



Serving Island, San Juan, Skagit and Whatcom Counties

Air Operating Permit – Draft 019R3

Sierra Pacific Industries Burlington Division

Mount Vernon, WA
April 10, 2026



PERMIT INFORMATION
SIERRA PACIFIC INDUSTRIES
14353 McFarland Road, Mount Vernon, WA 98273

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Expires: XX/XX/2031

Renewal Application Due: XX/XX/2030

ATTEST

This permit is issued in accordance with the provisions of Section 322 of the Regulation of the Northwest Clean Air Agency and the provisions of Chapter 173-401 Washington Administrative Code.

Pursuant to Section 322 of the Regulation of the Northwest Clean Air Agency and Chapter 173-401 Washington Administrative Code, Sierra Pacific Industries is authorized to operate subject to the terms and conditions of this permit.

Northwest Clean Air Agency Approval:

Date:

Robyn Nabstedt, EIT
Environmental Engineer

Date:

Agata McIntyre, P.E.
Engineering Manager

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SECTION 1 EMISSION UNIT DESCRIPTIONS

This table lists emission units and activities included in the Air Operating Permit (AOP) that are located at the Sierra Pacific Industries (SPI) facility located at 14353 McFarland Road, Mount Vernon, Washington, hereinafter referred to as SPI, the facility, owner or operator, or the permittee. The information presented here in Section 1 is for informational purposes only.

Table 1-1 Emission Units

Emission Unit Name/Description	Constructed/Modified Date	Control Device	Monitoring Device	Applicable Orders/Permits	Process Description
EU-1 Cogeneration Facility	2005	SNCR, Multiclone/ESP	COMS, NO _x , CO, O ₂ CEMS	OAC 938c, PSD 05-04 Amendment 3 (A3)	Electrical generation using a turbine and high-pressure steam provided by a biomass-fired, 430 MMBtu/hr, 250,000 lb/hr steam, McBurney Corp, water-wall boiler with a vibrating grate, a steam turbine, and a generator. Generates up to 28 MW of electricity. Provides 2,190 MMlb per year of low-pressure steam for heating.
EU-2 Cooling Tower	2005	None	None	OAC 938c	Condense steam
EU-3 Planer Mill	2005	Baghouse	Magnehelic Pressure Differential Readings	PSD 05-04 A3	The sawmill is currently permitted to process 400 MMbf/yr of dimensional lumber.
EU-4 Dry Kilns	2005	None	None	OAC 938c, PSD 05-04 A3	The dry kilns are currently permitted to process 400 MMbf/yr of dimensional lumber.
EU-5 Anti-mold Spray Chamber	2005	Mist eliminator pad	None	OAC 938c, PSD 05-04 A3	Treat all cut lumber to protect the wood and improve lumber appearance.
EU-6 Natural Gas Package Boiler	2011	Low NO _x burner/FGR	None	OAC 1089b	Natural gas fired package boiler (95 MMBtu/hr).

SECTION 2 STANDARD TERMS AND CONDITIONS

Terms and conditions in this section are administrative requirements, applicable when triggered, or generally applicable requirements from the Federal Clean Air Act (FCAA), Washington Administrative Code (WAC), or Northwest Clean Air Agency (NWCAA) regulations. Some requirements have been paraphrased for brevity. The language of the cited regulation takes precedence over a paraphrased requirement.

In accordance with WAC 173-401-625(2) (11/4/1993), citations in Section 2 designated "State Only" are not enforceable by the EPA Administrator or by citizens under the FCAA. They are not in the current Washington State Implementation Plan (SIP) approved by the Environmental Protection Agency (EPA) as listed in 40 CFR 52.2470(c) Tables 1 or 5 and are not WAC Title 173 Chapter 401 requirements delegated to NWCAA by the Washington Department of Ecology (Ecology).

"State only" WAC citations in effect as of March 15, 2025 are enforceable by NWCAA because they are adopted by reference in NWCAA 104.1 as amended July 10, 2025. All other terms and conditions are enforceable by NWCAA, EPA, and citizens under the authority of the FCAA.

Requirements labeled "*Directly Enforceable*" are legally enforceable requirements added into the AOP by NWCAA under either "gap-filling" authority (WAC 173-401-615(1)(b) & (c), (10/17/2002)) or "sufficiency monitoring" authority (WAC 173-401-630(1), (3/5/2016)) as cited in each permit term.

2.1. **Compliance Requirements**

2.1.1. **Duty to Comply**

2.1.1.1. WAC 173-401-620(2)(a) (3/15/2025)

The permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of Revised Code of Washington (RCW) 70A.15 and, for federally enforceable provisions, a violation of the FCAA. Such violations are grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.

2.1.1.2. State Only: NWCAA 322.3 (7/10/2025)

It shall be unlawful for any person to cause or allow the operation of any source subject to the requirements of chapter 173-401 WAC without complying with the provisions of chapter 173-401 WAC and any permit issued under its authority.

2.1.2. **Civil and Criminal Penalties**

2.1.2.1. State Only: WAC 173-400-230(2), -240 (3/15/2025), NWCAA Section 131, 132, & 133 (7/10/2025), and Section 113 of the FCAA

Any person who violates any of the provisions of RCW 70A.15 or 70A.25, violates any of the rules in force under such chapters, including the Regulation of the NWCAA, fails to take action as specified by an order issued pursuant to this chapter, or who commits or omits an act which procures, aids, or abets in the violation may incur a civil penalty in an amount as set forth in RCW 70A.15.3160 and NWCAA Section 133.

Persons in violation of RCW 70A.15, or any ordinance, resolution, or regulation in force pursuant thereto, may be subject to the criminal penalty provisions of RCW 70A.15.3150 and NWCAA Section 132.

At least 30 days prior to commencement of any formal enforcement action under RCW 70A.15.3150, RCW 70A.15.3160, or NWCAA Sections 132 or 133, the NWCAA shall serve written

notice of violation (NOV) to the alleged violator. The notice shall specify the provisions, orders, rules, or regulations alleged to be violated, and the facts alleged to constitute a violation thereof. The notice may also include an order pursuant to NWCAA Section 121 directing that necessary corrective action be taken within a reasonable time, or the NWCAA may require the alleged violator appear before the Pollution Control Hearings Board (PCHB) for a hearing pursuant to NWCAA Section 120. The notice shall offer the opportunity to meet with the NWCAA prior to commencement of enforcement action.

The NWCAA may require the alleged violator to respond in writing or in person within 30 days of the notice and specify the corrective action being taken. Failure to respond shall constitute a prima facie violation of this Regulation and the NWCAA may initiate action pursuant to NWCAA Sections 132, 133, 134, and 135.

2.1.2.2. *State Only: WAC 173-400-250 (9/20/1993) and NWCAA 133.2 (7/10/2025)*

Penalties, decisions, and orders issued may be appealed to the PCHB within 30 days after the NOV is served.

2.1.3. Need to Halt or Reduce Activity Not a Defense

WAC 173-401-620(2)(b) (3/15/2025)

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

2.1.4. Duty to Provide Information

WAC 173-401-620(2)(e) (3/15/2025)

The permittee shall furnish to the permitting authority, within a reasonable time, any information that the permitting authority may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the permitting authority copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality. The permitting authority shall maintain confidentiality of such information in accordance with RCW 70A.15.2510.

2.1.5. Confidential Information

State Only: NWCAA Section 114 (7/10/2025)

Whenever any records or other information other than ambient air quality data or emission data furnished to or obtained by NWCAA, relates to processes or production unique to the owner or operator, or are likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the NWCAA.

Nothing herein shall be construed to prevent the use of records or information by the NWCAA in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere: provided, that such analyses or summaries do not reveal any information otherwise confidential under the provisions of this section: provided further, that emission data furnished to or obtained by the Board shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at the office of the NWCAA.

2.1.6. Inspection and Entry

WAC 173-400-105(3) (9/20/1993) and WAC 173-401-630(2) (3/5/2016)
State Only: WAC 173-400-105(3) (3/15/2025) and NWCAA Sections 110 & 111 (7/10/2025)

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

- (i) Enter upon the permittee's premises where a Chapter 401 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) Have access to and copy, at reasonable times, any records that must be kept under the condition of the permit;
- (iii) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (iv) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

No person shall willfully interfere with or obstruct the Control Officer or any NWCAA employee and/or assigned agent in carrying out any lawful duty.

2.1.7. Investigation and Studies

State Only: NWCAA Section 110 (7/10/2025)

The Control Officer and/or his qualified agents may make any reasonable investigation or study which is necessary for the purpose of standards or any amendments thereto on reducing the amount or kind of contaminant.

When investigating conditions specific to the control, recovery or release of air contaminants, the Control Officer or his duly authorized representatives shall have the power to enter at reasonable times upon any private or public property, except non-multiple unit private dwellings housing two families or less.

If an authorized employee of the Agency, during the course of an inspection desires to obtain a sample of air contaminant, he shall notify the owner or lessee of the time and place of obtaining a sample so the owner or lessee has the opportunity to take a similar sample at the same time and place. A receipt shall be given to the owner or lessee for the sample obtained.

2.1.8. Source Testing

2.1.8.1. WAC 173-400-105(4) (9/20/1993)

To demonstrate compliance, NWCAA may conduct or require that a test be conducted of the source using approved EPA methods which are adopted by reference or approved procedures published by Ecology. The operator of a source may be required to provide the necessary platform and sampling ports to perform a test of an emissions unit. NWCAA shall be allowed to obtain a sample from any emissions unit. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

2.1.8.2. State Only: WAC 173-400-105(4) (3/15/2025)

To demonstrate compliance, the required test must be conducted using approved EPA methods from 40 CFR Parts 51, 60, 61 and 63 (in effect on February 12, 2025) or procedures contained in "Source Test Manual – Procedures for Compliance Testing," published by Ecology. All other language is the same as AOP Term 2.1.8.1.

2.1.8.3. State Only: NWCAA Section 367 and Appendix A (7/10/2025)

Source tests required by NWCAA to assess compliance with an air emission standard shall be conducted according to the following provisions:

- (i) A source test plan shall be submitted by email to the NWCAA at sourcetest@nwcleanairwa.gov for approval for all compliance source tests at least 30 days prior to scheduled testing. A summary of the test shall accompany the test plan and be submitted on a template provided by the NWCAA.
- (ii) Once a test plan has been approved, any changes in test dates or methodology shall require NWCAA approval. Failure to respond shall not constitute acceptance.
- (iii) Results of required source tests must be submitted by email to sourcetest@nwcleanairwa.gov within 60 days of completion of the test unless prior approval is granted by NWCAA.

2.1.9. Testing and Sampling

2.1.9.1. NWCAA 360.1 (2/14/1973)

Any person operating or using any article, machine, equipment or other contrivance shall provide and maintain such sampling and testing facilities as specified in the Order of Approval to Construct (OAC) or the AOP.

2.1.9.2. State Only: NWCAA Section 367 and Appendix A (7/10/2025)

All ambient monitoring, compliance testing, continuous emission monitoring systems (CEMS) and continuous opacity monitoring systems (COMS) required by a regulation, order, or permit issued by the NWCAA shall comply with the applicable requirements of Section 367 and Appendix A of the NWCAA Regulation. The applicable requirements of NWCAA Section 367 and Appendix A are in addition to any monitoring, testing, calibration or quality assurance/quality control requirements that otherwise apply.

Any person operating an AOP source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer.

The Control Officer may take such samples and perform any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Agency, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

Once initiated, a compliance test shall be completed unless interrupted by severe weather, test equipment failure or other conditions beyond control of the facility. Failure to complete a test shall be a violation of the requirement to test, and, in cases where the initial data indicate a non-compliance of the applicable emission standard, the results may be considered a violation of that standard.

2.1.10. Ambient Air and Continuous Emission Monitoring

2.1.10.1. NWCAA 365.1 (2/8/1989)

Any person operating an air contaminant source or an AOP source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer under the following provisions:

The Board or Control Officer may require any person operating any source to conduct a monitoring program on site or adjacent off site for emissions, ambient air concentrations or any other pertinent special studies deemed necessary.

All monitoring data shall be submitted in a form which the Board or Control Officer may require. Averaging time and collection periods will be determined by the Control Officer. Failure to record and/or report data as specified may be cause for a NOV to be issued.

All data and records shall be made available to the Control Officer upon request.

All instruments used to monitor compliance or for special studies must meet appropriate EPA performance specifications (40 CFR 60, Appendix B) and shall be calibrated and maintained in accordance with procedures approved by the Control Officer.

The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the NWCAA, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

The Board or the Control Officer may require additional reasonable monitoring be undertaken at any appropriate time to ensure compliance with NWCAA Regulation.

2.1.10.2. State Only: NWCAA Section 367 and Appendix A (7/10/2025)

All ambient air monitors shall be operated and maintained as required by the appropriate Sections of 40 CFR Parts 50 and 58.

A Quality Assurance (QA) manual and station log book shall be kept for all stations. Written calibration and precision/span check procedures shall be included in the QA manual. A station audit shall be conducted by the NWCAA at least once per year.

Unless subject to acid rain regulations (40 CFR Part 72 and 75), all CEMS shall be capable of meeting appropriate EPA performance specifications using procedures outlined in 40 CFR Part 60 Appendix B. CEMS subject to acid rain regulations shall be capable of meeting the specifications outlined in the appropriate section of 40 CFR Part 75.

All CEMS shall be operated in accordance with the appropriate section of 40 CFR Part 60 Appendix F, and the operator shall assess the operation of each CEMS daily.

COMS shall be maintained according to "Recommended Quality Assurance Procedures for Opacity Continuous Monitoring Systems" (EPA 340/1-86-10) and the manufacturer's procedures. All gaseous CEMS shall be maintained using the QA criteria of 40 CFR Part 60 Appendix F and the manufacturer's procedures.

Auditing of opacity monitors shall be conducted according to recommended procedures. Data accuracy assessments shall be conducted at least once every calendar quarter for gaseous monitors and at appropriate periodic intervals. Relative Accuracy Test Audits (RATA), Relative Accuracy Audits (RAA) and Cylinder Gas Audits (CGA) shall be employed as described in 40 CFR Part 60 (or 40 CFR Part 75 if the facility is subject to acid rain regulations).

Strip charts and approved data acquisition systems shall be used to capture and store data. All data must be retained for a period of at least five years and be available to the NWCAA upon request.

CEMS are required to maintain greater than 90 percent data availability on a monthly basis. A supplemental report shall be submitted if during any calendar month a CEMS fails to produce 90 percent data availability stating the reasons for the low data availability.

The following data shall be submitted to the NWCAA on a monthly basis or according to the applicable standard:

- (i) Time, date, magnitude, and cause of all emissions or temperatures which exceed the applicable standard(s).
- (ii) The cause and time periods of any bypass of the air pollution control equipment.

- (iii) The cause and time periods of CEMS downtime not associated with routine QA or maintenance operations.
- (iv) Data availability for each CEMS, listed by unit and parameter.
- (v) Supplemental report for system with less than or equal to 90 percent monthly data availability.
- (vi) Other data or information as required by the Control Officer.

2.1.11. Credible Evidence

40 CFR 51.212(c), 40 CFR 52.12, and 40 CFR 52.33 (2/24/1997)

For the purpose of 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.

2.2. Permit Terms

2.2.1. Permit Expiration and Renewal

WAC 173-401-610 (11/4/1993) and WAC 173-401-710 (10/17/2002)

This permit is issued for a fixed term of five years from date of issuance. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted. A complete permit renewal application shall be submitted to the NWCAA no later than the date established in the permit.

2.2.2. Permit Actions

WAC 173-401-620(2)(c) (3/15/2025)

This permit may be modified, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

2.2.3. Emissions Trading

WAC 173-401-620(2)(g) (3/15/2025)

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.

2.2.4. Emission Reduction Credits

WAC 173-400-131 and WAC 173-400-136 (4/1/2011)
State Only: WAC 173-400-136 (12/29/2012)

An emission reduction credit may be issued and used in accordance with the applicable regulations listed above.

2.2.5. Severability

WAC 173-401-620(2)(h) (3/15/2025)

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable.

2.2.6. Permit Appeals

WAC 173-401-620(2)(i) and WAC 173-401-735 (3/15/2025)

This permit or any conditions in it may be appealed only by filing an appeal with the pollution control hearings board and serving it on the NWCAA within thirty days of receipt. This provision for appeal is separate from and in addition to any federal rights to petition and review under section 505(b) of the FCAA.

