively, record the opacity using the reference test method, shut down the unit or activity until it can be repaired, or report a deviation under Section V.Q.1 of this permit.

If corrective action is initiated and completed within 24 hours of observing emissions or the equipment causing the visible emissions is shut down, the event is not a reportable deviation and is not required to be reported under Section V.Q.1 of this permit."

[WAC 173-401-615(1), 10/17/02]

(b) *Complaint Response*

Graymont shall record and investigate air pollution complaints as soon as possible, but no later than three days after receipt. Upon receiving a complaint, Graymont shall record:

- 1) The date and time of the complaint,
- 2) The name of the person complaining, if known,
- 3) The nature of the complaint, and
- 4) The date, time and nature of any corrective action taken.

Graymont shall also identify complaints regarding these emissions as follows:

- 1) Any emissions that are, or are likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property, or
- 2) Any emissions from fallout, or
- 3) Any track-out onto paved roads open to the public, or
- 4) Any emissions of odor-bearing air contaminants, or
- 5) Other emissions.

Graymont shall correct any problems identified by these inspections or complaint investigations as soon as possible, but no later than 24 hours after identification or shut down the unit or activity until it can be repaired or corrected or report the problem as a deviation under Section V.Q.

[WAC 173-401-615(1), 10/17/02]

(c) Facility-Wide Inspections

Graymont shall conduct a facility-wide inspection at least once-per-quarter. These inspections shall include checking for prohibited activities under Section III of the permit and activities that require additional approval under Section IV of the permit. The inspections shall also examine the general state of compliance with the general applicable requirements and the general effectiveness of the Operation & Maintenance (O&M) Plan.

The facility-wide inspection shall include an inspection of the facility for odor-bearing contaminants and emissions of any air contaminant in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property.

Graymont shall correct any problems identified by these inspections within 24 hours of identification or shut down the unit or activity until the problem can be corrected.

[WAC 173-401-615(1), 10/17/02]

(d) General Fugitive Dust

Graymont shall conduct visual facility-wide inspections once-per-month for fugitive dust while conducting any activities that are likely to generate fugitive dust. If any fugitive dust is observed or if any track-out onto Alexander Avenue is observed, Graymont shall clean the area within 24 hours, and Graymont shall employ preventive measures.

(e) Maintenance and Repair of Insignificant Emission Units

Graymont shall use good industrial practices to maintain insignificant emission units and equipment not listed in this permit. For such equipment, Graymont shall also promptly repair defective equipment. [WAC 173-401-615(1), 10/17/02]

2. Specific Monitoring

(a) Daily Visible Emissions Monitoring

Graymont shall conduct daily visual inspections of the calcining kiln baghouse during daylight hours when the equipment is operating. If visible emissions other than uncombined water are observed, Graymont shall, within 24 hours of the initial observation, take corrective actions until there are no visible emissions, or record the opacity using the reference test method, shut down the unit or activity until equipment can be repaired, or report a deviation under Section V.Q.1 of this permit.

Graymont shall employ preventive measures to correct recurrence of visible emission problems. Graymont shall record all preventive measures used to correct visible emission problems and incorporate these preventive measures into the O&M Plan.

[WAC 173-401-615(1)(b), 10/17/02]

(b) Fuel Sulfur Monitoring

Graymont shall only burn coal in the calcining kiln that has been certified by the supplier or tested by Graymont and shown to have 1.0% or less of sulfur by weight, using 40 CFR 60.17(a):

- ASTM D3176–74, *Standard Method for Ultimate Analysis of Coal and Coke*, IBR approved January 27, 1983, for 60.45(f)(5)(i);
- ASTM D2234–76, *Standard Methods for Collection of a Gross Sample of Coal*, IBR approved January 27, 1983, for Appendix A to part 60,
- Method 19 (as required by Order of Approval No. 2121A); ASTM Methods 5016-95 and 5016-98, “*Standard Test Method for Sulfur in Ash from Coal and Coke Using High-Temperature Tube Furnace Combustion Method with Infrared Absorption*” or
- ASTM D4239–85, *Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods*, IBR approved for Appendix A to part 60, Method 19.

Graymont shall either return any fuel received that exceeds 1.0% sulfur or report a deviation under Section V.Q.1 of this permit.

[WAC 173-401-615(1)(b), 10/17/02]

(c) Calcining (Lime) Kiln PM Testing

Graymont shall conduct periodic compliance source tests of the calcining kiln baghouse exhaust using Washington Department of Ecology Method 9A and EPA Method 5D, following Regulation I, Section 3.07. Graymont may test as few as two of the ten compartments of the lime kiln baghouse if these compartments are demonstrated to have representative flow rates and such demonstration is approved by the Puget Sound Clean Air Agency Control Officer. Graymont shall report the results of each test as provided in Section V.N.1. If the emission limits of either EU-1.2 or EU-1.3 are exceeded, the source testing shall be conducted at a frequency no less than once per calendar year until two consecutive years in compliance with those requirements are demonstrated, whereupon the testing frequency may again be reduced to once every two years. [WAC 173-401-615(1)(b), 10/17/02]

(d) Operating Logs

Graymont shall monitor the hourly operation of the MAC-120RPT 224 baghouse each month and record the hours of operation during any consecutive 12-month period. Monthly operating hourly records shall be maintained for a period of five years from the date of record generation and shall be made available to Puget Sound Clean Air Agency personnel upon request. [Order of Approval No. 5856(7), 1/24/96]

(e) Dolomite baghouse inspection

Graymont shall inspect the Dolomitic Lime Silo and Conveyor System Baghouse pressure drop once per month to determine if operated within the range listed in the facility's Operation and Maintenance Plan and as recommended by the manufacturer. If Graymont observes the pressure drop is within this range no action is required. If Graymont observes the pressure drop is outside this range at any time, Graymont shall either take corrective action within 24 hours of the observation to return the pressure drop to within the recommended range as specified in the facility's Operation and Maintenance Plan, or Graymont shall shut down this unit until it can be repaired. [Order of Approval No. 8350(4), 12/11/01]

Graymont shall conduct annual internal inspections of the baghouse/bags in accordance with the Operation and Maintenance Plan and complete any necessary repairs within 24 hours of the inspection. [Order of Approval No. 8350(5), 12/11/01]

Graymont shall inspect this dolomite material handling system for visible emissions and fallout on a quarterly basis. If visible emissions are observed, Graymont shall take corrective action within 24 hours of the initial observation until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity until it can be repaired. [Order of Approval No. 8350(6), 12/11/01]