2.2.7. Permit Continuation

WAC 173-401-620(2)(j) (3/15/2025)

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. If a timely and complete application has been submitted, an application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied.

2.2.8. Reopening for Cause

WAC 173-401-730 (11/4/1993)

The permit shall be reopened and revised under any of the following circumstances:

- (i) Additional requirements become applicable to the source with a remaining permit term of three or more years. Such a reopening shall be completed not later than 18 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);
- (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the EPA Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
- (iii) The NWCAA or the EPA Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
- (iv) The NWCAA or the EPA Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

2.2.9. Changes not Requiring Permit Revisions/Off-Permit Changes

WAC 173-401-722 and WAC 173-401-724 (3/15/2025)

The permittee may make the changes described in WAC 173-401-722 and WAC 173-401-724 without revising this permit, provided that the changes satisfy the criteria set forth in those sections.

2.2.10. Permit Modifications

WAC 173-401-720 and WAC 173-401-725 (3/15/2025)

This permit may be revised as provided in WAC 173-401-720 (administrative permit amendments) and 173-401-725 (permit modifications).

2.2.11. Property Rights

WAC 173-401-620(2)(d) (3/15/2025)

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

2.2.12. Definitions

NWCAA Section 200 (4/11/2019)

State Only: NWCAA Section 200 (7/10/2025)

Particular references to terms not otherwise defined in this permit or the associated Statement of Basis have the meaning assigned to them in the specific regulation being cited. The terms NWCAA, Ecology, and EPA shall mean the Northwest Clean Air Agency, the Washington State Department of Ecology, and the United States Environmental Protection Agency, respectively. FCAA means the Federal Clean Air Act.

2.2.13. Compliance Schedule

WAC 173-401-630(3) and WAC 173-401-510(2)(h)(iii) (3/5/2016)

The permittee shall continue to comply with all applicable requirements with which the source was in compliance as of the date of permit issuance. The permittee shall meet on a timely basis any applicable requirements that become effective during the permit term.

2.2.14. Permit Fees

2.2.14.1. WAC 173-401-620(2)(f) (3/15/2025)

The permittee shall pay fees as a condition of this permit in accordance with the NWCAA fee schedule.

2.2.14.2. State Only: NWCAA 322.4 (7/10/2025)

The NWCAA shall assess and collect annual AOP fees for sources in its jurisdiction that are required to have a Title V AOP (excluding sources regulated by WDOE directly). The total fees required to administer the program shall be determined by a workload analysis conducted by NWCAA staff and approved annually by the NWCAA Board of Directors.

2.2.15. Transfer or Permanent Shutdown

2.2.15.1. NWCAA Section 325 (2/14/1973)

Approval to construct a stationary source is not to be transferable from one location to another (outside the plant boundary), from one piece of equipment to another, or from one person to another, except portable sources may retain the same registration so long as they remain within the jurisdiction of the NWCAA.

2.2.15.2. State Only: NWCAA Section 325 (7/10/2025)

Approval to construct a stationary source is not to be transferable from one location to another (outside the plant boundary), from one piece of equipment to another, or from one person to

another, except portable sources may retain the same registration so long as they remain within the jurisdiction of the NWCAA and they comply with NWCAA Section 300.

The registered owner or operator shall report the transfer of ownership or permanent shutdown of a registered source to the NWCAA within 90 days of shutdown or transfer. The new owner of a registered source shall file a written report with the NWCAA within 90 days of completing transfer of ownership and/or assuming operational control.

In the case of a permanent shutdown, process and pollution control equipment may remain in place and on site, but shall be rendered incapable of generating emissions to the atmosphere.

Upon permanent shutdown, the source no longer has authorization to operate and any associated Orders become invalid. Prior to resumption of operation after a permanent shutdown, the source shall obtain, as applicable, a new OAC as a new source and re-register.

2.3. **Permit Shield**

2.3.1. **Shield Requirement**

WAC 173-401-640(1) (11/4/1993)

Compliance with a permit condition shall be deemed compliance with the applicable requirements upon which that condition is based, as of the date of permit issuance. The permit shield does not apply to any insignificant emissions unit or activity so designated under WAC 173-401-530.

2.3.2. **Inapplicable Requirements**

WAC 173-401-640(2) (11/4/1993)

As of the date of permit issuance, the requirements listed in the Inapplicable Requirements section of this permit do not apply to the permittee. The permit shield applies to all requirements so identified.

2.3.3. **Exclusions**

WAC 173-401-640(4) (11/4/1993)

Nothing in this section or in this permit shall alter or affect the following:

- (i) Provisions of Section 303 of the FCAA (emergency orders), including the authority of the EPA Administrator under that section;
- (ii) Liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- (iii) Ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- (iv) Ability of the permitting authority to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in RCW 70A.15.2330.

2.3.4. **Reasonably Available Control Technology**

2.3.4.1. WAC 173-401-605(3) (11/4/1993)

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance shall be considered RACT for purposes of permit issuance or renewal.

2.3.4.2. WAC 173-400-040 (9/20/1993)

All emissions units are required to use RACT which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in Section 8, Chapter 252, Laws of 1993, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.4.3. State Only: WAC 173-400-040(1) (3/15/2025)

All emissions units are required to use RACT which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, the permitting authority shall, as provided in RCW 70A.15.2230, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.4.4. State Only: NWCAA Section 309 (7/10/2025)

Reasonably Available Control Technology (RACT) is required for all existing sources except as otherwise provided in RCW 70A.15.3000(9). Where current controls are determined by the NWCAA to be less than RACT, the NWCAA shall define RACT for that source or source category and issue a rule or an order under NWCAA Section 121 requiring the installation of RACT. Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance shall be considered RACT for purposes of operating permit issuance or renewal.

2.4. **Recordkeeping and Reporting**

2.4.1. **Compliance Certification**

2.4.1.1. WAC 173-401-630(5) (3/5/2016)

The permittee shall submit ongoing certifications of compliance with permit terms and conditions. The first such certification shall cover the period from the last compliance certification until issuance of this permit. The following compliance certification shall cover the period from permit issuance to the end of the calendar year. Subsequent compliance certifications shall be made on a yearly basis. Each certification shall include:

- (i) Identification of each term and condition of the permit that is the basis of the certification;
- (ii) Compliance status;
- (iii) Whether the compliance was continuous or intermittent;
- (iv) Methods used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring, Recordkeeping, and Reporting requirements.

All compliance certifications shall be submitted to EPA Region 10 and the NWCAA at the following addresses by February 28 for the previous calendar year:

U.S. EPA, Region 10,
Mail Stop: 20-C04
Attn: Clean Air Act Compliance Manager
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

Northwest Clean Air Agency
Preferred:
facilityreports@nwcleanairwa.gov
Alternative:
Air Operating Permits
1600 South Second Street
Mount Vernon, WA 98273-5202

2.4.1.2. WAC 173-401-530(2)(d) (10/17/2002)

Where a permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, the permittee may certify continuous compliance if there were no observed, documented, or known instances of noncompliance of an insignificant emission unit during the reporting period. Where an underlying OAC requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, the permittee 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.

2.4.2. Certification by Responsible Official

2.4.2.1. WAC 173-401-520 (11/4/1993)

Any application form, report or compliance certification that is 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.

2.4.2.2. WAC 173-401-615 (10/17/2002) and -630 (3/5/2016)
Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/2002)

All required monitoring reports must be certified by a responsible official consistent with WAC 173-401-520. Where an applicable requirement requires reporting more frequently than once every six months, the responsible official's certification need only to be submitted once every six months, covering all required reporting since the date of the last certification, provided that the certification specifically identifies all documents subject to the certification.

The semiannual certifications shall cover the calendar months of January through June, and July through December.

2.4.3. False and Misleading Oral Statement: Unlawful Reproduction or Alteration of Documents

State Only: NWCAA Section 112 (7/10/2025)

No person shall willfully make a false or misleading oral statement to the Board, Control Officer, or their duly authorized representatives as to any matter within the jurisdiction of the Board.

No person shall reproduce or alter or cause to be reproduced or altered any order, registration certificate, or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of this Agency, or any other law.

2.4.4. Required Recordkeeping

2.4.4.1. WAC 173-401-615(2) (10/17/2002)

Records of required monitoring information shall include, where applicable, the following:

- (i) Date, time, and location of sampling or measurements;
- (ii) Operating conditions existing at the time of sampling or measurement; and
- (iii) If analyses were performed, the date, company or entity performing the analyses, the analytical techniques or methods used, and the results of such analyses.

A record shall be kept describing changes made 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.

Records of all required monitoring data and support information shall be retained for a period of five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

2.4.4.2. WAC 173-401-615 (10/17/2002) and -630 (3/5/2016)
Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/2002)

Monitoring and associated recordkeeping are not required when an emission unit is not operating and there are no emissions to the atmosphere unless such monitoring is specifically required by the NWCAA. The facility must record the time periods that a unit is shut down and not monitored, and include the time periods and a summary of why the emission unit was shut down in the periodic report of monitoring required by WAC 173-401-615(3)(a).

2.4.4.3. PSD 05-04 A3 Conditions B.18.3.1, B.18.3.2, and B.18.3.4 (4/23/2024)

SPI-Burlington will maintain monitoring, source test, CEMS audit tests, and process records at the Skagit County facility for at least five years. SPI-Burlington will provide Ecology and the NWCAA with the monitoring and process records for any period within the five-year archive, within 10 working days of request.

2.4.5. Pollutant Disclosure - Reporting by Air Contaminant Sources

2.4.5.1. NWCAA Section 150 (9/8/1993) and WAC 173-400-105(1) (9/20/1993)

The permittee shall file annually at a time determined by the NWCAA and on forms furnished by the NWCAA a report setting forth:

- (i) The nature of the enterprise;
- (ii) A list of process materials which are potentially significant sources of emissions used in, and incidental to, its manufacturing processes, including any by-products and waste products;
- (iii) An estimated annual total production of wastes discharged into the air in units and contaminants designated by the NWCAA that may include stack and fugitive emissions of particulate matter, PM₁₀, sulfur dioxide, carbon monoxide, total reduced sulfur compounds (TRS), fluorides, lead, VOC, and other contaminants.

Annual emission reports shall be submitted to the NWCAA within 105 days after the end of the previous calendar year. If the emission report is not submitted by the required date and the emissions are used to determine operating permit fees then potential to emit will be used to determine said fees.

The permittee shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

2.4.5.2. State Only: WAC 173-400-105(1) (3/15/2025)

In addition to the requirements of 2.4.5.1, the permittee shall report PM_{2.5}, oxides of nitrogen, and ammonia on forms available from the NWCAA or Ecology. Emission estimates may be based on the most recent published EPA emission factors or other information available to the source, whichever is the better estimate.

The owner or operator must submit the calendar year annual emissions inventory no later than April 15th after the end of the calendar year for which the emissions inventory was requested. If April 15th falls on a weekend, then the deadline to file shall be the next business day.

2.4.5.3. State Only: NWCAA Section 150 (7/10/2025)

In addition to the requirements of 2.4.5.1, every person operating a registered air contaminant source or a Chapter 401 source, as defined in WAC 173-401-200, which includes portable

sources, shall file annually and on forms furnished by the NWCAA a report including the estimated calendar year emissions which may include each criteria air pollutant, hazardous air pollutant, toxic air pollutant, and volatile organic compounds. Every person filing an annual emissions inventory shall retain at the facility the calculations, associated production data, and emission factors used to obtain the estimates.

Annual emission reports shall be submitted to the NWCAA no later than April 15 of the following calendar year, unless otherwise specified by NWCAA. If the emission report is not submitted by the required date and the emissions are used to determine operating permit fees as described in NWCAA 322.4, then potential to emit may be used to determine said fees.

2.4.6. Greenhouse Gas (GHG) Reporting

2.4.6.1. State Only: WAC 173-441-030(1), (2), (5), and (6) (3/12/2022)

GHG reporting is mandatory for:

- (i) An owner or operator of any facility listed in WAC 173-441-120 that emits 10,000 metric tons CO₂e or more per calendar year in total GHG emissions as calculated according to WAC 173-441-030(1)(b), and,
- (ii) An owner or operator of any supplier with total GHG emissions in Washington that exceed 10,000 metric tons of CO₂e or more per calendar year as calculated according to WAC 173-441-030(2)(b).

A person may choose to voluntarily report to Ecology GHG emissions that are not required to be reported under WAC 173-441-030(1) or (2). Persons voluntarily reporting GHG emissions must use the methods established in WAC 173-441-120(3), and 173-441-122(1)(c) to calculate any voluntarily reported GHG emissions.

Once a reporter is subject to the requirements of this chapter, the person must continue for each year thereafter to comply with all requirements of this chapter, including the requirement to submit annual GHG reports, even if the reporter does not meet the applicability requirements in WAC 173-441-030(1) or (2) of this section in a future year, except as provided in WAC 173-441-030(6)(a)-(c). Reporters with a compliance obligation under Chapter 70A.65 RCW, as described in WAC 173-446, must continue to report for any year with a compliance obligation.

2.4.6.2. State Only: WAC 173-441-050 (1/3/2025)

Follow the procedures for emission calculation, monitoring, quality assurance, missing data, recordkeeping, and reporting that are specified in each relevant section of WAC 173-441.

Beginning calendar year 2012 for existing reporters, the annual GHG report shall contain the information required per WAC 173-441-050(3) and (4) and be submitted to Ecology no later than March 31st of each calendar year for GHG emissions in the previous calendar year if the facility is required to report or is voluntarily reporting GHG emissions under WAC 173-441-030.

For any reporter that becomes subject to this rule because of a physical or operational change that is made after January 1, 2012, report emissions for the first calendar year in which the change occurs according to WAC 173-441-050(2)(b)(iii)(A) through (C).

Retain all required records for at least 10 years in a form that is suitable for expeditious inspection and review, including a GHG monitoring plan per WAC 173-441-050(6)(e).

2.4.6.3. State Only: WAC 173-441-060 and -070 (3/12/2022)

Each such submission shall be signed by a representative designated in accordance with WAC 173-441-060 and 40 CFR 3.10 as adopted on October 13, 2005.

Each GHG report and certificate of representation for a facility or supplier must be submitted electronically in accordance with the requirements of WAC 173-441-050 and 173-441-060 and in a format specified by Ecology.

2.4.6.4. State Only: WAC 173-441-100 (3/12/2022)

All requests, notifications, and communications to Ecology pursuant to this chapter, must be submitted in a format as specified by Ecology to either of the following:

- (iii) Greenhouse Gas Report, Air Quality Program
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600
- (iv) ghgreporting@ecy.wa.gov

2.4.7. Reporting to Verify Emissions from Potential PSD Sources

State Only: WAC 173-400-720(4)(b)(iii)(G) (1/19/2023)

The owner or operator shall monitor the emissions of any regulated pollutants from all projects for which PSD applicability was determined according to the provisions of 40 CFR 52.21(b)(41)(ii)(a) through (c) and calculate and maintain a record of annual emissions on a calendar year basis.

The owner or operator shall submit a report to NWCAA within 60 days after the end of the year during which records must be generated under paragraph 40 CFR 52.21 (r)(6)(iii) setting out the unit's annual emissions, as monitored pursuant to 40 CFR 52.21 (r)(6)(iii), during the calendar year that preceded submission of the report. The report shall include the emissions in tons per year for the project, the baseline actual emissions and the pre-construction projected emissions.

2.4.8. Reporting of Deviations from Permit Conditions

WAC 173-401-615(3)(b) (10/17/2002)

Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/2002)

Prompt Reporting of Deviations: The permittee shall promptly report all deviations from permit requirements, including those attributable to upset conditions as defined in this permit. The report shall include a description of the probable cause of such deviations, if known, and any corrective actions or preventive measures taken. Prompt means reporting according to the shortest time period listed below which applies to the situation:

- (i) In the case where the deviation represents a potential threat to human health or safety "prompt" means as soon as possible, but in no case later than twelve hours after the deviation is discovered. A follow up report on the deviation shall be included in the next monthly report.
- (ii) For all other deviations, the deviation shall be reported as part of the next routine monitoring report, but no later than 30 days after the end of the month during which the deviation is discovered, whichever is sooner.

2.4.9. Report of Breakdown and Upset

2.4.9.1. NWCAA 340.1, 340.2 and 340.3 (10/13/1994)

If a breakdown or upset condition occurs which results in or may have resulted in an emission and/or ambient air quality standard being exceeded, the owner or operator of the source shall take the following actions:

- (i) The upset or breakdown shall be reported as promptly as possible and in no event later than 12 hours to the NWCAA.
- (ii) The person responsible shall, upon the request of the Control Officer, submit a full report within 10 days including the known causes, corrective measures taken, and preventive measures to be taken to minimize or eliminate a recurrence.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with all the requirements of the NWCAA Regulation nor from the resulting liabilities for failure to comply.