(f) Carbonator No. 2 inspection

Graymont shall conduct visual inspections of the Carbonator No. 2 Demister once per month when operating (during months the XPCC Carbonator is operating) to assure the demister is

properly positioned and undamaged. If Graymont observes the demister is properly positioned and undamaged no action is required. If Graymont observes the demister is improperly positioned or is damaged at any time, Graymont shall either take corrective action within 24 hours of the observation or Graymont shall shut down this unit until this unit can be repaired. [Order of Approval No. 8351(4), 12/11/01]

Graymont shall inspect the Carbonator No. 2 system for visible emissions and fallout on a quarterly basis (during quarters the XPCC Carbonator is operating). If visible emissions are observed, Graymont shall take corrective action within 24 hours of the initial observation until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity until it can be repaired. [Order of Approval No. 8351(5), 12/11/01]

B. Operation and Maintenance (O&M) Plan Requirements

1. General Requirements

Graymont shall develop and implement an operation and maintenance plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II, and III. A copy of the plan shall be filed with the Control Officer upon request. The plan shall reflect good industrial practice and shall include, but not be limited to, the following:

- (1) Periodic inspection of all equipment and control equipment;
- (2) Monitoring and recording of equipment and control equipment performance;
- (3) Prompt repair of any defective equipment or control equipment;
- (4) Procedures for start up, shut down, and normal operation;
- (5) The control measures to be employed to assure compliance with Section 9.15 of Regulation I; and
- (6) A record of all actions required by the plan.
- (7) The plan shall be reviewed by the source owner or operator at least annually and updated to reflect any changes in good industrial practice.
- (8) For insignificant emission units, refer to the requirements stated in Section II.A.1 of this permit.

Determination of whether good industrial practice is being used will be based on available

In most instances, following the manufacturer's operations manual or equipment operational schedule, minimizing emissions until the repairs can be completed and taking measures to prevent recurrence of the problem may be considered good industrial practice.

information such as monitoring results, opacity observations, review of operations and maintenance procedures, and checks of the emission unit or equipment. The specific provisions of the O&M Plan, other than those required by Condition Section II A, shall not be deemed part of this permit.

[Puget Sound Clean Air Agency Reg. I: 7.09(b) (9/10/98)]

C. Compliance Assurance Monitoring (CAM)

1. Applicability

The compliance assurance monitoring (CAM) requirements in 40 CFR Part 64 apply to Emission Unit No. 1 (EU-1), the calcining kiln and baghouse, with respect to the particulate emission limitations identified in requirements EU-1.2, and EU-1.3. [40 CFR 64.2 (10/22/97)]

2. Monitoring Approach

Graymont shall monitor baghouse opacity using the methods specified in permit Section II.A.2(a). [40 CFR 64.3 and 64.6(c)(1) (10/22/97)]

3. Quality Assurance and control procedures

Visible emissions observers shall be trained and certified as provided in EPA Method 9. Graymont shall conduct compliance source tests, as provided in Section II.A.2(c), to confirm compliance with requirements EU-1.2 and EU-1.3. [40 CFR 64.3(b)(3) and 64.6(c)(1) (10/22/97)]

4. Obligation to monitor and data availability requirement

Graymont shall perform the monitoring specified in this Section at all times that the calcining kiln and baghouse is in operation. [40 CFR 64.7 and 64.6(c)(3)-(4) (10/22/97)]

5. Definition of an excursion

An excursion is defined as each baghouse opacity reading taken in accordance with Section II.A.2(a) that shows visible emissions other than uncombined water. An excursion does not necessarily indicate an exceedance of the applicable particulate emission standards referenced in II.C.1 above, nor does evidence of an excursion preclude Graymont from certifying continuous compliance as provided in Section V.M of this permit, if Graymont has other data on which to base a determination of compliance during the reporting period in which the excursion occurred. [40 CFR 64.6(c)(2) (10/22/97); 40 CFR 70.6(c)(5)(iii)(C) (6/27/03)]

6. Response to an excursion

Upon detecting an excursion, Graymont shall restore operation of the calcining kiln and baghouse and the affected baghouse to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practice for minimizing emissions. Compliance with the corrective action requirements in Section II.A.2(a) fulfils this requirement.

[40 CR 64.7(d) and 64.6(c)(3) (10/22/97)]

7. Quality Improvement Plan (QIP)

Graymont will develop a QIP if there are more than six reportable excursions during any semi-annual reporting period referenced in Section V.Q.2 of this permit. [40 CFR 64.8 and 64.6(c)(3) (10/22/97)]

8. Reporting

The monthly deviation report required by Section V.Q.1 shall include:

- 1) Summary information on the number, duration and cause (including unknown cause, if applicable) of each excursion and the corrective action taken;
- 2) Summary information on every failure to meet the data availability requirement in II.C.4; and
- 3) A description of the actions taken to implement a QIP during the reporting period, if required. Upon completion of a QIP, Graymont shall include documentation that the implementation of the plan has been completed and describe how that plan has reduced the likelihood of occurrence of similar excursions in the next monthly deviation report required by Section V.Q.1.

[40 CFR 64.9(a) and 64.6(c)(3) (10/22/97)]

9. Recordkeeping

The recordkeeping required by Section V.O shall include records of the monitoring data described in this section, corrective actions taken pursuant to II.C.5, any QIP prepared under II.C.7, and any activities taken to implement a QIP. Instead of paper records, Graymont may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks or microfiche, provided that the use of such alternative media allows for expeditious inspection and review. [40 CFR 64.9(b) and 64.6(c)(3) (10/22/97)]

III. PROHIBITED ACTIVITIES

Graymont is prohibited from conducting, causing, or allowing the following activities:

A. Adjustment for Atmospheric Conditions

Varying the rate of emissions of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant is prohibited, except as directed according to air pollution episode regulations. [WAC 173-400-205, 8/20/93]

B. Open Burning

Graymont shall not conduct open burning during any stage of an air pollution episode or period of impaired air quality and shall not conduct any open burning other than the following types:

- 1) Fires consisting solely of charcoal, propane, natural gas, or wood used solely for the preparation of food, and
- 2) Fires for instruction in the methods of fighting fires, provided that the person conducting the training fire complies with Puget Sound Clean Air Agency Regulation I, Section 8.07.

[Puget Sound Clean Air Agency Regulation I, Sections 8.04, 11/09/02] [WAC 173-425-020(1), 1/1/93; WAC 173-425-050(1), 1/1/93; RCW 70.94.743, 1998 c68 p1 and RCW 70.94.775(2), 1995 c 362p2 State/Puget Sound Clean Air Agency only]

C. Refuse Burning

Graymont shall not cause or allow the burning of combustible refuse except in a multiple chamber incinerator provided with control equipment. Graymont shall not operate refuse burning equipment any time other than daylight hours. [Puget Sound Clean Air Agency Regulation I, Section 9.05, 12/9/93]

D. Concealment

Graymont shall not cause or allow the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of an air contaminant which would otherwise violate Puget Sound Clean Air Agency Regulation I, Article 9 or Chapter 173-400 WAC. [WAC 173-400-040(7), 8/20/93] [Puget Sound Clean Air Agency Regulation I, Section 9.13(a), 6/9/88, State/Puget Sound Clean Air Agency only]

E. Masking

Graymont shall not cause or allow the installation or use of any device or use of any means designed to mask the emission of an air contaminant that causes detriment to health, safety or welfare of any person or conceals or masks an emission of an air contaminant that would

otherwise violate Regulation I, Article 9 or Chapter 173-400 WAC. [WAC 173-400-040(7), 8/20/93] [Puget Sound Clean Air Agency Regulation I, Section 9.13(b), 6/9/88, State/Puget Sound Clean Air Agency only]

F. Circumvention

Graymont shall not build, erect, install, or otherwise use any article, machine, equipment or process, the use of which would otherwise constitute a violation of an applicable standard in 40 CFR Part 60. [40 CFR 60.12, 3/8/74]

G. Tampering

Graymont shall not render inaccurate any monitoring device or method required under Chapter 70.94 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto. [WAC 173-400-105(8), 8/21/98]

H. False Statements

Graymont shall not make any false material statement, representation or certification in any form, notice, or report required under Chapter 70.94 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto. [WAC 173-400-105(7), 8/21/98]

IV. ACTIVITIES REQUIRING ADDITIONAL APPROVAL

Graymont shall file notification and obtain the necessary approval from Puget Sound Clean Air Agency before conducting any of the following:

A. New Source Review

Graymont shall not construct, install, establish, or modify an air contaminant source, except those sources that are excluded by Puget Sound Clean Air Agency Regulation I, Section 6.03(b), unless a “Notice of Construction and Application for Approval” has been filed with and approved by Puget Sound Clean Air Agency. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 9/12/96], [Puget Sound Clean Air Agency Regulation I, Section 6.01, 3/26/06; Puget Sound Clean Air Agency Regulation I, Section 6.03, 10/26/06; WAC 173-460-040, 1/14/94; RCW 70.94.152, 1996 c 67p1, 1996 c 29p1 State/Puget Sound Clean Air Agency only]

B. Replacement or Substantial Alteration of Emission Control Technology

Graymont shall file a Notice of Construction and Application for Approval according to WAC 173-400-114 with Puget Sound Clean Air Agency before replacing or substantially altering any emission control technology installed at the facility. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 11/19/92] [Puget Sound Clean Air Agency Regulation I, Section 6.01, 3/26/06; Puget Sound Clean Air Agency Regulation I, Section 6.03, 10/26/06; WAC 173-400-114, 9/20/93; RCW 70.94.153, 1991 c 199p303 State/Puget Sound Clean Air Agency only]

C. Asbestos

Graymont shall comply with 40 CFR 61.145 and 61.150 when conducting renovation or demolition activities at the facility. [40 CFR 61.145 and 61.150]

Graymont shall comply with Puget Sound Clean Air Agency Regulation III, Article 4 when conducting any asbestos project, renovation, or demolition activities at the facility. [Puget Sound Clean Air Agency Regulation III, Article 4, 3/27/03]

D. Spray Coating.

- (a) Puget Sound Clean Air Agency Regulation I, Section 9.16 applies to Graymont.
- (b) Exemptions. The following activities are exempt from the provisions of Sections 9.16(c) and (d) of this regulation. Persons claiming any of the following spray-coating exemptions shall have the burden of demonstrating compliance with the claimed exemption.
 - (1) Application of architectural or maintenance coatings to stationary structures (e.g., bridges, water towers, buildings, stationary machinery, or similar structures);
 - (2) Aerospace coating operations subject to 40 CFR Part 63, Subpart GG. This includes all activities and materials listed in 40 CFR 63.741(f);

- (3) Use of high-volume, low-pressure (HVLP) spray guns when:
 - (A) Spray-coating operations do not involve motor vehicles or motor vehicle components;
 - (B) The gun cup capacity is 8 fluid ounces or less;
 - (C) The spray gun is used to spray-coat less than 9 square feet per day per facility;
 - (D) Coatings are purchased in containers of 1 quart or less; and
 - (E) Spray-coating is allowed by fire department, fire marshal, or other government agency requirements.
 - (4) Use of air-brush spray equipment with 0.5 to 2.0 cfm airflow and a maximum cup capacity of 2 fluid ounces;
 - (5) Use of hand-held aerosol spray cans with a capacity of 1 quart or less; or
 - (6) Indoor application of automotive undercoating materials using organic solvents having a flash point in excess of 100°F.
- (c) **General Requirements for Indoor Spray-Coating Operations.** It shall be unlawful for any person subject to the provisions of this section to cause or allow spray-coating inside a structure, or spray-coating of any motor vehicles or motor vehicle components, unless the spray-coating is conducted inside an enclosed spray area. The enclosed spray area shall employ either properly seated paint arresters, or water-wash curtains with a continuous water curtain to control the overspray. All emissions from the spray-coating operation shall be vented to the atmosphere through an unobstructed vertical exhaust vent.
- (d) **General Requirements for Outdoor Spray-Coating Operations.** It shall be unlawful for any person subject to the provisions of this section to cause or allow spray-coating outside an enclosed structure unless reasonable precautions are employed to minimize the overspray. Reasonable precautions include, but are not limited to the use of:
- (1) Enclosures and curtailment during high winds; and
 - (2) High-volume low-pressure (HVLP), low-volume low-pressure (LVLP), electrostatic, or air-assisted airless spray equipment. Airless spray equipment may be used where low viscosity and high solid coatings preclude the use of higher-transfer efficiency spray equipment.
- (e) **Compliance with Other Regulations.** Compliance with this regulation does not exempt any person from compliance with Regulation I, Section 9.11 and all other applicable regulations including those of other agencies.