It shall be prima facie evidence of violation of the NWCAA Regulation if any control equipment or other equipment creating emissions to the atmosphere is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under NWCAA 340.1.

2.4.9.2. State Only: NWCAA 340.1, 340.2 and 340.3 (7/10/2025)
Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/2002)

If a breakdown or upset condition occurs which results in or may have resulted in an exceedance of an emission and/or ambient air quality standard established by this Regulation or an emission release to the air that requires NWCAA notification as specified in 40 CFR 302 (CERCLA) or 40 CFR 355 (SARA), the owner or operator of the source shall take the following actions:

- (iii) The upset or breakdown shall be reported as promptly as possible and in no event later than 12 hours to the NWCAA. Initial notification may be made by phone or by email.
- (iv) The responsible official or his designee shall submit a full report on forms provided by the NWCAA within 30 days after the end of a calendar month in which the upset occurred and must include as a minimum the known causes, corrective action taken, preventive measures put in place to reduce the possibility of or eliminate a recurrence, and an estimate of the quantity of emissions above the applicable limit caused by the event.

It shall be prima facie evidence of violation of the NWCAA Regulation if:

- (v) Any control equipment is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under Section 340.1, or
- (vi) Any other equipment creates new or increased emissions to the atmosphere as the result of being turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under NWCAA 340.1.

2.4.10. Report of Shutdown or Startup

2.4.10.1. NWCAA Section 341 (9/8/1993)

If the permittee schedules a total or partial shutdown or startup of control or process equipment which may result in emissions or any additional emissions to the atmosphere which may temporarily exceed the emission standards of this Regulation, the permittee shall notify the NWCAA prior to the shutdown or startup.

Prompt notification shall be made and in no event less than 24 hours before the scheduled shutdown or startup. The permittee shall submit a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reasons for and duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of emission.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with the requirements of this Regulation nor from the resulting liabilities for failure to comply.

2.4.10.2. State Only: NWCAA Section 341 (7/10/2025)

If the permittee schedules a total or partial shutdown or startup of control or process equipment that the source reasonably believes would result in emissions which may temporarily exceed an emission standard of this Regulation, the operator or owner of the source shall notify the NWCAA in advance of the shutdown or startup.

The advanced notification shall include a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reasons for and duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of emission.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with the requirements of this Regulation nor from the resulting liabilities for failure to comply.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the stationary source adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, the emissions did not result in a violation of an ambient air quality standard and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

The responsible official or their designee shall submit a full report no later than 30 days after the end of the calendar month in which the shutdown or startup occurred that resulted in an exceedance of an ambient or emission standard of this Regulation. The report shall be submitted on forms provided by the NWCAA and must include, at minimum, the known causes, corrective action taken, preventive measures put in place to reduce the possibility of or eliminate a recurrence, and an estimate of the quantity of emissions above the applicable limit caused by the event.

2.4.11. Operation and Maintenance

2.4.11.1. NWCAA Section 342 (9/8/1993)

Keep all process and/or air pollution control equipment in good operating condition and repair. If a breakdown or upset condition occurs and is determined by the Control Officer to be due to poor operating and maintenance procedures, the Control Officer may take any legal steps necessary to prevent a recurrence of the breakdown or upset condition.

Operation and maintenance instructions and schedules for process and/or control equipment must be available and may be required to be posted on the site. This section is specifically applicable to the operation of equipment where untrained personnel may operate or otherwise have access to or use the equipment.

If a breakdown or violation occurs and is due to the improper operation or maintenance of equipment, the owner or operator of the source will, in addition to filing a report of breakdown under NWCAA Section 340, submit a report if requested by the Control Officer on what measures will be taken in training or re-orienting personnel to prevent a recurrence of the breakdown.

2.4.11.2. State Only: NWCAA Section 342 (7/10/2025)

All air contaminant stationary sources are required to keep any process and/or air pollution control equipment in good operating condition and repair.

Operating instructions and maintenance schedules for process and/or control equipment must be available on site.

2.5. **Excess Emissions**

2.5.1. **Excess Emission**

2.5.1.1. WAC 173-400-107 (9/20/1993)

The permittee shall have the burden of proving to Ecology or the NWCAA or the decision-making authority in an enforcement action that excess emissions were unavoidable. Excess emissions determined to be unavoidable under the procedures and criteria of this section shall be excused and not subject to penalty.

Excess emissions which represent a potential threat to human health or safety or which the owner or operator of the source believes to be unavoidable shall be reported to the NWCAA as soon as possible. Other excess emissions shall be reported within thirty days after the end of the month during which the event occurred or as part of the routine emission monitoring reports. Upon request by Ecology or the NWCAA, the permittee shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.

Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

Excess emissions due to scheduled maintenance shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

Excess emissions due to upsets shall be considered unavoidable provided the source reports as required and adequately demonstrates that:

- (i) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (ii) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and
- (iii) The permittee took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

2.5.1.2. State Only: WAC 173-400-108 and -109 (9/16/2018)

The permittee shall:

- (i) Notify the permitting authority. When excess emissions represent a potential threat to human health or safety, the owner or operator must notify the permitting authority by phone or electronic means as soon as possible, but not later than 12 hours after the excess

emissions were discovered. For all other excess emissions, the owner or operator must notify the permitting authority in a report as provided in subsection (ii) of this section.

- (ii) Report all excess emissions to the permitting authority as provided in WAC 173-401-615(3) and subsection (iii) of this section.
- (iii) For an excess emission event that the owner or operator claims was unavoidable under WAC 173-400-109, the report must also include the following information:
 - a. Properly signed contemporaneous records or other relevant evidence documenting the owner or operator's actions in response to the excess emissions event;
 - b. Information on whether installed emission monitoring and pollution control systems were operating at the time of the exceedance. If either or both systems were not operating, information on the cause and duration of the outage; and
 - c. All additional information required under WAC 173-400-109(5) supporting the claim that the excess emissions were unavoidable.

Excess emissions determined to be unavoidable under the procedures and criteria in this section are violations of the applicable statute, rule, permit, or regulatory order. The permitting authority determines whether excess emissions are unavoidable based on the information supplied by the source and the criteria in WAC 173-400-109(5).

Excess emissions determined by the permitting authority to be unavoidable are a violation subject to WAC 173-400-230 (3), (4), and (6) but not subject to civil penalty under WAC 173-400-230(2).

The owner or operator of a source shall have the burden of proving to the permitting authority in an enforcement action that excess emissions were unavoidable. This demonstration shall be a condition to obtaining relief under WAC 173-400-109(5).

WAC 173-400-109 does not apply to an exceedance of an emission standard in 40 C.F.R. Parts 60, 61, 62, 63, and 72, or a permitting authority's adoption by reference of these federal standards.

Excess emissions that occur due to an upset or malfunction during a startup or shutdown event are treated as an upset or malfunction under WAC 173-400-109(5).

Excess emissions due to an upset or malfunction will be considered unavoidable provided the source reports as required by WAC 173-400-108 and adequately demonstrates to the permitting authority that:

- (iv) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (v) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance;
- (vi) When the operator knew or should have known that an emission standard or other permit condition was being exceeded, the operator took immediate and appropriate corrective action in a manner consistent with safety and good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action. Actions taken could include slowing or shutting down the emission unit as necessary to minimize emissions;
- (vii) If the emitting equipment could not be shutdown during the malfunction or upset to prevent the loss of life, prevent personal injury or severe property damage, or to minimize overall emissions, repairs were made in an expeditious fashion;

- (viii) All emission monitoring systems and pollution control systems were kept operating to the extent possible unless their shutdown was necessary to prevent loss of life, personal injury, or severe property damage;
- (ix) The amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent possible; and
- (x) All practicable steps were taken to minimize the impact of the excess emissions on ambient air quality.

2.5.1.3. PSD 05-04 A3 Condition B18.2.3 (04/23/2024)

Each occurrence of monitored emissions measured in excess of the limits shall be reported in writing to Ecology and the NWCAA after the respective exceedance in accordance with WAC 173-400-107(3). Such reports shall, as a minimum, include:

- (i) The time of the occurrence.
- (ii) Magnitude of excess from the emission limit.
- (iii) The duration of the excess.
- (iv) The probable cause.
- (v) Corrective actions taken or planned.
- (vi) Any other agency contacted.

2.5.2. **Excess Emissions Due to Breakdowns, Upsets, Startup, or Shutdown**

State Only: NWCAA 340.4 and 341.4 (7/10/2025)

Excess emissions due to breakdowns and upsets shall be considered unavoidable, and not subject to penalty, provided the stationary source adequately demonstrates that:

- (i) The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;
- (ii) The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance;
- (iii) The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice; and
- (iv) The emissions did not result in a violation of an ambient air quality standard.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the stationary source adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, the emissions did not result in a violation of an ambient air quality standard and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

2.6. **Duty to Supplement or Correct Information**

WAC 173-401-500(6) (3/15/2025)

Upon becoming aware that the source failed to submit any relevant facts in a permit application or that information submitted in a permit application is incorrect, the source shall promptly submit such supplementary facts or corrected information.

2.7. **Prohibitions**

2.7.1. **Concealment and Masking**

- 2.7.1.1. WAC 173-400-040(7) (9/20/1993)
State Only: WAC 173-400-040(8) (3/15/2025)

No person shall cause or permit the installation or use of any means which conceals or masks an emission of an air contaminant which would otherwise violate any provisions of this chapter.

- 2.7.1.2. State Only: NWCAA Section 540 (7/10/2025)

It shall be unlawful for any person to willfully cause or permit 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 air contaminant which would otherwise violate the emission standards of this Regulation.

It shall be unlawful for any person to cause or permit the installation or use of any device or use of any means designed to mask the emission of an air contaminant, which causes detriment to health, safety, or welfare of any person.

2.7.2. **Adjustment for Atmospheric Conditions**

- WAC 173-400-205 (3/22/1991)

The permittee shall not vary the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant except as directed according to air pollution episode regulations.

2.7.3. **Outdoor Burning**

- 2.7.3.1. WAC 173-425-036 (10/18/1990) and WAC 173-425-045 (1/3/1989), WAC 173-435-050(2) (1/3/1989) Although SIP-Approved, WAC 173-425-036, -045, and -055 (referenced below) have been repealed.

No person shall conduct outdoor burning during an air pollution episode or a declared period of impaired air quality. Except as provided in WAC 173-425-055, the following materials shall not be burned in any open fire: garbage, dead animals, asphaltic products, waste petroleum products, paints, rubber products, plastics, treated wood, and any substance, other than natural vegetation, which normally emits dense smoke or obnoxious odors.

- 2.7.3.2. State Only: WAC 173-425-040, 050, and 060 (4/13/2000), NWCAA Section 502 (7/10/2025)

No person shall conduct outdoor burning except in accordance with the applicable regulations listed above. Outdoor burning shall be conducted under a valid fire permit and shall not contain prohibited materials, unless specifically exempted. Emissions from burning shall not create a nuisance and/or interfere with visibility on any public road.

2.7.4. **Asbestos**

- 2.7.4.1. State Only: NWCAA Section 570 (7/10/2025)

The permittee shall conduct all renovation or demolition projects in accordance with the applicable asbestos control standards listed in NWCAA Section 570.

- 2.7.4.2. 40 CFR 61.145 (4/7/1993), 61.148 (11/20/1990) and 61.150 (9/18/2003)

The permittee shall comply with 40 CFR Subparts 61.145, 61.148 and 61.150 when conducting any renovation or demolition at the facility.

2.7.5. Stratospheric Ozone and Climate Protection

2.7.5.1. 40 CFR 82 Subpart F (3/11/2020)

The permittee shall comply with the standards for recycling and emissions reduction in accordance with the requirements listed in 40 CFR 82 Subpart F.

2.7.5.2. State Only: RCW 70A.15.6410 (1991 c 199 § 602)

A person who services, repairs or disposes of a motor vehicle air conditioning system; commercial or industrial air conditioning, heating, or refrigeration system; or consumer appliance shall use refrigerant extraction equipment to recover regulated refrigerant that would otherwise be released into the atmosphere. This subsection does not apply to off-road commercial equipment.

The willful release of regulated refrigerant from a source listed in this section is prohibited.

2.7.6. Display of Orders, Certificates and Other Notices: Removal or Mutilation Prohibited

State Only: NWCAA Section 124 (7/10/2025)

Any order, registration certificate, or other certificate obtained by the Regulations of the NWCAA shall be available on the premises designated on the order or certificate. If the NWCAA requires a notice to be displayed, it shall be posted. No one shall mutilate, obstruct or remove any notice unless authorized to do so by the NWCAA.

2.7.7. Obstruction of Access

State Only: RCW 70A.15.2500 (1987 c 109 38)

The permittee shall not obstruct, hamper or interfere with any authorized representative of the NWCAA who requests entry for the purposes of inspection and who presents appropriate credential; nor shall any person obstruct, hamper, or interfere with any such inspection.

2.7.8. False Statement, Representation or Certification

State Only: WAC 173-400-105(6) (3/15/2025)

No person shall make any false material statement, representation or certification in any form, notice or report required under chapter 70A.15 or 70A.25 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.7.9. Inaccurate Monitoring

State Only: WAC 173-400-105(8) (3/15/2025)

No person shall render inaccurate any monitoring device or method required under chapter 70A.15 or 70A.25 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.7.10. Prevention of Accidental Release

40 CFR 68 (12/3/2018)

Should this stationary source, as defined in 40 CFR Section 68.3, become subject to the accidental release prevention regulations in part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in Section 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 CFR Part 70.

2.7.11. **Cutback Asphalt Paving**

NWCAA 580.7 (4/14/1993)

The application of cutback asphalt in paving during the months of June, July, August and September is limited to use as prime coatings and patch mixes, or when the temperature is less than 50°F.

2.7.12. **Creditable Stack Height and Dispersion Techniques**

WAC 173-400-200 (2/10/2005)

For stacks for which construction or reconstruction commenced, or for which major modifications were carried out, after December 31, 1970, no source may use dispersion techniques or excess stack height to meet ambient air quality standards or PSD increment limitations.

2.8. **Notice of Construction and Application for Approval/New Source Review**

2.8.1. **Minor New Source Review (NSR)**

2.8.1.1. NWCAA Sections 300 (4/11/2019), 324.2 (10/13/1994), WAC 173-400-111 (7/1/2016), and -113 (12/29/2012)

A Notice of Construction (NOC) application must be filed by the owner or operator, all fees paid, and an OAC issued by the NWCAA prior to beginning actual construction of any new source or making any modification, except for those emissions units exempt under NWCAA 300.3 or 300.4, a temporary source operating under NWCAA 300.17, or an emissions unit covered under a General OAC and operating in accordance with NWCAA 300.16.

2.8.1.2. State Only: WAC 173-460-010 through -030 (6/20/2009), -040 (12/23/2019), -050 through -071 (6/20/2009), -080 (12/23/2019), -090 and -100 (6/20/2009), -140 (9/18/1991), -150 (12/23/2019), and NWCAA Sections 300, 303, and 324.2 (7/10/2025)

For purposes of this section "establishment" shall mean to "begin actual construction" as that phrase is defined in NWCAA Section 200, and "new source" shall include any "modification" to an existing "stationary source" as those terms are defined in NWCAA Section 200.

When actual construction has begun on a new source or modification for which a Notice of Construction is required and a final Order of Approval has not been issued, the control officer may conduct an investigation as part of the Notice of Construction application review. An investigation fee, in addition to the fees of NWCAA 324.2, may be assessed.

2.8.2. **Nonroad Engines**

State Only: NWCAA Section 304 (7/10/2025)

This section applies to nonroad engines, as defined in NWCAA Section 200. Nonroad engines are not subject to new source review, control technology determinations, or emission limits set by the state implementation plan, or WAC 173-460.

Nonroad engines must use ultra-low sulfur diesel or ultra-low sulfur bio-diesel, gasoline, natural gas, propane, liquefied petroleum gas, hydrogen, ethanol, methanol, or liquefied/compressed natural gas.

For each nonroad engine as specified in this section greater than 500 brake horsepower (bhp), the owner or operator must notify NWCAA within 15 calendar days prior to surpassing the engine remaining at a facility for 12 consecutive months. This notification must include the

make, model, serial number, rating, fuel type, date the engine was brought to the facility, and engine function or purpose.

2.8.3. General Order

2.8.3.1. NWCAA 121.4 (11/15/1988)

Any orders issued by NWCAA are subject to appeal.

2.8.3.2. State Only: WAC 173-400-560 (12/29/2012) NWCAA 121.4 (7/10/2025)

An owner or operator may apply for an applicable general order for approval to construct certain specified sources as defined in WAC 173-400-560. A general OAC shall identify criteria by which an emission unit or source may qualify for coverage under a general OAC and shall include terms and conditions for installing and/or operating the source.

2.8.4. Requirements to Comply

NWCAA 300.13 (4/11/2019)

State Only: NWCAA 300.13 (7/10/2025)

It shall be unlawful for an owner or operator of a source or emission unit to not abide by the operating and reporting conditions in the OAC.

2.8.5. Prevention of Significant Deterioration (PSD)

WAC 173-400-117 (12/29/2012)

State Only: WAC 173-400-700 (4/1/2011), -710 (7/1/2016), -720 (1/19/23), -730 (7/1/2016), -740 (3/15/2025), -750 (12/29/2012)

A Prevention of Significant Deterioration (PSD) permit application must be filed by the owner or operator and a PSD permit issued by Ecology prior to the establishment of any new source in accordance with the cited regulations. No major stationary source or major modification as defined in the cited regulation shall begin actual construction without having received a PSD permit. Allowable emissions from the proposed major stationary source or major modification shall not cause or contribute to a violation of any ambient air quality standard.

An applicant for a PSD permit must submit an application that provides complete information for Department of Ecology to determine compliance with all PSD program requirements. Detailed procedures for submitting a complete application, for public review and involvement, and for revisions to an existing PSD permit are provided in the cited regulations (WAC 173-400-700 through 750).

2.8.6. Replacement or Substantial Alteration of Control Technology at an Existing Source

State Only: NWCAA 300.25 (7/10/2025)

Any person proposing to replace or substantially alter emission control technology installed on an existing stationary source or emission unit shall file a NOC application with the NWCAA.

2.8.7. Major Stationary Source and Major Modification in a Nonattainment Area

WAC 173-400-800 (4/1/2011), -810 (7/1/2016), -820 (12/29/2012), -830, -840, -850 (7/1/2016), and -860 (4/1/2011)

WAC 173-400-800 through 173-400-860 apply statewide except where a permitting authority has a permitting program for major stationary sources in a nonattainment area incorporated into the Washington SIP as replacement for these sections.

These requirements apply to any new major stationary source or major modification of an existing major stationary source located in a designated nonattainment area that is major for the pollutant or pollutants for which the area is designated as not in attainment of one or more national ambient air quality standards.

2.9. **Greenhouse Gas Regulation**

WAC 173-401-200 (19) & (35) (3/15/2025)

Greenhouse gases (GHGs), the air pollutant defined in 40 CFR 86.1818-12(a) as the aggregate group of six greenhouse gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, shall not be subject to regulation under this chapter unless, as of January 2, 2011, the GHG emissions are at a stationary source emitting or having the potential to emit 100,000 tpy CO₂ equivalent emissions and the source is otherwise required to have an operating permit.

The term "tpy (tons per year) CO₂ equivalent emissions" (CO_{2e}) shall represent an amount of GHGs emitted, and shall be computed by multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to subpart A of 40 CFR Part 98 - Global Warming Potentials, and summing the resultant value for each to compute a tpy CO_{2e}.

"Subject to regulation" means, for any air pollutant, that the pollutant is subject to either a provision in the FCAA, or a nationally applicable regulation codified by EPA in subchapter C of 40 CFR Chapter 1 (in effect on October 6, 2010), that requires actual control of the quantity of emissions of that pollutant, and that such a control requirement has taken effect and is operative to control, limit or restrict the quantity of emissions of that pollutant released from the regulated activity.

SECTION 3 STANDARD TERMS AND CONDITIONS FOR NSPS AND NESHAP

Terms and conditions in this section are administrative requirements, applicable when triggered, or generally applicable requirements from the New Source Performance Standards (NSPS) in 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Parts 61 or 63. The permittee must comply with the requirements listed below for specific “affected facilities” as defined in 40 CFR Part 60.2, “affected sources” as defined in 40 CFR Part 63.2, and owners or operators of any stationary source for which a standard applies under 40 CFR Part 61. The affected facilities, affected sources, and stationary sources subject to these requirements are identified as emission units in the permit. The conditions in this section do not apply generally to all emission units at the facility. Some requirements have been paraphrased for brevity. The language of the cited regulation takes precedence over a paraphrased requirement.

On December 14, 2023, NWCAA adopted by reference select NSPS and NESHAP in effect on October 18, 2023 into NWCAA 104.2 and requested delegation of these NSPS and NESHAP from the Environmental Protection Agency (EPA). On January 7, 2025, EPA concurred and delegated certain authorities to implement and enforce some of the adopted NSPS and NESHAP to NWCAA¹. For delegated NSPS and NESHAP requirements, “Administrator” means NWCAA, and NWCAA has the authority to enforce these federal requirements directly.

NWCAA subsequently amended Section 104.2 on July 10, 2025, adopting by reference select NSPS and NESHAP in effect as of March 15, 2025. EPA has not delegated authority for NSPS and NESHAP promulgated after October 18, 2023 to NWCAA. For requirements promulgated after October 18, 2023, “Administrator” means the Administrator of EPA.

3.1. Part 60 – New Source Performance Standard Requirements

3.1.1. Address for Reports, Notifications, and Submittals

40 CFR 60.4(a) and (b) (4/25/1975) (as amended by Delegation Letter dated 1/7/2025 from Krishna Viswanathan, Director of the Office of Air and Radiation, EPA Region 10 to Mark Buford, Director of NWCAA)

Send notifications, reports, and applications for delegated New Source Performance Standards (NSPS) to the NWCAA at the following address:

Preferred: facilityreports@nwcleanairwa.gov

Alternative:

Northwest Clean Air Agency
1600 S. Second Street
Mount Vernon, WA 98273-5202

¹ Current NSPS and NESHAP delegation letters are available for review on the NWCAA website: nwcleanairwa.gov

Send notifications, reports, and applications under NSPS authorities that have been excluded from delegation to the EPA at the following address:

Preferred:

Through the Compliance and Emissions Data Reporting Interface (CEDRI) at cdx.epa.gov

Alternative:

Clean Air Act Compliance Manager
US EPA Region 10, Mail Stop: 20-C04
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

3.1.2. **Notification**

40 CFR 60.7(a) (2/12/1999)

Furnish written notification to the Administrator of the following:

- (i) The date construction (or reconstruction as defined by 40 CFR 60.15) of an affected facility commenced, postmarked within 30 days after such date.
- (ii) The actual date of initial startup of an affected facility, postmarked within 15 days after such date.
- (iii) Any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted, postmarked 60 days or as soon as practicable before the change is commenced. Include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.
- (iv) The date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.13(c), postmarked at least 30 days prior to such date.
- (v) The anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1), postmarked at least 30 days prior to such date.
- (vi) If COMS data results will be used to determine compliance with the applicable opacity standard during a performance test required by 40 CFR 60.8 in lieu of Method 9 observation data as allowed by 40 CFR 60.11(e)(5), postmarked at least 30 days prior to the date of the performance test.

3.1.3. **Startup, Shutdown, and Malfunction Records**

3.1.3.1. 40 CFR 60.7(b) (2/12/1999)

Maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

3.1.3.2. 40 CFR 60.8(c) (8/30/2016)

Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

3.1.4. Excess Emission Records

3.1.4.1. 40 CFR 60.7(c) and (d) (2/12/1999)

If a continuous monitoring device is required, submit an excess emissions and monitoring systems performance report (as defined in applicable subparts) and/or a summary report form to the Administrator semiannually, except when: more frequent reporting is specifically required in any subpart; or the Administrator determines that more frequent reporting is necessary. Postmark all reports by the 30th day following the end of each six-month period. Include the information in 40 CFR 60.7(c)(1)-(4) in the excess emissions report. Include the information in 60.7(d)(1)-(2) and 60.7(d) Figure 1 in the summary report.

3.1.5. Maintenance of Records

40 CFR 60.7(f) (2/12/1999)

Maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. Retain the file in accordance with 60.7(f).

Note: Under AOP Term 2.4.3, records of required monitoring data and support information shall be retained for a period of five years from the date of the monitoring sample, measurement, report, or application.

3.1.6. Performance Tests

40 CFR 60.8(a), (d), (e), and (f) (8/30/2016)

Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or as specified by 40 CFR Part 60, and as required by the Administrator, conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s), except as specified in paragraphs 60.8(a)(1)-(4).

Provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts. Notify the Administrator as soon as possible of any delay in the original test date, either by providing at least seven days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator by mutual agreement.

Provide performance testing facilities as follows:

- (i) Sampling ports adequate for test methods applicable to such facility,
- (ii) Safe sampling platform(s),
- (iii) Safe access to sampling platform(s), and,
- (iv) Utilities for sampling and testing equipment.

Unless otherwise specified in the applicable subpart, perform three separate runs using the applicable test method for each test. Conduct each run for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, apply the arithmetic means of results of the three runs.

Unless otherwise specified in a relevant standard or test method, or as otherwise approved by the Administrator in writing, include the elements identified in 60.8(f)(2)(i)-(vi) in the performance test report.

3.1.7. Test Method Performance Audit

40 CFR 60.8(g) (8/30/2016)

Include a test method performance audit (PA) during the performance test, as specified in 40 CFR 60.8(g).

Obtain an audit sample, if commercially available, from an Accredited Audit Sample Provider (AASP) for each test method used for regulatory compliance purposes. See 40 CFR 60.8(g)(1) for a list of test methods excluded from this requirement.

If no audit sample for a specific method can be found, consult <https://www.epa.gov/emc/emc-technical-support#audit> to confirm whether there is a source that can supply an audit sample for that method. If the EPA website does not list an available audit sample at least 60 days prior to the beginning of the compliance test, no audit sample is required as part of the quality assurance program for the compliance test.

Report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and report the results of the audit sample to the AASP.

3.1.8. Compliance with Opacity Standards

40 CFR 60.11(b) and (c) (10/17/2000)

Determine compliance with opacity standards in 40 CFR Part 60 using EPA Method 9 in Appendix A. For purposes of determining initial compliance, the minimum total time of observations shall be three hours (30 six-minute averages) for the performance test. The opacity standards set forth in this part apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

3.1.9. Operation and Maintenance

40 CFR 60.11(d) (10/17/2000)

To the extent practicable, maintain and operate any affected facility, including associated air pollution control equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times, including periods of startup, shutdown, and malfunction.

3.1.10. Credible Evidence

40 CFR 60.11(g) (10/17/2000)

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part 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.

3.1.11. Circumvention

40 CFR 60.12 (3/8/1974)

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

3.1.12. **Monitoring Requirements**

40 CFR 60.13 (6/30/2016) (as amended by Delegation Letter dated 1/7/2025 from Krishna Viswanathan, Director of the Office of Air and Radiation, EPA Region 10 to Mark Buford, Director of NWCAA)

For COMS used to comply with an opacity standard, conduct a performance evaluation as specified in 40 CFR Part 60 Appendix B prior to performance testing per 60.8. Furnish the Administrator with a written report of the results of the performance evaluation at least 10 days before the performance test required under 60.8 is conducted.

For all continuous monitoring systems subject to 60.13, conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under 60.8 or within 30 days thereafter in accordance with the applicable performance specification in 40 CFR Part 60 Appendix B, or at such other times as may be required by the Administrator. Furnish the Administrator a written report of the results of the performance evaluation within 60 days of completion.

Owners and operators of a CEMS installed in accordance with the provisions of this part must check the zero and span calibration drifts at least once daily in accordance with a written procedure and adjust the zero and span when either exceeds the applicable performance specification (PS) in 40 CFR Part 60 Appendix B. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified.

Owners and operators of a COMS installed in accordance with the provisions of this part must check the zero and upscale calibration drifts at least once daily for comparison with the acceptable range as defined in the applicable version of PS 1 in 40 CFR 60 Appendix B, and the optical surfaces must be cleaned as detailed in 60.13(d)(1). Unless otherwise approved by the EPA, minimum procedures for the COMS must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition as specified in 60.13(d)(2).

Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required, continuously operate all continuous monitoring systems for measuring emissions. For CEMS, complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. For COMS, complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive six-minute period.

Install all continuous monitoring systems or devices such that representative measurements of emissions or process parameters from the affected facility are obtained. Use the procedures for location of continuous monitoring systems in the applicable PS of 40 CFR 60 Appendix B.

Install a monitoring system on each effluent or combined effluent released to atmosphere subject to the same emissions standards. If two or more sources are not subject to the same emission standards, install a monitoring system on each effluent. If effluent is released to atmosphere through multiple points, continuous monitoring systems must be installed on each effluent unless the use of fewer systems is approved by the EPA.

Reduce all COMS data to six-minute averages calculated from 36 or more data points equally spaced over each six-minute period. Reduce all data for pollutants other than opacity to one-hour averages for time periods as defined in §60.2, calculated according to 60.13(h)(2).

For excess emissions, after conversion into units of the standard as specified in the applicable subpart, data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.

Written application for a monitoring alternative considered a 'major change to monitoring' as defined in 40 CFR 63.90 must be submitted to the EPA. Written application for a minor change to monitoring may be submitted to the Administrator. An alternative to the relative accuracy

(RA) test specified in PS 2 of 40 CFR 60 Appendix B may be requested from the Administrator as detailed in 60.13(j)(1). The Administrator may rescind the RA alternative according to 60.13(j)(2).

3.1.13. **Modification**

40 CFR 60.14 (10/17/2000)

Except as provided under paragraphs 60.14(e) and 60.14(f), any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies is considered a modification. Upon modification, an existing facility becomes an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

Achieve compliance with all applicable standards within 180 days of the completion of any modification.

3.2. **Part 63 – National Emission Standard for Hazardous Air Pollutant Requirements**

3.2.1. **Applicability**

40 CFR 63.1 (1/7/2025)

Requirements apply to both HAP major and area sources, as noted in each relevant subpart. Major and area sources are defined in 40 CFR 63.2. Each relevant subpart in 40 CFR 63 identifies explicitly whether each provision of Subpart A is, or is not, included in such relevant standard.

A major source may become an area source at any time upon reducing its emissions of and potential to emit HAP to below the major source thresholds established in 40 CFR 63.2. The area source is subject to the standards, compliance dates and notification requirements specified in 40 CFR 63.1(c)(6)(i)(A).

3.2.2. **Prohibited Activities and Circumvention**

40 CFR 63.4 (4/5/2002)

Do not operate any affected source in violation of the requirements of this part. Affected sources subject to and in compliance with either an extension of compliance or an exemption from compliance granted by the Administrator or the President are not in violation of the requirements of this part.

Keep records, notify, report, or revise reports as required under this part.

Do not build, erect, install, or use any article, machine, equipment, or process to conceal an emission that would otherwise constitute noncompliance with a relevant standard. Such concealment includes the use of diluents to achieve compliance with a relevant standard based on the concentration of a pollutant in the effluent discharged to the atmosphere or to achieve compliance with a relevant standard for visible emissions.

Fragmentation after November 15, 1990 will not affect applicability. Do not use fragmentation or phasing of reconstruction activities (i.e., intentionally dividing reconstruction into multiple parts for purposes of avoiding new source requirements) to avoid becoming subject to new source requirements.

3.2.3. Requirements for Existing, Newly Constructed, and Reconstructed 40 CFR Part 63 NESHAPs Sources

40 CFR 63.5(b)(1), (3), (4), (6) (4/5/2002)

A new affected source for which construction commences after proposal of a relevant standard is subject to relevant standards for new affected sources, including compliance dates. An affected source for which reconstruction commences after proposal of a relevant standard is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

After the effective date of any relevant standard under this part, no person may construct or reconstruct an affected source or a major source such that it becomes an affected source that is major-emitting and subject to such standard without obtaining written approval in advance from the Administrator in accordance with the procedures in 63.5(d) and (e). Notify the Administrator of intended construction or reconstruction in accordance with the applicable procedures in 63.9(b).

After the effective date of any relevant standard promulgated by the Administrator under this part, equipment added (or a process change) to an affected source that is within the scope of the definition of affected source under the relevant standard must be considered part of the affected source and subject to all provisions of the relevant standard established for that affected source.