[Puget Sound Clean Air Agency Regulation I, Section 9.16, 7/12/01]

E. NESHAPS

It shall be unlawful for any person to cause or allow the operation of any source in violation of any provision of Part 61 or Part 63, Title 40, of the Code of Federal Regulations (excluding Part 61, Subparts B, H, I, K, Q, R, T, and W; and Part 63, Subpart LL, the provisions of Subpart M pertaining to area source perchloro-ethylene dry cleaners, and the provisions of Subparts S and MM pertaining to kraft and sulfite pulp mills) in effect as of July 1, 2005, herein incorporated by reference. [Puget Sound Clean Air Agency Regulation III, Section 2.02, 9/26/02]

V. STANDARD TERMS AND CONDITIONS

A. Duty to comply

Graymont shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Chapter 70.94 RCW and, for federally enforceable provisions, a violation of the Federal Clean Air Act (FCAA). Such violations are grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [Puget Sound Clean Air Agency Regulation I, Section 7.05, 10/28/93, WAC 173-401-620(2)(a), 11/4/93]

B. Permit actions

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by Graymont for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [WAC 173-401-620(2)(c), 11/4/93]

C. Property rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [WAC 173-401-620(2)(d), 11/4/93]

D. Duty to provide information.

Graymont shall furnish to the Puget Sound Clean Air Agency, within a reasonable time, any information that the Puget Sound Clean Air Agency may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, Graymont shall also furnish to the Puget Sound Clean Air Agency copies of records required to be kept by the permit or, for information claimed to be confidential, Graymont may furnish such records directly to EPA Region 10 along with a claim of confidentiality. The Puget Sound Clean Air Agency shall maintain the confidentiality of such information in accordance with RCW 70.94.205. [WAC 173-401-620(2)(e), 11/4/93]

E. Permit fees

Graymont shall pay fees as a condition of this permit in accordance with the Puget Sound Clean Air Agency Regulation I, Article 7. Failure to pay fees in a timely fashion shall subject Graymont to civil and criminal penalties as prescribed in Chapter 70.94 RCW. [WAC 173-401-620(2)(f), 11/4/93]

F. Emissions trading

No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit. [WAC 173-401-620(2)(g), 11/4/93]

G. Severability

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable. [WAC 173-401-620(2)(h), 11/4/93]

H. Permit appeals

This permit or any condition in it may be appealed only by filing an appeal with the Pollution Control Hearings Board and serving it on the Puget Sound Clean Air Agency within thirty days of receipt, pursuant to RCW 43.21B.310 and WAC 173-401-735. The provision for appeal in this section is separate from and additional to any federal rights to petition and review found under §505(b) of the FCAA. [WAC 173-401-620(2)(i) and WAC 173-401-735, 11/4/93; RCW 70.94.221, 1970 ex.s.c 62p58]

I. Permit continuation

This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete application has been submitted. An application shield granted under WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied if a timely and complete permit application has been submitted. [WAC 173-401-620(2)(j), 11/4/93]

J. Federal enforceability

All terms and conditions of this permit are enforceable by the EPA administrator and by citizens under the FCAA, except for those terms and conditions designated in the permit as not federally enforceable. [WAC 173-401-625, 11/4/93]

K. Inspection and entry

Upon presentation of credentials and other documents as may be required by law, Graymont shall allow the Puget Sound Clean Air Agency or an authorized representative to:

- 1) Enter the premises of Graymont or where records must be kept under the conditions of this permit;
- 2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- 3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit; and
- 4) As authorized by WAC 173-400-105 and the FCAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

[WAC 173-401-630(2) 11/4/93] [RCW 70.94.200 State/Puget Sound Clean Air Agency only]

L. Compliance requirements

Graymont shall continue to comply with all applicable requirements with which the source is currently in compliance. Graymont shall meet on a timely basis any applicable requirements that become effective during the permit term. [WAC 173-401-630(3), WAC 173-401-510(2)(h)(iii) 11/4/93]

M. Compliance certifications

Graymont shall submit a certification of compliance with permit terms and conditions once per year by April 30th for the previous year (April 1 through March 31). Each certification shall include:

- 1) The identification of each term or condition of the permit that is the basis of the certification;
- 2) The compliance status;
- 3) Whether compliance was continuous or intermittent; and
- 4) The method(s) used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring, Maintenance and Recordkeeping Methods.

Submittal of a Puget Sound Clean Air Agency “OPERATING PERMIT – ANNUAL CERTIFICATION FORM,” completed in accordance with the instructions on the form, fulfills the requirements of this subsection.

All compliance certifications shall be submitted to EPA Region 10 and to Puget Sound Clean Air Agency, at the following addresses, within 30 days after the close of the period covered by the certification:

Puget Sound Clean Air Agency
Attn.: Operating Permit Certification
1904 Third Avenue – Suite 105
Seattle, Washington 98101

EPA Region 10, Mail Stop OAQ-107
Attn.: Air Operating Permits
1200 Sixth Avenue
Seattle, Washington 98101

[WAC 173-401-630(5) 11/4/93]

N. Compliance determination

1. General Emission Testing

- (a) For the purpose of determining compliance with an emission standard, the Puget Sound Clean Air Agency or Ecology may conduct testing of an emission unit or require Graymont to have it tested. In the event the Puget Sound Clean Air Agency or Ecology conduct the test, Graymont shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

- (b) Testing of sources for compliance with emissions standards shall be performed in accordance with the Reference Test Methods identified in Section I of this permit, except where this permit indicates that a specific Reference Test Method is not needed or appropriate.
- (c) Graymont shall notify the Puget Sound Clean Air Agency in writing at least 21 days prior to any compliance test. Notification of a compliance test shall be submitted on forms provided by the Agency. Test notifications using the Agency forms do not constitute test plans. Compliance with this notification provision does not satisfy any obligation found in an order or other regulatory requirement to submit a test plan for Agency review. Notification under this provision does not waive or modify test notification requirements found in other applicable regulations.
- (d) Unless otherwise specified, each test for particulate, PM₁₀, NO_x and sulfur dioxide shall consist of three separate runs and compliance shall be determined from the arithmetic average of the three runs. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of circumstances beyond the operator's control, compliance may, upon Control Officer approval, be determined from the arithmetic average of the two other runs.
- (e) Graymont, if required by the Puget Sound Clean Air Agency to perform a compliance test, shall submit a report to the Puget Sound Clean Air Agency no later than 60 days after the test. The report shall include:
 - (1) A description of the source and the sampling location;
 - (2) The time and date of the test;
 - (3) A summary of results, reported in units and for averaging periods consistent with the applicable emission standard;
 - (4) A description of the test methods and quality assurance procedures employed;
 - (5) The amount of fuel burned or raw material processed by the source during the test;
 - (6) The operating parameters of the source and control equipment during the test;
 - (7) Field data and example calculations; and
 - (8) A statement signed by the senior management official of the testing firm certifying the validity of the source test report

[WAC 173-400-105(4), 9/20/93; Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94; and Puget Sound Clean Air Agency Regulation I, Section 3.07, 2/9/95] [Puget Sound Clean Air Agency Regulation I, Section 3.07, 3/23/06, *State/Puget Sound Clean Air Agency*

only]

2. Credible Evidence

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. [Puget Sound Clean Air Agency Regulation I, Section 3.06; 10/08/98; 40 CFR 51.212, 40 CFR 52.12, 40 CFR 52.33]

O. Recordkeeping

Graymont shall maintain the following:

- (1) Records of required monitoring information that include the following if applicable:
 - (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 such analyses; and
 - (f) The operating conditions existing at the time of sampling or measurement.