3.2.4. Operation and Maintenance

O&M for 40 CFR 63 Subpart DDDDD Affected Sources
40 CFR 63.7500(a)(3) (10/6/2022)

Operate and maintain any affected source as defined in 63.7490, including associated air pollution control and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The Administrator will determine compliance with this general duty to minimize emissions.

3.2.5. Compliance With Nonopacity Emission Standards

Nonopacity emission standards for Part 63 Subpart DDDDD Sources
40 CFR 63.6(f)(2) and (3) (3/11/2021), 40 CFR 63.7500(a)(3), (f), 40 CFR 63.7505(a) (10/6/2022)

The Administrator will determine compliance with nonopacity emission standards, design, equipment, and work practice standards in 40 CFR 63 Subpart DDDDD based on the results of performance tests conducted according to the procedures in 40 CFR 63.7, except as specified in 40 CFR 63.7520(a)-(c), review of records, inspection of the source, and by evaluation of an owner or operator's conformance with operation and maintenance requirements, including the evaluation of monitoring data, as specified in 40 CFR 63 DDDDD.

At all times, you must operate and maintain any affected source (as defined in 40 CFR 63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

An affected source must be in compliance with the emission limits, work practice standards, and operating limits in this subpart. These emission and operating limits apply at all times the affected unit is operating except during periods of startup and shutdown during which time the affected source must comply only with items 5 and 6 of Table 3 to 40 CFR 63 Subpart DDDDD.

3.2.6. **Extension of Compliance for Early Reductions and Other Reductions**

40 CFR 63.6(i) (3/11/2021) and 63.9(c) (9/10/2024), 63.7565 (11/20/2015)

Until a compliance extension has been granted by the Administrator, the owner or operator of an affected source subject to the requirements of this section shall comply with this part's applicable requirements. A compliance extension may be possible if a request for extension of compliance meets 63.6(i)(3) through 63.6(i)(6).

40 CFR 63 Subpart DDDDD facilities may also request extensions of compliance for the installation of combined heat and power, waste heat recovery, or gas pipeline or fuel feeding infrastructure as a means of complying with this subpart.

3.2.7. **Notification of Performance Tests**

Notification of Performance Tests for Part 63 NESHAP Sources
40 CFR 63.7(b) (11/14/2018) and 63.9(e) (9/10/2024)

The owner or operator of an affected source shall notify the Administrator in writing of his or her intention to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin to allow the Administrator to review and approve the site-specific test plan required under 40 CFR 63.7(c), if requested by the Administrator, and to have an observer present during the test.

3.2.8. **Conduct of Performance Tests**

Conduct of Performance Tests for Part 63 DDDDD Sources
40 CFR 63.7(a)-(d), (e)(2)-(h) (11/14/2018), 63.9(e) (9/10/2024)

If required to do performance testing, perform such tests within 180 days of the compliance date and under conditions as specified in 40 CFR 63.7520(a)-(c).

Provide performance testing facilities:

- (i) Sampling ports adequate for test methods applicable to such facility.
- (ii) Safe sampling platform(s).
- (iii) Safe access to sampling platform(s).
- (iv) Utilities for sampling and testing equipment.

Unless otherwise specified in the applicable subpart:

Each performance test shall consist of three separate runs. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply.

Report the results of the performance test to the Administrator before the close of business on the 60th day following the completion of the performance test. Include the analysis of samples, determination of emissions, and raw data. Include a test method performance audit (PA) during the performance test, as specified in 40 CFR 63.7(c)(2)(iii).

Obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. See 40 CFR 63.7(c)(2)(iii)(A) for a list of test methods excluded from this requirement. If an audit sample can't be found consult <https://www.epa.gov/emc/emc-technical-support#audit> to confirm whether there is a source that can supply an audit sample.

Report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the Administrator and report the results of the audit sample to the AASP.

The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

3.2.9. Operation and Maintenance of Continuous Monitoring Systems

O&M of CMS for Part 63 DDDDD Sources 40 CFR 63.8(c)(1), 63.8(c)(1)(ii), 63.8(c)(2)-(6) (11/14/2018)

The owner or operator of an affected source shall maintain and operate each CMS as specified in this section, or in a relevant standard, and in a manner consistent with good air pollution control practices.

The owner or operator must keep the necessary parts for routine repairs of the affected CMS equipment readily available.

All CMS must be installed such that representative measures of emissions or process parameters from the affected source are obtained. In addition, CEMS must be located according to procedures contained in the applicable performance specification(s).

Unless the individual subpart states otherwise, the owner or operator must ensure the read out (that portion of the CMS that provides a visual display or record), or other indication of operation, from any CMS required for compliance with the emission standard is readily accessible on site for operational control or inspection by the operator of the equipment.

All CMS shall be installed, operational, and the data verified as specified in the relevant standard either prior to or in conjunction with conducting performance tests under 63.7. Verification of operational status shall, at a minimum, include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all CMS, including COMS and CEMS, shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

- (i) All COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive six-minute period.
- (ii) All CEMS for measuring emissions other than opacity shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

Unless otherwise approved by the Administrator, minimum procedures for COMS shall include a method for producing a simulated zero opacity condition and an upscale (high-level) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. Such procedures shall provide a system check of all the analyzer's internal optical surfaces and all electronic circuitry, including the lamp and photodetector assembly normally used in the measurement of opacity.

The owner or operator of a CMS which is installed in accordance with the provisions of this part and the applicable CMS performance specification(s), must check the zero (low-level) and high-level calibration drifts at least once daily in accordance with the written procedure specified in the performance evaluation plan developed under paragraphs (e)(3)(i) and (ii) of this section. The zero (low-level) and high-level calibration drifts must be adjusted, at a minimum, whenever the 24-hour zero (low-level) drift exceeds two times the limits of the applicable performance

specification(s) specified in the relevant standard. The system shall allow the amount of excess zero (low-level) and high-level drift measured at the 24-hour interval checks to be recorded and quantified whenever specified. For COMS, all optical and instrumental surfaces exposed to the effluent gases must be cleaned prior to performing the zero (low-level) and high-level drift adjustments; the optical surfaces and instrumental surfaces must be cleaned when the cumulative automatic zero compensation, if applicable, exceeds four percent opacity.

3.2.10. **Continuous Monitoring Systems (CMS) Out of Control Periods**

40 CFR 63.8(c)(7) and (8) (11/14/2018)

A CMS is out of control if—

- (i) The zero (low-level), mid-level (if applicable), or high-level calibration drift (CD) exceeds two times the applicable CD specification in the applicable performance specification or in the relevant standard; or
- (ii) The CMS fails a performance test audit (e.g., cylinder gas audit), relative accuracy audit, relative accuracy test audit, or linearity test audit.

When the CMS is out of control, the owner or operator of the affected source shall take the necessary corrective action and shall repeat all necessary tests which indicate that the system is out of control. The owner or operator shall take corrective action and conduct retesting until the performance requirements are below the applicable limits. The beginning of the out-of-control period is the hour the owner or operator conducts a performance check (e.g., calibration drift) that indicates an exceedance of the performance requirements established under this part. The end of the out-of-control period is the hour following the completion of corrective action and successful demonstration that the system is within the allowable limits. During the period the CMS is out of control, recorded data shall not be used in data averages and calculations, or to meet any data availability requirement established under this part.

The owner or operator of a CMS that is out of control as defined in paragraph (c)(7) of this section shall submit all information concerning out-of-control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in 63.10(e)(3).

3.2.11. **Continuous Monitoring Systems (CMS) Quality Control Program**

40 CFR 63.8(d) & (e) (11/14/2018), 63.9(g)(1) ((9/10/2024)

The results of the quality control program required in this paragraph will be considered by the Administrator when he/she determines the validity of monitoring data.

The owner or operator of an affected source that is required to use a CMS and is subject to the monitoring requirements of this section and a relevant standard shall develop and implement a CMS quality control program. As part of the quality control program, the owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in paragraph (e)(3)(i) of this section, according to the procedures specified in paragraph (e). In addition, each quality control program shall include, at a minimum, a written protocol that describes procedures for each of the following operations:

- (i) Initial and any subsequent calibration of the CMS;
- (ii) Determination and adjustment of the calibration drift of the CMS;
- (iii) Preventive maintenance of the CMS, including spare parts inventory;
- (iv) Data recording, calculations, and reporting;
- (v) Accuracy audit procedures, including sampling and analysis methods; and

- (vi) Program of corrective action for a malfunctioning CMS.

The owner or operator shall keep these written procedures on record for the life of the affected source or until the affected source is no longer subject to the provisions of this part, to be made available for inspection, upon request, by the Administrator. If the performance evaluation plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the performance evaluation plan on record to be made available for inspection, upon request, by the Administrator, for a period of five years after each revision to the plan.

When required by a relevant standard, and at any other time the Administrator may require under section 114 of the Act, the owner or operator of an affected source being monitored shall conduct a performance evaluation of the CMS. Such performance evaluation shall be conducted according to the applicable specifications and procedures described in this section or in the relevant standard.

The owner or operator shall notify the Administrator in writing of the date of the performance evaluation simultaneously with the notification of the performance test date required under 63.7(b) or at least 60 days prior to the date the performance evaluation is scheduled to begin if no performance test is required.

Before conducting a required CMS performance evaluation, the owner or operator of an affected source shall develop and submit a site-specific performance evaluation test plan to the Administrator for approval upon request. The performance evaluation test plan shall include the evaluation program objectives, an evaluation program summary, the performance evaluation schedule, data quality objectives, and both an internal and external QA program. Data quality objectives are the pre-evaluation expectations of precision, accuracy, and completeness of data.

The internal QA program shall include, at a minimum, the activities planned by routine operators and analysts to provide an assessment of CMS performance. The external QA program shall include, at a minimum, systems audits that include the opportunity for on-site evaluation by the Administrator of instrument calibration, data validation, sample logging, and documentation of quality control data and field maintenance activities.

The owner or operator of an affected source shall submit the site-specific performance evaluation test plan to the Administrator (if requested) at least 60 days before the performance test or performance evaluation is scheduled to begin, or on a mutually agreed upon date, and review and approval of the performance evaluation test plan by the Administrator will occur with the review and approval of the site-specific test plan (if review of the site-specific test plan is requested).

The Administrator may request additional relevant information after the submittal of a site-specific performance evaluation test plan.

Neither the submission of a site-specific performance evaluation test plan for approval, nor the Administrator's approval or disapproval of a plan, nor the Administrator's failure to approve or disapprove a plan in a timely manner shall:

- (vii) Relieve an owner or operator of legal responsibility for compliance with any applicable provisions of this part or with any other applicable Federal, State, or local requirement; or,
- (viii) Prevent the Administrator from implementing or enforcing this part or taking any other action under the Act.

The owner or operator of an affected source shall conduct a performance evaluation of a required CMS during any performance test required under 63.7 in accordance with the applicable performance specification as specified in the relevant standard. If a performance test is not required, or the requirement for a performance test has been waived under 63.7(h), the owner or operator of an affected source shall conduct the performance evaluation not later than

180 days after the appropriate compliance date for the affected source, as specified in 63.7(a), or as otherwise specified in the relevant standard.

The owner or operator shall furnish the Administrator a copy of a written report of the results of the performance evaluation containing the information specified in 63.7(g)(2)(i) through (vi) simultaneously with the results of the performance test required under 63.7 or within 60 days of completion of the performance evaluation if no test is required, unless otherwise specified in a relevant standard.

3.2.12. Continuous Monitoring Systems (CMS) Data Reduction

40 CFR 63.8(g) (11/14/2018)

The owner or operator of each CMS must reduce the monitoring data as specified in paragraphs (g)(1) through (5) of this section.

Data from CEMS for measurement other than opacity, unless otherwise specified in the relevant standard, shall be reduced to one-hour averages computed from four or more data points equally spaced over each one-hour period, except during periods when calibration, quality assurance, or maintenance activities pursuant to provisions of this part are being performed. During these periods, a valid hourly average shall consist of at least two data points with each representing a 15-minute period. Alternatively, an arithmetic or integrated one-hour average of CEMS data may be used. Time periods for averaging are defined in 63.2.

The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant).

All emission data shall be converted into units of the relevant standard for reporting purposes using the conversion procedures specified in that standard. After conversion into units of the relevant standard, the data may be rounded to the same number of significant digits as used in that standard to specify the emission limit (e.g., rounded to the nearest one percent opacity).

Monitoring data recorded during periods of unavoidable CMS breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level adjustments must not be included in any data average computed under this part. For the owner or operator complying with the requirements of 63.10(b)(2)(vii)(A) or (B), data averages must include any data recorded during periods of monitor breakdown or malfunction.

3.2.13. Address for Reports, Notifications and Submittals

40 CFR 63.9(a) (9/10/2024), 63.10(a), 63.12(c), 63.13 (10/31/2024), (as amended by Delegation Letter dated 1/7/2025 from Krishna Viswanathan, Director of the Office of Air and Radiation, EPA Region 10 to Mark Buford, Director of NWCAA)

Send notifications, reports, and applications for delegated Part 63 NESHAP to the NWCAA at the following address:

Preferred:

Via email at facilityreports@nwcleanairwa.gov

Alternative:

Northwest Clean Air Agency
1600 South Second Street
Mount Vernon, WA 98273-5202

Send notifications, reports, and applications under Part 63 NESHAP authorities that have been excluded from delegation to the EPA at the following address:

Preferred:

Through the Compliance and Emissions Data Reporting Interface (CEDRI) at cdx.epa.gov

Alternative:

Clean Air Act Compliance Manager
US EPA Region 10, Mail Stop: 20-C04
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

All information required to be submitted to the EPA under this part also shall be submitted to the appropriate state agency of any state to which authority has been delegated under section 112(l) of the Act, provided that each specific delegation may exempt sources from a certain federal or state reporting requirement. Any information required to be submitted electronically by this part via the EPA's CEDRI may, at the discretion of the delegated authority, satisfy the requirements of this paragraph. The Administrator may permit all or some of the information to be submitted to the appropriate state agency only, instead of to the EPA and the state agency with the exception of federal electronic reporting requirements under this part. Sources may not be exempted from federal electronic reporting requirements.

3.2.14. **Notification Requirements for New or Reconstructed Sources**

40 CFR 63.9(b)(4) (9/10/2024)

The owner or operator of a new or reconstructed major affected source for which an application for approval of construction or reconstruction is required under 63.5(d) must provide the following information in writing to the Administrator:

- (i) A notification of intention to construct a new major-emitting affected source, reconstruct a major-emitting affected source, or reconstruct a major source such that the source becomes a major-emitting affected source with the application for approval of construction or reconstruction as specified in 63.5(d)(1)(i); and
- (ii) A notification of the actual date of startup of the source delivered or postmarked within 15 calendar days after that date.

3.2.15. **Recordkeeping for Part 63 NESHAP Sources**

40 CFR 63.10(b)(1) 11/19/2020)

The owner or operator of an affected source shall maintain files of all information (including all reports and notifications) required by this part recorded in a form suitable and readily available for expeditious inspection and review. The files shall be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report or record. At a minimum, the most recent two years of data shall be retained on site. The remaining three years of data may be retained off site. Such files may be maintained on microfilm, on a computer, on computer floppy disks, on magnetic tape disks, or on microfiche.

3.2.16. **Startup, Shutdown, and Malfunction Recordkeeping and Reports for Boiler MACT Affected Sources**

40 CFR 63.10(b)(2)(i), (iii), (vi)-(xiv) (11/19/2020), 40 CFR 63.7555(d)(7) and 63.7550(c)(5)(xiii) and (xviii) (11/20/2015)

Maintain the following relevant records for each affected source:

- (i) The occurrence and duration of each startup or shutdown when the startup or shutdown causes the source to exceed any applicable emission limit;
- (ii) All required maintenance performed on the air pollution control and monitoring equipment;
- (iii) Each period during which a CMS is malfunctioning or inoperative (including out-of-control periods);
- (iv) All required measurements needed to demonstrate compliance with a relevant standard (including, but not limited to, 15-minute averages of CMS data, raw performance testing measurements, and raw performance evaluation measurements, that support data that the source is required to report);
 - a. For automated CEMS, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction: In lieu of maintaining a file of all CEMS subhourly measurements, retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.
 - b. This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (b)(2)(vii) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.
 - c. The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (b)(2)(vii), if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.
- (v) All results of performance tests, CMS performance evaluations, and opacity and visible emission observations;
- (vi) All measurements as may be necessary to determine the conditions of performance tests and performance evaluations;
- (vii) All CMS calibration checks;
- (viii) All adjustments and maintenance performed on CMS;
- (ix) All emission levels relative to the criterion for obtaining permission to use an alternative to the relative accuracy test, if the source has been granted such permission under 63.8(f)(6);
- (x) All documentation supporting initial notifications and notifications of compliance status under 63.9; and,
- (xi) Actions taken during periods of malfunction to minimize emission in accordance with the general duty to minimize emissions in 40 CFR 63.7500(a)(3), including corrective actions to restore the malfunctioning boiler or process heater, air pollution control, or monitoring equipment to its normal or usual manner of operation.

Report all malfunctions that occurred during the reporting period. The report must include the number, duration, and a brief description for each type of malfunction which occurred during the

reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by you during a malfunction of a boiler, process heater, or associated air pollution control device or CMS to minimize emissions in accordance with 63.7500(a)(3), including actions taken to correct the malfunction.

Report each instance of startup and shutdown, including the information required to be monitored, collected, or recorded according to the requirements of 63.7555(d).

3.2.17. Recordkeeping Requirements for Boiler MACT Affected Sources with Continuous Monitoring Systems

40 CFR 63.10(c)(1)-(9), (12), (13) (11/19/2020), 40 CFR 63.7555(d)(7) and (8) (10/6/2022)

The owner or operator of an affected source required to install a CMS by a relevant standard shall maintain records specified in 40 CFR 63 Subpart DDDDD and Subpart A as applicable.

3.2.18. Compliance Report Requirements for Part 63 Boiler MACT Affected Sources

40 CFR 63.7550 and Table 9 (11/20/2015)

Submit each report in Table 9 to 40 CFR 63 DDDDD that applies in accordance with Section 2.4, Recordkeeping and Reporting.

Submit all reports required by Table 9 of this subpart electronically via CEDRI (www.epa.gov/cdx). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, submit the report to the Administrator.

3.2.19. Notification of Compliance Status (NCS) for Boiler MACT Affected Sources

40 CFR 63.7545(a), (e), (e)(1), and (e)(6) (10/6/2022)

Each time a notification of compliance status is required under this part, the owner or operator of such source shall submit to the Administrator a notification of compliance status, signed by the responsible official who shall certify its accuracy, attesting to whether the source has complied with the relevant standard.

After a Title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this part, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in the relevant standard.

The NCS shall be submitted by close of business on the 60th day following the completion of all performance test and/or other initial compliance demonstrations for all boiler or process heaters at the facility according to 63.10(d)(2).

SECTION 4 GENERALLY APPLICABLE REQUIREMENTS

The cited requirements in the "Regulatory Citation" column and incorporated herein by reference are applicable plant-wide at the source, including insignificant emission units. These requirements are federally enforceable unless identified as "State Only". A requirement designated "State Only" is enforceable only by the NWCAA, and not by the EPA or through citizen suits. "State Only" WAC citations in effect as of March 15, 2025 are enforceable by NWCAA because they are adopted by reference in NWCAA 104.1, as amended July 10, 2025. All of the federal regulations listed in Section 4 in effect as of March 15, 2025 have been adopted by reference in NWCAA 104.2, as amended July 10, 2025.

The "Regulatory Description" column is a brief paraphrase of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements (including testing) are specified in the "Monitoring, Recordkeeping and Reporting Requirements" column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by the underlying requirement or by WAC 173-401-605(1) or -615. MR&R obligations do not apply to insignificant emission units.

The requirements labeled as "*Directly Enforceable*" are legally enforceable requirements added under either the NWCAA's "gap-filling" authority (WAC 173-401-615(1)(b) & (c), (10/17/2002)), or the NWCAA's "sufficiency monitoring" authority (WAC 173-401-630(1), (3/5/2016)), as cited in each permit term. Unless the text of the term is specifically identified to be "Directly Enforceable", the language of the cited regulation takes precedence over a paraphrased requirement.

MR&R requirements noted as "CAM" are part of the Compliance Assurance Monitoring (CAM) Plan for the specified unit(s) as required by 40 CFR 64.6(c) (10/22/97). The CAM plan submitted by the facility per 40 CFR 64.4 is included in the Statement of Basis document accompanying this permit.

Table 4-1 Generally Applicable Requirements

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.1 General	WAC 173-401-615(3) (10/17/02) 40 CFR 60 Subpart A 60.19(c) (2/12/99) 40 CFR 61 Subpart A 61.10(g) (3/16/94) 40 CFR 63 Subpart A 63.10(a)(5) (11/19/20) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Required Monitoring Reports</u> Submit reports of any required monitoring to the NWCAA at least once every six months. All instances of deviations from permit requirements must be clearly identified in such reports.	<i>Directly Enforceable:</i> Monthly reports shall cover a calendar month, quarterly reports shall cover a calendar quarter, six-month reports shall cover January through June and July through December, and annual reports shall cover a calendar year. The reports shall be submitted within 30 days after the close of the period that the reports cover, except when the reporting deadline is specified in a permit term including, but not necessarily limited to: Term 2.1.8- Source testing Term 2.4.1- Annual AOP Certification Term 2.4.5- Annual Emissions Inventory Term 2.4.6- Annual GHG Emissions All required reports must be certified by a responsible official consistent with Term 2.4.2.
4.2 General	NWCAA Section 342 (9/8/93) (7/10/25 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Operation and Maintenance</u> Sources are required to keep any process and/or air pollution control equipment in good operating condition and repair.	Operating instructions and maintenance schedules for process and/or control equipment must be available on site. <i>Directly Enforceable:</i> Monitor, keep records and report in accordance with the terms of this permit. Keep records of maintenance and repair work on process and air pollution control equipment.

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Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.3 Nuisance	NWCAA Section 530 (7/10/2025 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>General Nuisance</u> No person shall discharge from any source quantities of air contaminants, with the exception of odors, in sufficient amounts and of such characteristics and duration as is likely to be injurious or cause damage to human health, plant or animal life, or property; or which unreasonably interferes with enjoyment of life and property. An air contaminant is defined as "dust, fumes, mist, smoke, other particulate matter, vapor gas, odorous substance, or any combination thereof.	<i>Directly Enforceable:</i> Upon receiving an air contaminant complaint from the NWCAA or the public, all possible sources of the nuisance emissions at the facility shall be checked for proper operation. Problems identified shall be repaired or corrected as soon as practicable. If the problems identified cannot be repaired or corrected within four hours, action shall be taken to minimize emissions until repairs can be made and the NWCAA shall be notified within 12 hours with a description of the complaint and action being taken to resolve the problem.
4.4 Nuisance	WAC 173-400-040(5) (3/22/91) WAC 173-400-040(6) (3/15/2025 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Emission Detrimental to Persons or Property</u> No person shall cause or allow the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.	The results of the investigation, identification of any malfunctioning equipment or aberrant operation, and the date and time of repair or mitigation shall be recorded. A log of these records shall be maintained for inspection. Receipt of a nuisance complaint in itself shall not necessarily be a violation.
4.5 Odor	NWCAA Section 535 (7/10/2025 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Odor Control Measures</u> Appropriate practices and control equipment shall be installed and operated to reduce odor-bearing gases emitted into the atmosphere to a reasonable minimum. Any person who shall cause the generation of any odor from any source which may reasonably interfere with any other property owner's use and enjoyment of their property must use recognized best practices and control equipment to reduce these odors to a reasonable minimum. No person shall cause or permit the emission of any odorous air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.	

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Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.6 Odor	WAC 173-400-040(5) (3/15/2025 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Odors</u> Source may not generate odors which may unreasonably interfere with property use and must use recognized good practice and procedures to reduce odors to reasonable minimum.	<i>Directly Enforceable:</i> Follow MR&R under AOP Term 4.3.
4.7 PM	NWCAA Section 550 (4/14/93) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Preventing Particulate Matter from Becoming Airborne</u> Best Available Control Technology (BACT) required to prevent the release of fugitive matter to the ambient air. Nuisance particulate fallout is prohibited.	
4.8 PM	NWCAA Section 550 (7/10/2025 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Preventing Particulate Matter from Becoming Airborne</u> The owner or operator of a source or activity that generates fugitive dust, including, but not limited to, material handling, building construction or demolition, abrasive blasting, roadways and lots, shall employ reasonable precautions to prevent fugitive dust from becoming airborne and must maintain and operate the source or activity to minimize emissions. It shall be unlawful for any person to cause or allow the emission of particulate matter which becomes deposited upon the property of others 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.	
4.9 PM	WAC 173-400-040(3) (3/15/2025 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Fallout</u> Source may not generate the emission of particulate matter to be deposited beyond the property line in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material is deposited.	

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Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.10 PM	WAC 173-400-040(3)(a) (3/22/91) WAC 173-400-040(4)(a) (3/15/25 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Fugitive Emissions</u> From an emissions unit engaging in materials handling, construction, demolition, or other operation which is a source of fugitive emissions, take reasonable precautions to prevent the release of air contaminants from the operation.	<i>Directly Enforceable:</i> Follow MR&R under AOP Term 4.3.
4.11 PM	WAC 173-400-040(8)(a) (3/22/91) WAC 173-400-040(9)(a) (3/15/25 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Fugitive Dust</u> Reasonable precautions to prevent release of fugitive dust required. Maintain and operate source to minimize emissions.	
4.12 VE	NWCAA 451.1 (10/13/94); (7/10/25 State Only) CAM: 40 CFR 64.3(b), 64.6(c), 64.7(c)-(e), 64.9(a)-(b) (10/22/97) WAC 173-401-615(4) (10/17/02) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Emission of Air Contaminant - Visual Standard</u> No person shall cause or permit the emission, for any period aggregating more than three minutes in any one hour, of an air contaminant from any source which, at the point at emission, or within a reasonable distance of the point of emission, exceeds 20 percent opacity (Ecology Method 9A) except: When there is valid data to show that the opacity is in excess of 20 percent as a result of the presence of condensed water droplets, and that the concentration of the particulate matter, as shown by a source test approved by the Control Officer, is less than 0.10 (0.23 g/m ³) grain/dscf.	<i>Directly Enforceable:</i> At least once during each calendar month that an emission unit operates, conduct qualitative visual observations on each stack while operating to determine whether there are visible emissions (VE). If, at any time, visible emissions are observed, take one or more of the following actions within 24 hours or it will be considered prima facie evidence that all applicable opacity limits have been exceeded. <ul style="list-style-type: none"> • Complete action that returns visible emissions to a non-visible level. <i>Continued on next page</i>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.13 VE	<p>WAC 173-400-040(1) (3/22/91)</p> <p>WAC 173-400-040(2) (3/15/25 State Only)</p> <p>CAM: 40 CFR 64.3(b), 64.6(c), 64.7(c)-(e), 64.9(a)-(b) (10/22/97)</p> <p>WAC 173-401-615(4) (10/17/02)</p> <p>WAC 173-401-615(1)(b) & (c) (10/17/02)</p>	<p><u>Visible Emissions</u></p> <p>No person shall cause or allow the emission for more than three minutes, in any one hour, of an air contaminant from any emissions unit which at the emission point, or within a reasonable distance of the emission point, exceeds 20 percent opacity (Ecology Method 9A) except: When the owner or operator of a source supplies valid data to show that the presence of uncombined water is the only reason for the opacity to exceed 20 percent.</p>	<p><i>Continued from previous page</i></p> <ul style="list-style-type: none"> • Shutdown the unit until appropriate corrective action can be taken. • Observe and record VE using a certified observer in accordance with EPA Method 9 (six consecutive minutes). If any single reading is greater than an applicable numerical opacity limit, the certified observer shall determine opacity in accordance with the appropriate method for each opacity limit applicable to that emission unit. A certified observer shall determine opacity on a daily basis according to each applicable opacity limit until visible emissions are determined to be in compliance with each opacity limit. <p><i>Continued on next page</i></p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.14 VE	<p>NWCAA 455.1 (4/14/93) (7/10/25 State Only)</p> <p>WAC 173-400-060 (11/25/18) (3/15/25 State Only)</p> <p>CAM: 40 CFR 64.3(b), 64.6(c), 64.7(c)-(e), 64.9(a)-(b) (10/22/97)</p> <p>WAC 173-401-615(4) (10/17/02)</p>	<p><u>Emission of Particulate Matter</u></p> <p>Emissions shall not exceed 0.10 grain/dscf (0.23 g/dry m³) (combustion emissions shall be corrected to seven percent oxygen) except gaseous and distillate fuel burning equipment (not including internal combustion engines) shall not exceed 0.05 grain/dscf (0.11 g/dry m³) corrected to seven percent oxygen.</p>	<p><i>Continued from previous page</i></p> <p>For each qualitative VE observation, record the date and time of the observation, emission unit(s) observed, and name of observer. For stacks with visible emissions, record any related equipment or operational failure, failure dates and times, duration of visible emissions, and corrective actions taken.</p> <p>Compliance with this MR&R does not excuse an exceedance of the underlying opacity standard.</p> <p><i>Compliance Assurance Monitoring: Planer Mill</i> Observe the planer baghouse stack at least once per operating day while the baghouse is operating and controlling emissions from planer operations. If, at any time, visible emissions are observed by plant personnel, SPI will take immediate corrective action and will maintain records of observations and corrective action taken.</p> <p>Once per operating day, check the pressure taps for plugging, and check and record the differential pressure under which the baghouse is operating. If the baghouse is operating outside of the range 1.0-4.0 in. water, shut down immediately the baghouse and all equipment routed to it. Do not resume operation until the problem has been identified and corrected. Maintain a written log of the differential pressure gauge readings. Include in the log any bag failures or repairs, the time and date that the inspection or repair was conducted, and the initials of the individual performing the inspection or repair. Report according to the provisions of AOP Term 2.4.9.</p> <p><i>Compliance Assurance Monitoring: Biomass Boiler</i> Demonstrate compliance with the opacity standard following the CAM MR&R of AOP term 5.1.8. Demonstrate compliance with the PM standard following the CAM MR&R of AOP term 5.1.14.</p>

<p>4.15 PM</p>	<p>WAC 173-400-050(1) and (3) (9/16/18) (3/15/25 State Only) WAC 173-400-030 (3/15/25) CAM: 40 CFR 64.3(b), 64.6(c), 64.7(c)-(e), 64.9(a)-(b) (10/22/97) WAC 173-401-615(4) (10/17/02) WAC 173-401-615(1)(b) & (c) (10/17/02)</p>	<p><u>Emission Standards for Combustion and Incineration Units</u> <u>When combusting wood as defined in WAC 173-400-030 (105) to produce steam:</u> Particulate emissions in excess of 0.2 grains/dscf corrected to seven percent oxygen are prohibited.</p>	<p><i>Directly Enforceable:</i> Conduct a facility-wide inspection at least once per calendar month during each month of operation for visible emissions, odors, prohibited activities under AOP Term 2.7 and activities that require additional approval under AOP Term 2.8. The inspections shall also examine the general state of compliance with Operation and Maintenance (O&M) Manuals. Keep records of the inspections, including the date, person conducting the inspection and the results of the inspections. If, at any time, visible emissions are observed by plant personnel, SPI will take immediate corrective action and will maintain records of observations and corrective action taken.</p> <p><i>Compliance Assurance Monitoring: Planer Mill</i> Observe the planer baghouse stack at least once per operating day while the baghouse is operating and controlling emissions from planer operations. If, at any time, visible emissions are observed by plant personnel, SPI will take immediate corrective action and will maintain records of observations and corrective action taken. Once per operating day, check the pressure taps for plugging, and check and record the differential pressure under which the baghouse is operating. If the baghouse is operating outside of the range 1.0-4.0 in. water, shut down immediately the baghouse and all equipment routed to it. Do not resume operation until the problem has been identified and corrected. Maintain a written log of the differential pressure gauge readings. Include in the log any bag failures or repairs, the time and date that the inspection or repair was conducted, and the initials of the individual performing the inspection or repair. Report according to the provisions of AOP Term 2.4.9.</p> <p><i>Compliance Assurance Monitoring: Biomass Boiler</i> Demonstrate compliance with the opacity standard following the CAM MR&R of AOP Term 5.1.8. Demonstrate compliance with the PM standard following the CAM MR&R of AOP Term 5.1.14.</p>
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Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.16 PM	WAC 173-400-060 (11/25/18) (3/15/25 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Emission Standards for General Process Units</u> Particulate emissions greater than 0.1 grain/dscf prohibited.	<i>Directly Enforceable:</i> Follow MR&R under AOP Term 4.12.
4.17 SO ₂	NWCAA Section 462 (10/13/94) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Emission of Sulfur Compounds</u> Sulfur compounds emissions, calculated as SO ₂ , shall not exceed 1,000 ppmvd at seven percent oxygen. This requirement is not violated if reasonable evidence is presented that concentrations will not exceed ambient standards and the permittee demonstrates that no practical method of reducing the concentration exists.	<i>Directly Enforceable:</i> Burn biomass or pipeline grade natural gas only.
4.18 SO ₂	NWCAA Section 462 (7/10/25 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Emission of Sulfur Compounds</u> Sulfur compounds emissions, calculated as SO ₂ , shall not exceed 1,000 ppmvd at seven percent oxygen averaged for a 60 consecutive minute period. This requirement is not violated if reasonable evidence is presented that concentrations will not exceed ambient standards and the permittee demonstrates that no practical method of reducing the concentration exists.	
4.19 SO ₂	WAC 173-400-040(6) first paragraph only (3/22/91) WAC 173-401-615(1)(b) & (c) (10/17/02)	Sulfur Dioxide Sulfur dioxide emissions shall not exceed 1,000 ppmvd, corrected to seven percent oxygen for combustion sources, based on the average of any 60 consecutive minute period.	