[WAC 173-401-615(2), 10/17/02]

- (2) Records describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. [WAC 173-401-615(2), 10/17/02]
- (3) CAM records described in condition II.C.9 [40 CFR 64.9(b) and 64.6(c)(3), 10/22/97].
- (4) Records of all monitoring data and support information required by this permit shall be retained by Graymont for a period of five years from the date of the monitoring, sample, measurement, record or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [WAC 173-401-615(2), 10/17/02], [Order of Approval No. 8350(7), 12/11/01], [Order of Approval No. 8351(5), 12/11/01]
- (5) Graymont shall document all inspections, tests and other actions required by the O&M Plan and Section II.A of this permit, including who conducted the inspection, tests or other

actions; and the date and the results of the inspection, tests or other actions including corrective actions. All such records shall be signed and dated. Graymont shall maintain records of all inspections, tests, and other actions required by the O&M Plan on site and available for Puget Sound Clean Air Agency review. [Puget Sound Clean Air Agency Regulation I, Section 7.09(b), 9/10/98], [Order of Approval No. 8350(7), 12/11/01], [Order of Approval No. 8351(6), 12/11/01]

- (6) Graymont shall maintain a contemporaneous record of all deviations. [WAC 173-401-615(3)(b), 10/17/02]

P. Data recovery

Graymont shall recover valid monitoring and recordkeeping data for each parameter according to any specific monitoring and recordkeeping requirements identified in Section II of this permit. However, if such requirements are silent on data recovery provisions, data recovery is assumed to be 100% [WAC 173-401-615(1)(b) 10/17/02].

Q. Reporting

1. Deviation Report

Graymont shall report in writing to Puget Sound Clean Air Agency Operating Permit Certification any and all instances of deviations from the permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of the deviations, and any corrective actions or preventive measures taken. "Deviation" means any situation in which an emission unit fails to meet a permit term or condition. For each CAM excursion recorded under Section II.C of the permit the report shall include the information described in Condition II.C.8 of the permit, including any required information on implementation of a QIP. Graymont shall maintain a contemporaneous record of all deviations. Graymont shall report any deviations to the Puget Sound Clean Air Agency that represent a potential threat to human health or safety by FAX (206-343-7522) as soon as possible but no later than 12 hours after such a deviation is discovered. Graymont shall report other deviations in writing to Puget Sound Clean Air Agency Operating Permit Certification no later than 30 days after the end of the month during which the deviation is discovered. A Deviation Report *may* be certified by a responsible official as provided in V.Q.3 at the time of submittal; however it is not required to be certified at the time of submittal. Any Deviation Report *not* certified at the time of submittal must be certified in the semiannual Certification of Reports as per V.Q.2 Submittal of a Puget Sound Clean Air Agency "OPERATING PERMIT – DEVIATION REPORT FORM," completed in accordance with the instructions on the form, fulfills the requirements of this subsection. [WAC 173-401-615(3)(b), 10/17/02; 40 CFR 64.9(a) and 64.6(c)(3), 10/22/97]

2. Certification of Reports (semiannual)

Graymont shall submit in writing to Puget Sound Clean Air Agency Operating Permit Certification a semi-annual report which shall summarize each permit report filed during the six-month period. Each Certification of Reports shall cover a six month interval ending March 31

and September 30, and shall be submitted within 30 days after the end of the period covered by the report. Each Certification of Reports shall be certified by a responsible official as provided in V.Q.3. The “Certification of Reports” need not duplicate information contained in another report. Deviation reports that are submitted pursuant to V.Q.1 within a given six-month reporting period may be summarized and certified by the responsible official in this semiannual Certification of Reports. If there were no instances of deviations from permit requirements during the six month period, the semi-annual report shall state that there were no instances of deviations from permit requirements. Submittal of a Puget Sound Clean Air Agency “OPERATING PERMIT – SEMI-ANNUAL CERTIFICATION OF REPORTS FORM,” completed in accordance with the instructions on the form, fulfills the requirements of this subsection. [PSD Permit 04-02, approval condition 12 (9/8/04), WAC 173-401-615(3)(a), 10/17/02]

3. Certification by Responsible Official

Any application form, report, or compliance certification (as required in Section V.M) submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. All certifications by a responsible official shall done be by the responsible official listed on the front page of this permit, unless that person designates a temporary substitute person who qualifies as a “responsible official” as defined in WAC 173-401-200(29), and that person signs “for” the responsible official listed on this permit. [WAC 173-401-520, 11/4/93]

4. Emission reporting

Graymont shall report annually to the Puget Sound Clean Air Agency listing those air contaminants emitted during the previous calendar year that equal or exceed the following in tons per year:

Carbon monoxide (CO) emissions.....25

Facility combined total of all toxic air
 contaminants (TAC) emissions.....6

Any single toxic air contaminant (TAC) emissions.....2

Nitrogen oxide (NO_x) emissions25

Particulate matter (PM₁₀) emissions25

Particulate matter (PM_{2.5}) emissions.....25

Sulfur oxide (SO₂) emissions.....25

Volatile organic compounds (VOC) emissions25

Annual emissions rates shall be reported to the nearest whole ton per year for only those contaminants that equal or exceed the thresholds above. Graymont shall maintain records of information necessary to document any reported emissions or demonstrate that the emissions were less than the above amounts. [Puget Sound Clean Air Agency Regulation I, Section 7.09(a), 9/10/98]

Graymont shall submit to the Puget Sound Clean Air Agency any additional information required by WAC 173-400-105(1) or Puget Sound Clean Air Agency Regulation III, Section 1.11. [Puget Sound Clean Air Agency Regulation III, Section 1.11, 12/12/96; WAC 173-400-105, 9/20/93, WAC 173-400-105, 2/10/05 State/Puget Sound Clean Air Agency only]

5. Summary of “Routine” required reports

Name of Report	Reqmt	Due date(s)	Certification requirement
Monthly Deviation Report	V.Q.1	30 days after the end of the month deviation occurs	May certify each report, but normal practice is to summarize and certify Deviation Reports in semiannual Certification of Reports as per V.Q.2
Certification of Reports (semiannual)	V.Q.2	April 30, October 30	Yes, in accordance with V.Q.3
Annual Compliance Certification	V.M	Annually, April 30	Yes, in accordance with V.Q.3

R. Emergencies

An emergency, as defined in WAC 173-401-645(1), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the conditions of WAC 173-401-645(3) are met.

- The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- An emergency occurred and that Graymont can identify the cause(s) of the emergency;
- The permitted facility was at the time being properly operated;
- During the period of the emergency Graymont took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
- Graymont submitted notice of the emergency to the Puget Sound Clean Air Agency within two (2) working days of the time when the emissions limitations were exceeded due to the emergency or shorter periods of time specified in an applicable requirement. This notice fulfills the requirement of WAC 173-401-615(3)(b) unless the excess emissions represent a potential threat to human health or safety. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

In any enforcement proceeding, Graymont has the burden of proof to establish the occurrence of an emergency. This provision is in addition to any emergency or upset provision contained in any applicable requirement. [WAC 173-401-645, 11/4/93]

S. Unavoidable excess emissions

Excess emissions due to startup or shutdown conditions, scheduled maintenance or upsets that are determined to be unavoidable under the procedures and criteria in WAC 173-400-107 shall be excused and not subject to penalty. For any excess emission that Graymont wants the Puget Sound Clean Air Agency to consider unavoidable and excusable under WAC 173-400-107, Graymont shall submit the information required under WAC 173-400-107. [WAC 173-400-107(2), 8/20/93]

T. Need to halt or reduce activity not a defense

It shall not be a defense for Graymont in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WAC 173-401-620(2)(b), 11/4/93]

U. Stratospheric ozone and climate protection

- (1) Graymont shall comply with the following standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
 - (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156;
 - (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40

- CFR 82.158;
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - (2) Graymont may switch from any ozone-depleting substance to any alternative approved pursuant to the Significant New Alternatives Program (SNAP), 40 CFR Part 82, Subpart G, without a permit revision but shall not switch to a substitute listed as unacceptable pursuant to such program. [40 CFR 82.174]
 - (3) Any certified technician employed by Graymont shall keep a copy of their certification at their place of employment. [40 CFR 82.166(1)]
 - (4) Graymont shall not willfully release any regulated refrigerant and shall use refrigerant extraction equipment to recover regulated refrigerant when servicing, repairing or disposing of commercial air conditioning, heating, or refrigeration systems. [RCW 70.94.970(2) and (4), 11/12/97 State/Puget Sound Clean Air Agency only]
 - (5) Graymont shall not sell, offer for sale, or purchase any of the following:
 - (a) A regulated refrigerant in a container designed for consumer recharge of a motor vehicle air conditioning system or consumer appliance during repair or service. This subsection does not apply to a regulated refrigerant purchased for the recharge of the air conditioning system of off-road commercial or agricultural equipment and sold or offered for sale at an establishment which specializes in the sale of off-road commercial or agricultural equipment or parts or service for such equipment; or
 - (b) Nonessential consumer products that contain chlorofluorocarbons or other ozone-depleting chemicals, and for which substitutes are readily available. Products affected under this subsection shall include, but are not limited to, party streamers, tire inflators, air horns, noise makers, and chlorofluorocarbon-containing cleaning sprays designed for noncommercial or non-industrial cleaning of electronic or photographic equipment.

[RCW 70.94.980, 1991 c199 p603.]

V. RACT satisfied

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of this permit issuance shall be considered RACT for the purposes of issuing this permit. [WAC 173-401-605(3), 11/4/93; RCW 70.94.031 State/Puget Sound Clean Air Agency only]

W. Risk management programs

In accordance with 40 CFR part 68, if Graymont has or receives more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, Graymont shall comply with the requirements of the Chemical Accident Prevention Provisions of 40 CFR part

68 no later than the following dates:

- Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or
- The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10, 1/6/99]

X. Definitions

Unless otherwise defined in this permit, the terms used in this permit shall have the same meaning ascribed to them in the referenced regulation. [WAC 173-401-200, 10/17/02]

Y. Duty to supplement or correct application

Upon becoming aware that it has failed to submit any relevant facts in a permit application or that it has submitted incorrect information in a permit application, Graymont shall promptly submit such supplementary facts or corrected information to the Puget Sound Clean Air Agency. [WAC 173-401-500(6), 10/17/02]

Insignificant emission units and activities at Graymont are subject to all applicable requirements set forth in Sections I.A, III and IV. This permit shall not require testing, monitoring, reporting or recordkeeping for insignificant emission units or activities except as required by Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 and their incorporation into this permit. Compliance with Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 as defined in the terms of this permit shall be deemed to satisfy the requirements of WAC 173-401-615 and 173-401-630(1). [WAC 173-401-530(2)(c), 10/17/02]

For insignificant emission units and activities, Graymont does not need to certify compliance under WAC 173-401-630(5). [WAC 173-401-530(2)(d), 10/17/02]]

An emission unit or activity that qualifies as insignificant solely on the basis of WAC 173-401-530(1)(a) shall not exceed the emission thresholds specified in WAC 173-401-530(4) until this permit is modified pursuant to Section VI.E of this permit and WAC 173-401-725. [WAC 173-401-530(6), 10/17/02]]