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.20 SO ₂	NWCAA 520.11, 520.12, 520.13, and 520.15 (4/14/93) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Sulfur Compounds in Fuel</u> It is prohibited to burn, sell, or make available for sale for burning in fuel burning equipment within the jurisdiction of the NWCAA, fuel containing sulfur in excess of the following for a time period not to exceed 30 days in a 12-month period: <ul style="list-style-type: none"> • #1 Distillate – 0.3 weight percent • #2 Distillate – 0.5 weight percent • Other fuel oils – 2.0 weight percent • Solid fuels – 2.0 weight percent 	<i>Directly Enforceable:</i> Burn biomass or natural gas only.
4.21 SO ₂	NWCAA 520.11, 520.12, 520.13, 520.15, 520.2 (7/10/25 State Only) WAC 173-401-615(1)(b) & (c) (10/17/02)	<u>Sulfur Compounds in Fuel</u> It is prohibited to burn, sell, or make available for sale for burning in fuel burning equipment within the jurisdiction of the NWCAA, fuel containing sulfur in excess of the following for a time period not to exceed 30 days in a 12-month period: <ul style="list-style-type: none"> • #1 Distillate – 0.3 weight percent • #2 Distillate – 0.5 weight percent • Other fuel oils – 2.0 weight percent • Solid fuels – 2.0 weight percent Ocean-going vessels are exempt.	

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.22	<p>OAC 938c Condition 1 (5/8/13)</p> <p>WAC 173-401-615(1)(b) & (c) (10/17/02)</p>	<p><u>Fugitive Emissions</u> Fugitive emissions, including but not limited to any of the following, shall be controlled at all times as specified below such that no visible emissions are detected at any point beyond the plant property line as determined using 40 CFR 60 Appendix A Method 22.</p> <ul style="list-style-type: none"> • Dust from unpaved roads or any other non-vegetation-covered area; • Fugitive sawdust from fuel-handling devices and/or storage areas; • Ash which is processed by the ash handling system or is removed from the wood-fired boiler by other means. Such ash shall be stored in closed containers and disposed of in such a manner so as to not create a public nuisance. Ash shall be transported in a wet condition in covered containers at all times. It shall be the responsibility of the plant owner/operator to insure that any and all contract or company carriers adhere to this condition; • Accumulation of sawdust or ash on outside surfaces, including but not limited to the main building, boilers, electrostatic precipitator, support pads, road areas. Surfaces shall be cleaned on a regular basis to prevent the build-up of ash and/or fugitive dust. 	<p><i>Directly Enforceable:</i> Comply with the MR&R requirements of AOP Terms 4.3 and 4.12 (except CAM requirements).</p>

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Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, & Reporting Requirements
4.23	OAC 938c, Condition 2 (5/8/13)	<p><u>HAP emission limits</u></p> <p>a) Emissions of acetaldehyde from the facility shall not exceed 33,844 lb/yr, 12-month total, calculated on a rolling monthly basis.</p> <p>b) Emissions of acrolein from the facility shall not exceed 588 lb/yr, 12-month total, calculated on a rolling monthly basis.</p> <p>c) Emissions of formaldehyde from the facility shall not exceed 6,917 lb/yr, 12-month total, calculated on a rolling monthly basis.</p>	<p>Each month, SPI shall determine compliance with the emission limits using kiln throughput data, boiler operation data, and the emission factors listed below, unless otherwise approved by the NWCAA. SPI shall include the monthly compliance determination with the quarterly reports required by PSD 05-04 A3 (see AOP Term 5.1.17)</p> <p>a) Acetaldehyde emission factors: i) 1.64E-04 lb/MMBtu for the wood-fired boiler ii) 113 lb/MMbf for kiln-drying Western hemlock iii) 57 lb/MMbf for kiln-drying Douglas fir</p> <p>b) Acrolein emission factors: i) 3.15E-05 lb/MMBtu for the wood-fired boiler ii) 1.6 lb/MMbf for kiln-drying Western hemlock iii) 0.65 lb/MMbf for kiln-drying Douglas fir</p> <p>c) Formaldehyde emission factors: i) 1.72E-03 lb/MMBtu for the wood-fired boiler ii) 1.24 lb/MMbf for kiln-drying Western hemlock iii) 1.0 lb/MMbf for kiln-drying Douglas fir</p>
4.24	PSD 05-04 A3 Condition B.19 (4/23/24)	<p><u>O&M Manual</u></p> <p>Prepare an O&M manual that includes operational parameters and practices for the planer mill bag house, drying kilns, anti-mold spray system, and wood-fired cogeneration unit, including inspection and maintenance procedures and schedule, prescribed acceptable ranges for operation based on manufacturer recommendations, and maintenance and calibration of all monitoring. Keep the O&M manual up to date to reflect any modifications of the equipment or its operating procedures.</p>	<p>Keep the O&M manual readily available at the facility for review by state, federal, and local agencies.</p>

SECTION 5 SPECIFICALLY APPLICABLE REQUIREMENTS

The cited requirements in the "Regulatory Citation" column and incorporated herein by reference are applicable to emission units specified in the header of the table. These requirements are federally enforceable unless identified as "State Only". A requirement designated "State Only" is enforceable only by the state or the NWCAA, and not by the EPA or through citizen suits. "State Only" WAC citations in effect as of March 15, 2025 are enforceable by NWCAA because they are adopted by reference in NWCAA 104.1, as amended July 10, 2025. All of the federal regulations in effect as of March 15, 2025 listed in Section 5 have been adopted by reference in NWCAA 104.2, as amended July 10, 2025.

The "Regulatory Description" column is a brief paraphrase of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements, including testing, are specified in the "Monitoring, Recordkeeping and Reporting Requirements" (MR&R) column, which identifies MR&R obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units. The test method cited or any credible evidence may be used to determine compliance.

The requirements labeled as "*Directly Enforceable*" are legally enforceable requirements added under either the NWCAA's "gap-filling" authority (WAC 173-401-615(1)(b) & (c), (10/17/2002)), or the NWCAA's "sufficiency monitoring" authority (WAC 173-401-630(1), (3/5/2016)), as cited in each permit term. Unless the text of the term is specifically identified to be "Directly Enforceable", the language of the cited regulation takes precedence over a paraphrased requirement.

MR&R requirements noted as "CAM" are part of the Compliance Assurance Monitoring (CAM) Plan for the specified unit(s) as required by 40 CFR 64.6(c) (10/22/97). The CAM plan submitted by the facility per 40 CFR 64.4 is included in the Statement of Basis document accompanying this permit.

The provisions of federally approved NWCAA Sections 365, 366 and the "Guidelines for Industrial Monitoring Equipment and Data Handling" have been replaced in this section by NWCAA Section 367 and Appendix A - "Ambient Monitoring, Emission Testing, and Continuous Emission and Opacity Monitoring", adopted on July 10, 2025. The new regulations are "State Only" until incorporated into the State Implementation Plan.