VI. PERMIT ACTIONS

A. Permit Renewal, Revocation And Expiration

- (1) **Renewal application.** Graymont shall submit a complete permit renewal application to the Puget Sound Clean Air Agency no later than 12 months prior to the expiration of this permit. The Puget Sound Clean Air Agency will send Graymont a renewal application no later than 18 months prior to the expiration of this permit. Failure of the Puget Sound Clean Air Agency to send Graymont a renewal application shall not relieve Graymont from the obligation to file a timely and complete renewal application. [WAC 173-401-710(1), 10/17/02]; WAC 173-401-500(2), 10/17/02]]
- (2) **Expired permits.** Permit expiration terminates Graymont's right to operate unless a timely and complete renewal application has been submitted consistent with WAC 173-401-710(1) and WAC 173-401-500. All terms and conditions of the permit shall remain in effect after this permit expires if a timely and complete permit application has been submitted. [WAC 173-401-710(3), 10/17/02]]
- (3) **Revocation of permits.** The Puget Sound Clean Air Agency may revoke a permit only upon the request of Graymont or for cause. The Puget Sound Clean Air Agency shall provide at least thirty days written notice to Graymont prior to revocation of the permit or denial of a permit renewal application. Such notice shall include an explanation of the basis for the proposed action and afford Graymont an opportunity to meet with the Puget Sound Clean Air Agency prior to Puget Sound Clean Air Agency's final decision. A revocation issued under this condition may be issued conditionally with a future effective date and may specify that the revocation will not take effect if Graymont satisfies the specified conditions before the effective date. Nothing in this subsection shall limit Puget Sound Clean Air Agency's authority to issue emergency orders. [WAC 173-401-710(4), 10/17/02]]

B. Administrative Permit Amendments

- (1) **Definition.** An "administrative permit amendment" is a permit revision that:
 - a) Corrects typographical errors;
 - b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at Graymont;
 - c) Requires more frequent monitoring or reporting by Graymont;
 - d) Allows for a change in ownership or operational control of a source where the Puget Sound Clean Air Agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Puget Sound Clean Air Agency;

- e) Incorporates into the permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of WAC 173-401-700, 173-401-725, and 173-401-800 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in WAC 173-401-600 through 173-401-650. [WAC 173-401-720(1), 11/4/93]
- (2) **Administrative permit amendment procedures.** An administrative permit amendment may be made by the Puget Sound Clean Air Agency consistent with the following:
- a) The Puget Sound Clean Air Agency shall take no more than sixty days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected states provided that it designates any such permit revisions as having been made pursuant to this paragraph.
- b) The Puget Sound Clean Air Agency shall submit a copy of the revised permit to EPA.
- c) Graymont may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. [WAC 173-401-720(3), 11/4/93]
- (3) **Permit shield.** The Puget Sound Clean Air Agency shall, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield in WAC 173-401-640 for administrative permit amendments made pursuant to part (1)(e) of this condition. [WAC 173-401-720(4), 11/4/93]

C. Changes not Requiring Permit Revisions

- (1) General.
- a) Graymont is authorized to make the changes described in this section without a permit revision, providing the following conditions are met:
- i) The proposed changes are not Title I modifications as defined in WAC 174-401-200(35);
- ii) The proposed changes do not result in emissions that exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;
- iii) The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and
- iv) Graymont provides EPA and the Puget Sound Clean Air Agency with written notification at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.
- b) Permit attachments. Graymont and the Puget Sound Clean Air Agency shall attach each notice to their copy of the relevant permit.

- (2) **Section 502(b)(10) changes.** Pursuant to the conditions in subsection (1) of this section, Graymont is authorized to make section 502(b)(10) changes (as defined in WAC 173-401-200(30)) without a permit revision.
- a) For each such change, the written notification required under subsection (1)(a)(iv) of this condition shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
 - b) The permit shield authorized under WAC 173-401-640 shall not apply to any change made pursuant to this paragraph.
- (3) **SIP authorized emissions trading.** Pursuant to the conditions in subsection (1) of this condition, Graymont is authorized to trade increases and decreases in emissions in the permitted facility, where the Washington state implementation plan provides for such emissions trades without requiring a permit revision. This provision is available in those cases where the permit does not already provide for such emissions trading.
- a) Under this subsection (3), the written notification required under subsection (1)(a)(iv) of this condition shall include such information as may be required by the provision in the Washington state implementation plan authorizing the emissions trade, including at a minimum, when the proposed change will occur, a description of each such change, any change in emissions, the permit requirements with which Graymont will comply using the emissions trading provisions of the Washington state implementation plan, and the pollutants emitted subject to the emissions trade. The notice shall also refer to the provisions with which Graymont will comply in the applicable implementation plan and that provide for the emissions trade.
 - b) The permit shield described in WAC 173-401-640 shall not extend to any change made under this paragraph. Compliance with the permit requirements that Graymont will meet using the emissions trade shall be determined according to requirements of the applicable implementation plan authorizing the emissions trade. [WAC 173-401-722, 10/17/02]]

D. Off Permit Changes

- (1) Graymont shall be allowed to make changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of existing permit conditions. Any change that is a Title I modification or is a change subject to the acid rain requirements under Title IV of the FCAA must be submitted as a permit revision.
- (2) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.
- (3) Graymont must provide contemporaneous written notice to the Puget Sound Clean Air Agency and EPA of each such change, except for changes that qualify as insignificant under WAC 173-401-530. 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.

- (4) The change shall not qualify for the permit shield under WAC 173-401-640.
- (5) Graymont shall keep a record describing changes made at Graymont 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.
- (6) When making a change under this section, Graymont shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152 and Puget Sound Clean Air Agency Regulation I, Article 6.

[WAC 173-401-724, 11/4/93]

E. Permit Modification

- (1) **Definition.** A permit modification is any revision to this permit that cannot be accomplished under provisions for administrative permit amendments under WAC 173-401-720.
- (2) **Procedures.** Minor permit modification procedures.
 - (a) Criteria.
 - (i) Minor permit modification procedures shall be used for those permit modifications that:
 - (A) Do not violate any applicable requirement;
 - (B) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
 - (C) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
 - (D) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that Graymont has assumed to avoid an applicable requirement to which Graymont would otherwise be subject. Such terms and conditions include:
 - (I) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the FCAA; and

- (II) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the FCAA;
- (E) Are not modifications under any provision of Title I of the FCAA;
- (ii) Notwithstanding (a)(i) of this subsection, and subsection (3) of this section, the Puget Sound Clean Air Agency may allow the use of minor permit modification procedures for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that the use of such minor permit modification procedures is explicitly provided for in the Washington state implementation plan or in applicable requirements promulgated by EPA and in effect on April 7, 1993.
- (b) Application. An application requesting the use of minor permit modification procedures shall meet the requirements of WAC 173-401-510 and shall include the following:
 - (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (ii) Graymont suggested draft permit;
 - (iii) Certification by a responsible official, consistent with WAC 173-401-520, of the truth, accuracy, and completeness of the application and that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
 - (iv) Completed forms for the Puget Sound Clean Air Agency to use to notify EPA and affected states as required under WAC 173-401-810 and 173-401-820.
- (c) Graymont's ability to make change. Graymont may make the change proposed in its minor permit modification application immediately after it files such application provided that those changes requiring the submission of a notice of construction application have been reviewed and approved by the Puget Sound Clean Air Agency. After Graymont makes the change allowed by the preceding sentence, and until the Puget Sound Clean Air Agency takes any of the actions specified in WAC 173-401-725(d), Graymont must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, Graymont need not comply with the existing permit terms and conditions it seeks to modify. However, if Graymont fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.
- (d) Permit shield. The permit shield under WAC 173-401-640 shall not extend to minor permit modifications.

- (3) **Group processing of minor permit modifications.** Consistent with WAC 173-401-725(3), the Puget Sound Clean Air Agency may process groups of a source's applications for certain modifications eligible for minor permit modification processing.
- (4) **Significant modification procedures.**
 - (a) **Criteria.** Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative permit amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude Graymont from making changes consistent with Chapter 173-401 WAC that would render existing permit compliance terms and conditions irrelevant.
 - (b) Significant permit modifications shall meet all requirements of Chapter 173-401 WAC, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal. The Puget Sound Clean Air Agency shall complete review on the majority of significant permit modifications within nine months after receipt of a complete application.

[WAC 173-401-725, 11/4/93]

F. Reopening for Cause

- (1) **Standard provisions.** This permit shall be reopened and revised under any of the following circumstances:
 - (a) Additional applicable requirements become applicable to Graymont with a remaining permit term of three or more years. Such a reopening shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to WAC 173-401-620(2)(j);
 - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit;
 - (c) The Puget Sound Clean Air Agency or EPA determine that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
 - (d) The Puget Sound Clean Air Agency or EPA determine that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (2) **Procedures.** Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

- (3) **Notice.** Reopening under this section shall not be initiated before a notice of such intent is provided to Graymont by the Puget Sound Clean Air Agency at least thirty days in advance of the date that the permit is to be reopened, except that the Puget Sound Clean Air Agency may provide a shorter time period in the case of an emergency.

[WAC 173-401-730, 11/4/93]

VII. PERMIT SHIELD

Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements contained in Sections I through VI of this permit that are specifically identified in this permit as of the date of permit issuance. [WAC 173-401-640(1)]

Nothing in this permit shall alter or affect the following:

- 1) The provisions of Section 303 of the FCAA (emergency orders), including the authority of the administrator under that section;
- 2) The liability of an owner or operator of Graymont for any violation of applicable requirements prior to or at the time of permit issuance;
- 3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the FCAA;
- 4) The ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- 5) The ability of the Puget Sound Clean Air Agency to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in chapter 252, Laws of 1993.

[WAC 173-401-640(4), 11/4/93]

VIII. INAPPLICABLE REQUIREMENTS

As of the date of permit issuance, the requirements listed below do not apply to Graymont. The permit shield applies to all requirements so identified. [WAC 173-401-640(2), 11/4/93]

40 CFR 63, Subpart AAAAA, National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants, does not apply. 40 CFR 63.7142 contains requirements for claiming area source status. An “area source” is a source that emits less than 10 tons per year of any single hazardous air pollutant (HAP) and less than 25 tons per year of any combination of HAP. The “litmus test” for Subpart AAAAA applicability is a test for hydrogen chloride emissions from the lime kiln, using prescribed methodology and procedures. Graymont had this test performed on the lime kiln on May 21, 2002, and the results indicated that the Graymont, Tacoma facility has the potential to emit HCl of approximately 1 ton per year. Graymont concluded that 40 CFR 63 Subpart AAAAA does not apply, and the Puget Sound Clean Air Agency concurs.

IX. INSIGNIFICANT EMISSION UNITS

A. Insignificant Emission Units and Activities

As of the date of permit issuance, the emission units listed below are defined as insignificant for the reasons indicated. Graymont does not have to certify these emission units are in compliance with the generally applicable requirements listed in Section I.A. of this permit. [WAC 173-401-530(2)(d)]

Unit	Basis for IEU Designation
Above ground 500 gal diesel storage tank & above ground 1000 gal used oil storage tank	WAC 173-401-533(2)(c) Loading and unloading gasoline storage tanks under 10,000 gallons capacity
Above ground 500 gal propane storage tank	WAC 173-401-533(2)(d) Loading and unloading storage of LPG tanks under 40,000 gallons capacity
Above ground 500 gal sulfuric acid storage tanks and above ground 1200 gal phosphoric acid storage tank	Estimated 0.35 tons/year of sulfuric acid mist breathing losses. WAC 173-401-533(2)(b) Operating, loading and unloading of storage tanks, not greater than 1100 gallon capacity, with lids or other appropriate closure, not for use with hazardous air pollutants (HAPs), maximum (max.) VP 550 mm Hg
Portable Hi-Vac vacuum cleaner, mobile yard sweeper and yard traffic	WAC 173-401-532(10) Internal combustion engines for propelling or powering a vehicle WAC 173-401-532(35) Cleaning and sweeping of streets and paved surfaces WAC 173-401-532(54) Fuel and exhaust emissions from vehicles in parking lots
PCC Storage Tanks and Slaked Lime Tanks	WAC 173-401-532(4) Storage tanks, reservoirs and pumping and handling equipment of any size, limited to soaps, lubricants, hydraulic fluid, vegetable oil, grease, animal fat, aqueous salt solutions or other materials and processes using appropriate lids and covers where there is no generation of objectionable odor or airborne particulate matter.

Insignificant emission units and activities at Graymont are subject to all applicable requirements set forth in Sections I.A, III, and IV. This permit does not require testing, monitoring, reporting or recordkeeping for insignificant emission units or activities except as required by Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20. Compliance with Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 shall be deemed to satisfy the requirements of WAC 173-401-615 and WAC 173-401-630(1). [WAC 173-401-530(2)(c), 10/17/02]

Where this permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, Graymont may certify continuous compliance if there were no observed, documented, or known instances of noncompliance during the reporting period. Where this permit requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, Graymont may certify continuous compliance when the testing, monitoring, and recordkeeping required by the permit revealed no violations during the period, and there were no observed, documented, or known instances of noncompliance during the reporting period. [WAC 173-401-530(2)(d), 10/17/02]

An emission unit or activity that qualifies as insignificant solely on the basis of WAC 173-401-530(1)(a) shall not exceed the emission thresholds specified in WAC 173-401-530(4) until this permit is modified pursuant to Section IV.E of this permit and WAC 173-401-725. [WAC 173-401-530(6), 10/17/02]

X. APPENDIXES

A. Non-EPA Test Methods

- (1) Puget Sound Clean Air Agency Method 5
- (2) Ecology Method 9A