Table 5-1 Specifically Applicable Requirements – EU-1, cogeneration facility

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.1	OAC 938c Conditions 7, 8, 9, and 10 (5/8/13)	<p><u>Boiler fuel requirements</u> At least 50 percent of fuel burned in the boiler on a calendar year basis shall be clean hog fuel consisting of bark, sawdust, chips, and other wood waste from wood products industries. Clean hog fuel for purposes of this condition shall meet the following criteria:</p> <ul style="list-style-type: none"> • Derived from wood and is of a suitable size and moisture content to sustain adequate combustion; • Free of contamination including, but not limited to, non-wood man-made materials, painted wood, wood treated with creosote or other wood preservatives, wood from construction/demolition activities, and wood contaminated with petroleum products. <p>Up to 50 percent of fuel burned in the boiler on a calendar year basis shall be clean cellulosic biomass, resinated wood debris, and/or biomass-derived non-hazardous secondary materials (NHSM) as defined, processed, and managed according to 40 CFR Part 241 Solid Wastes Used as Fuels or Ingredients in Combustion Units. This fraction of boiler fuel shall be referred to as "alternative fuel".</p>	<p>When utilizing alternative fuels, operate in accordance to the following: Inspect all purchased fuel prior to acceptance. Prior to combusting any alternative fuel, SPI shall develop and implement an alternative fuel quality assurance plan subject to prior approval by the NWCAA. The plan shall clearly describe how SPI will evaluate potential alternative fuel and alternative fuel suppliers to assure that the boiler will not combust solid or hazardous waste. Changes to the plan shall be approved by the NWCAA prior to implementation. The following elements shall be included in the plan:</p> <ul style="list-style-type: none"> • Procedure for alternative fuel handling at the SPI facility; • Procedure for SPI inspection of alternative fuel sources/suppliers; • Procedure for inspecting individual alternative fuel loads, including how to identify different levels of contamination by visual inspection, how to document the inspection, and how to identify loads with unacceptable levels of contamination. "Contamination" includes plastics, asbestos-containing material, preservative-treated wood, painted wood, rubber, metals, non-wood roofing materials, or any other material that is not a non-waste fuel according to 40 CFR 241.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.2	<p>OAC 938c Conditions 12, 13, and 14 (5/8/13)</p> <p>WAC 173-401-630(1) (3/5/16)</p>	<p>Rejected fuel loads must be removed from the SPI facility by the close of business on the business day following the day in which the fuel was received.</p> <p>Combustion of wet fuel, i.e., fuel with moisture content greater than or equal to 55 percent, shall not be considered as an affirmative defense to an excess emission condition for the wood-fired boiler. Use of such fuels is a foreseeable occurrence, and as such, compliance with all permit limits and applicable regulations shall be required at all times unless the NWCAA has determined that the cause of the wet fuel condition is due to an unavoidable or emergency situation.</p>	<p>Submit to the NWCAA by February 28 for the previous calendar year a summary describing the source and quantities of all alternative fuel combusted in the boiler. The report shall include information on all loads of fuel rejected and the reason the fuel was rejected, information on the types of contaminants found in the fuel from each source of fuel (e.g. plastic, rubber, painted wood, asbestos-containing materials, salts, etc.), and the results of the bucket tests recorded during the year.</p> <p><i>Directly enforceable:</i></p> <p>Keep records of rejected fuel loads.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.3	PSD 05-04 A3 Condition B.10 (4/23/24)	<p><u>Boiler fuel data conversions</u> "per MMBtu" basis shall be determined by:</p> <ul style="list-style-type: none"> • 40 CFR Part 60 Appendix A, Method 19 titled "Determined F Factors" (in the 2004 version of 40 CFR Part 60: Paragraph 12.3.2), or • 40 CFR Part 60 Appendix A, Method 19 Factors from table "F Factors for Various Fuels" (Table 19-2). The factor shall reflect the proportions of wood, bark, and natural gas in the fuel by either: <ul style="list-style-type: none"> ○ Determining the wood and bark proportions of the fuel used during the test based on randomized fuel sampling following procedure outlined in the corresponding test plan approved by Ecology and NWCAA, or ○ A default assumption of equal proportions of wood and bark. Example: a 50:50 wood/bark mixture with no natural gas will have an F_d factor of 9,420 dscf/MMBtu. 	Maintain records of MMBtu determinations as required in the 40 CFR Part 60 Appendix A Method 19.
5.1.4	PSD 05-04 A3 Conditions B.5 & B.18.3.3 (4/23/24)	<p><u>Boiler fuel - natural gas limitation</u></p> <p>The wood-fired cogeneration unit may burn natural gas in the wood-fired cogeneration unit only to ignite the fuel or to maintain good combustion.</p>	Maintain records of natural gas consumed by the cogeneration unit. Records shall include date, times, quantity and the reason for use of natural gas by the cogeneration unit.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.5	40 CFR Part 60 Subpart Db 60.42b(k)(2), 60.44b(d), 60.49b(d)(1) and (r)(1) (2/16/12)	<u>Boiler fuel - NO_x and SO₂ limitation</u> The annual capacity factor for natural gas shall not exceed 10 percent (0.10). The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.	Record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for natural gas and wood for the reporting period. Obtain and maintain at the affected facility fuel receipts from the fuel supplier that certify that the gaseous fuel meets the definition of natural gas. Reports shall be submitted to the Administrator certifying that only natural gas, wood, and/or other fuels that are known to contain insignificant amounts of sulfur were combusted in the affected facility during the reporting period. <i>Annual capacity factor</i> means the ratio between the actual heat input to a steam generating unit from the fuels listed in 60.42b(a), 60.43b(a), or 60.44b(a), as applicable, during a calendar year and the potential heat input to the steam generating unit had it been operated for 8,760 hours during a calendar year at the maximum steady state design heat input capacity.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.6	<p>PSD 05-04 A3 Conditions B.4.1.1 and B.4.2.1 (4/23/24)</p> <p>WAC 173-401-615(1)(b) & (c) (10/17/02)</p>	<p><u>Boiler startup</u> defined: Cold startup is one that starts or resumes feeding fuel of any type when the wood-fired cogeneration unit furnace temperature is 150°F or lower. A cold startup ends upon the earlier of:</p> <ul style="list-style-type: none"> • Four hours after starting wood fuel feed to the boiler, • Dry basis flue gas carbon dioxide concentration has been greater than or equal to 11 percent and less than or equal to 13 percent for one hour while the flue gas CO concentration has simultaneously not exceeded 260 ppm_{dv}, • Steam flow exceeded 150,000 pounds over the previous hour, or • 24 hours after starting or resuming feeding fuel of any type. <p>A warm startup is one that starts or resumes feeding fuel of any type when the wood-fired cogeneration unit furnace temperature is higher than 150 °F. A warm startup ends upon the earlier of:</p> <ul style="list-style-type: none"> • Four hours after starting wood fuel feed to the boiler, • Dry basis flue gas carbon dioxide concentration has been greater than or equal to 11 percent and less than or equal to 13 percent for one hour while the flue gas CO concentration has simultaneously not exceeded 260 ppm_{dv}, • Steam flow exceeded 150,000 pounds over the previous hour, or • Eight hours after starting or resuming feeding fuel of any type. 	<p><i>Directly Enforceable:</i></p> <p>Maintain records in accordance with AOP Term 2.4; furnace temperature, fuel feed start and stop and steam production including times and dates to demonstrate that a startup has occurred.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.7	<p>PSD 05-04 A3 Conditions B.4.1.2 and B.4.2.2 (4/23/24)</p> <p>WAC 173-401-615(1)(b) & (c) (10/17/02)</p>	<p><u>Boiler shutdown</u> defined:</p> <p>A cold shutdown is one wherein wood fuel feed stops, and the furnace is allowed to cool to 150 °F or lower. A cold shutdown ends when:</p> <ul style="list-style-type: none"> • No fuel of any type is being feed, and the furnace temperature is 150 °F or lower and the FD fan is off-line, or • 24 hours after wood fuel feed was stopped, whichever comes first. <p>A warm shutdown is one wherein wood fuel feed stops, but the furnace temperature does not cool to 150 °F or lower before wood fuel feed is resumed.</p> <p>A warm shutdown ends when:</p> <ul style="list-style-type: none"> • Wood fuel feed is resumed, • No fuel of any type is being feed, and the furnace temperature is 150 °F or lower (at which point the shutdown becomes a "cold shutdown"), or • 24 hours after wood fuel feed was stopped, whichever comes first. 	<p><i>Directly enforceable:</i></p> <p>Maintain records of furnace temperature, fuel feed start and stop, and steam production, including times and dates to demonstrate that a shutdown has occurred.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.8	<p>OAC 938c Conditions 3 and 4 (05/08/13)</p> <p>NWCAA 367 (7/10/25 State Only)</p> <p>CAM 40 CFR 64.3(b); 64.6(c), 64.7(c), (d), and (e), 64.9(a) and (b) (10/22/97)</p> <p>WAC 173-401-615(4) (10/17/02)</p>	<p><u>Boiler stack opacity</u></p> <p>The exhaust stack from the wood-fired boiler shall not emit any air pollutants which exhibit greater than the following opacity limitations:</p> <ul style="list-style-type: none"> a) 20 percent opacity for a period or periods aggregating more than three minutes in any one hour as measured by a continuous opacity monitoring system (COMS). b) Five percent opacity (one-hour average) as measured by a COMS, except for periods of soot-blowing. c) 10 percent opacity (aggregated three minutes in any one hour) as measured by WA DOE Method 9A. <p>Soot-blowing shall occur as a regularly scheduled event and shall not exceed one hour per eight-hour shift.</p> <p>Soot-blowing shall not cause the boiler stack to exceed 10 percent opacity (one-hour average) as measured by COMS. Deviations from the regular soot-blowing schedule that result in excess emissions shall trigger agency notification.</p>	<p>Install and operate a COMS for measurement of opacity at the wood-fired boiler/ESP exhaust stack, downstream from the particulate matter control device in accordance with NWCAA Regulation 367 and Appendix A and applicable 40 CFR Part 60 Appendix A and B specifications.</p> <p>Record and maintain a soot-blowing schedule. Maintain records of soot-blowing including start and stop times.</p> <p>Annually, conduct a 40 CFR 60 Appendix A Method 9 test. Notification and reports shall be provided to the NWCAA as specified in NWCAA Regulation Appendix A.</p> <p><i>Compliance assurance monitoring (applies to opacity limit under c):</i></p> <p>Monitor opacity using the COMS as per non-CAM monitoring in AOP term 5.1.8.</p> <p>Monitor the secondary voltage to each transformer/rectifier set hourly. Record hourly voltage values of each transformer/rectifier set. If an hourly voltage value is less than 10 kV or more than 55 kV, constituting an excursion, notify immediately the maintenance department. Inspect the ESP within four hours of receiving notification of a voltage excursion. Make needed repairs as soon as practicable. If the opacity monitor is not functioning during an excursion, plant personnel must make visual opacity readings of the boiler stack once per shift.</p> <p>Keep records of hourly voltage measurements. Keep records of any repairs.</p> <p>Report according to the provisions of AOP term 2.4.9.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.9	40 CFR Part 60 Subpart Db 60.43b(f) and (g) (2/16/12) 60.46b(d)(7) (2/27/14) 60.48b(a), (e)(1), 60.49b(d), (f), (h)(3), and (w) (2/16/12) NWCAA 367 (7/10/25 State Only)	<p><u>Boiler stack opacity</u></p> <p>SPI shall not cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (six-minute average), except for one six-minute period per hour of not more than 27 percent opacity.</p> <p>Standard applies at all times, except during periods of startup, shutdown or malfunction.</p>	<p>Install and operate a COMS for measurement of opacity at the wood-fired boiler/ESP exhaust stack, downstream from the particulate matter control device in accordance with NWCAA Regulation 367 and Appendix A and applicable 40 CFR Part 60 Appendix A and B specifications.</p> <p>Maintain records of opacity.</p> <p>Submit excess emission reports for all six-minute periods during which average opacity exceeds standards. The reporting period for the reports required under 40 CFR 60 Subpart Db is each six month period. All reports shall be submitted to the NWCAA and shall be postmarked by the 30th day following the end of the reporting period.</p>
5.1.10	OAC 938c Conditions 5 and 6 (05/03/13)	<p><u>Boiler stack ammonia limit</u></p> <p>Emissions of ammonia from the wood-fired boiler shall not exceed 50 ppmvd NH₃ corrected to seven percent O₂ as a 24-hour average.</p>	<p>Demonstrate compliance at least once every twelve months in accordance with Bay Area Air Quality Management District Source Test Procedure #1B (BAAQMD ST-1B) or alternative method approved by NWCAA. Monitor and record SNCR feed rate (ammonia or urea) and NO_x emissions during the tests.</p> <p>Maintain and operate the boiler and urea injection system (SNCR system) in accordance with good air pollution control practices and in a manner minimizing particulate and visible emissions from the unit.</p> <p>At least 30 days prior to any modification of the SNCR injection system, a written notification to the NWCAA is required and an updated Ammonia Emissions Monitoring Plan must be submitted evaluating a predictive relationship between boiler and SNCR parameters and emissions of ammonia.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.11	PSD 05-04 A3 Conditions B.6.1, B.11, B.17.1, B.17.3, and B.18.2.2. (4/23/24) NWCAA 367 (7/10/25 State Only)	<p><u>Boiler stack NO_x limits</u> NO_x emissions shall not exceed, on a daily average:</p> <ul style="list-style-type: none"> • 0.13 lb NO_x/MMBtu based on the heat input value of the fuel, and, • 56 lb NO_x/hr 	<p>Monitor continuing compliance with a CEMS that satisfies the requirements of 40 CFR 60.48b(b) through (f) and AOP Term 2.1.9. Compliance will be determined from the arithmetic mean of the hours of valid NO_x emissions data in lb NO_x/MMBtu. Data that is "valid" shall be as defined in 40 CFR 60.13(h). A calendar day used for compliance monitoring shall have at least 18 hours of valid data. Valid data from any calendar day having fewer than 18 hours of valid data shall be included in either the following or preceding day's data, whichever is contiguous, and the 24-hour average calculated using the cumulative hours of the conjoined periods. Follow AOP Term 5.1.3 (EPA Method 19) for calculation of lb/MMBtu from ppm.</p> <p>Annual NO_x CEMS RATA certification shall be conducted concurrently with CO CEMS RATA certification.</p> <p>Quarterly, submit NO_x emissions data in continuing performance monitoring reports in accordance with AOP Term 5.1.17.</p>
5.1.12	PSD 05-04 A3 Conditions B.6.4, B.15.1.1, B.15.1.3, B.15.1.4, B.18.2.2.2.7, and B.18.2.2.2.8 (4/23/24)	<p><u>Boiler stack SO₂ limits</u> SO₂ emissions shall not exceed:</p> <ul style="list-style-type: none"> • 0.025 lb SO₂/MMBtu on a three-hour average, based on the heat input value of the fuel, and • 47.1 tons SO₂ over any consecutive 12-month period. 	<p>Demonstrate continuing compliance with the arithmetic mean of not less than three one-hour Method 6, 6A, or 6C samples (unless an equivalent test method has been approved by Ecology and NWCAA) by an independent testing vendor at least once every 12 months. Follow AOP Term 5.1.3 (EPA Method 19) to develop a lb/MMBtu emission factor. Multiply emission factor by fuel heat input rate to determine SO₂ mass emissions.</p> <p>If three consecutive tests (each test being the average of three one-hour samples) have emissions less than 0.019 lb/MMBtu, testing interval goes to at least once every 24 months. Any test with an average of 0.019 lb SO₂/MMBtu or greater causes the testing interval to go back to at least once every 12 months.</p> <p>Monitor continuous compliance on a monthly basis by multiplying SO₂ emission factor (developed during the most recent compliance test) by monthly average firing rates (unless an equivalent test method has been approved by Ecology and NWCAA). Calculate and show mass emission rates determined monthly using the appropriate procedures outlined in 40 CFR Part 60 Appendix A Method 19, unless otherwise approved by Ecology and NWCAA.</p> <p>Quarterly, submit SO₂ emissions data in continuing performance monitoring reports in accordance with AOP Term 5.1.17.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.13	PSD 05-04 A3 Conditions B.6.2, B.12, B.17.2, B.17.3, B.18.2.2.2.2, B.18.2.2.2.3, and B.18.2.2.2.4 (4/23/24) NWCAA 367 (7/10/25 State Only)	<p><u>Boiler stack CO limits</u></p> <p>CO emissions shall not exceed;</p> <ul style="list-style-type: none"> • 0.28 lb CO/MMBtu, 24-hour rolling average based on the heat input value of the fuel except during startup and shutdown, • 400 lb CO/hr one-hour average, during cold startups and shutdowns, • 300 lb CO/hr one-hour average, during warm startups and shutdowns, and • 659 tons CO in any consecutive 12-month period (including startups and shutdowns). 	<p>Monitor CO continuing compliance at all times the furnace temperature exceeds 150 °F by a CEMS that satisfies the requirements in 40 CFR 60, Appendix B, Performance Specification 4, 40 CFR 60, Appendix F and AOP Term 2.1.9.</p> <p>Compliance shall be demonstrated by averaging the arithmetic mean of the emissions data for each operating scenario and averaging period.</p> <p>The span and linearity calibration gas concentrations in Method 10 will be appropriate to the CO concentration limits specified in this condition.</p> <p>Follow AOP Term 5.1.3 (EPA Method 19) for calculation of CO emission factor in lb/MMBtu from ppm, using a value of 7.270E-08 pound of CO per standard cubic foot of stack gas. Multiply CO emission factor in lb/MMBtu by fuel input rate in MMBtu/hr to get CO emission rate in pounds per hour.</p> <p>Quarterly, submit CO emissions (lb/MMBtu and 12-month total data, as well as times, durations, and average hourly CO mass emissions for any cold or warm start-ups and shutdowns) in continuing performance monitoring reports in accordance with AOP Term 5.1.17.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.14	<p>PSD 05-04 A3 Conditions B.6.3, B.13.1, B.18.2.2.2.5 and B.18.2.2.2.6 (4/23/24)</p> <p>CAM 40 CFR 64.3(b), 64.6(c), 64.7(c), (d), and (e), 64.9(a) and (b) (10/22/97)</p> <p>WAC 173-401-615(4) (10/17/02)</p>	<p><u>Boiler stack PM/PM₁₀/PM_{2.5} limits (filterable + condensable) expressed as PM₁₀ emissions shall not exceed:</u></p> <ul style="list-style-type: none"> 0.02 lb PM₁₀/MMBtu 24-hour average, based on the heat input value of the fuel, and 37.7 tons PM₁₀ in any consecutive 12-month period 	<p>Monitor continuing compliance by conducting 40 CFR Part 60 Appendix A Methods 5 (in the manner prescribed in 40 CFR 60.46b(d)) and 202 by an independent testing vendor at least once every 12 months. Compliance will be demonstrated from the arithmetic mean of not less than three two-hour test samples. The emission rate expressed in lb PM₁₀/MMBtu will be determined using the procedure described in 40 CFR 60.46b(d)(6). Equivalent concentration test methods may be used if approved in advance by Ecology and NWCAA. Monitor compliance with the mass emission limit calculating the arithmetic mean of the test results in tpy PM₁₀ based on monthly average firing rates. If three consecutive tests (each test being the average of three two-hour samples) have emissions less than 0.015 lb/MMBtu, testing interval goes to at least once every 24 months. Any test with an average of 0.015 lb/MMBtu or greater causes the testing interval to go back to at least once every 12 months. Quarterly, submit PM₁₀ emissions (12-month total data) in continuing performance monitoring reports in accordance with 5.1.17.</p> <p><i>Compliance Assurance Monitoring:</i> Monitor the secondary voltage to each transformer/rectifier set hourly. Record hourly voltage values of each transformer/rectifier set. If an hourly voltage value is less than 10 kV or more than 55 kV, constituting an excursion, notify immediately the maintenance department. Inspect the ESP within four hours of receiving notification of a voltage excursion. Make needed repairs as soon as practicable. If the opacity monitor is not functioning during an excursion, plant personnel must make visual opacity readings of the boiler stack once per shift. Keep records of hourly voltage measurements. Keep records of any repairs. Report according to the provisions of AOP term 2.4.9.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.15	40 CFR Part 60 Subpart Db 60.43b(g), 60.43b(h)(4) (2/16/12), 60.46b(b), (d)(1)-(6), (j) (2/17/14) 60.49b(d) (2/16/12) CAM 40 CFR 64.3(b), 64.6(c), 64.7(c), (d), and (e), 64.9(a) and (b) (10/22/97) WAC 173-401-615(4) (10/17/02)	<p><u>Boiler stack PM limit</u></p> <p>Emission of particulate matter shall not exceed</p> <ul style="list-style-type: none"> • 0.085 lb PM/MMBtu <p>Standard applies at all times, except during periods of startup, shutdown or malfunction.</p>	<p>Demonstrate compliance by performance testing in accordance with 40 CFR Part 60 Appendix A, Methods 1, 3 and 5 upon request by the administrator.</p> <p>Maintain records of each fuel combusted on a daily basis as required in AOP Term 2.4.</p> <p><i>Compliance Assurance Monitoring:</i></p> <p>Monitor the secondary voltage to each transformer/rectifier set hourly. Record hourly voltage values of each transformer/rectifier set. If an hourly voltage value is less than 10 kV or more than 55 kV, constituting an excursion, notify immediately the maintenance department. Inspect the ESP within four hours of receiving notification of a voltage excursion. Make needed repairs as soon as practicable. If the opacity monitor is not functioning during an excursion, plant personnel must make visual opacity readings of the boiler stack once per shift.</p> <p>Keep records of hourly voltage measurements. Keep records of any repairs.</p> <p>Report according to the provisions of AOP term 2.4.9.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.16	PSD 05-04 A3 Conditions B.6.5, B.16.1, B.18.2.2.2.9, and B.18.2.2.2.10 (4/23/24)	<p><u>Boiler stack VOC limits</u></p> <p>Emissions calculated as propane (MW 44) shall not exceed:</p> <ul style="list-style-type: none"> • 0.019 lb VOC/MMBtu one-hour average, based on the heat input value of the fuel, and • 35.8 tons VOC in any consecutive 12-month period 	<p>Monitor continuous compliance with the arithmetic mean of not less than three Method 25, 25A, or 25B samples (unless an equivalent test method has been approved by Ecology) by an independent testing vendor at least once every 12 months, to coincide with RATA for the CEMS. Use Method 19 (with VOC as propane) and fuel heat input rate to determine VOC mass emissions.</p> <p>If three consecutive tests (each test being the average of three one-hour samples) have emissions less than 0.014 lb/MMBtu, testing interval goes to at least once every 24 months. Any test with an average of 0.014 lb/MMBtu or greater causes the testing interval to go back to at least once every 12 months.</p> <p>Monitor continuous compliance on an hourly basis by multiplying VOC emission factor (developed during most recent compliance test) by hourly average firing rates (unless an equivalent test method has been approved by Ecology and NWCAA).</p> <p>Monitor continuous compliance on a monthly basis from the arithmetic mean of the most recent test results and monthly average firing rates. Mass emission rates will be determined using Method 19 with indicated calculations modified to be applicable to VOC measured as propane (unless an equivalent test method has been approved by Ecology and NWCAA).</p> <p>Quarterly, submit VOC emissions (12-month total data) in continuing performance monitoring reports in accordance with AOP Term 5.1.17.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.17	PSD 05-04 A3 Conditions B.18.1 and B.18.2 (4/23/24)	<p><u>Boiler reports:</u></p> <p>Quarterly, submit continuing written compliance reports to NWCAA and Ecology (postmarked no later than one calendar month after the close of each respective calendar quarter).</p>	<p>The report shall include:</p> <ul style="list-style-type: none"> • Certification by the responsible party for the facility that the relevant equipment was operated and maintained in accordance with the O&M Manual. • NOx emissions (lb/MMBtu) since the last report • CO emission (lb/MMBtu) since the last report • For each month since the last report, show the 12-month CO mass emissions ending with that month • The times, durations, and average hourly CO mass emissions for any cold or warm start-ups and shutdowns • Results of any required source tests for PM₁₀ since the last report. • 12-month PM₁₀ mass emissions ending with that month • Results of any required source tests for SO₂ since the last report • For each month since the last report, show the 12-month SO₂ mass emissions ending with that month • Results of any required source tests for VOC since the last report • For each month since the last report, show the 12-month VOC mass emissions ending with that month. • The duration and nature of any CEMS down-time excluding zero and span checks • Results of any CEMS audits or accuracy checks
5.1.18	40 CFR 72.6(b)(4)(ii) (3/1/01) WAC 173-401-615(1)(b) & (c), (10/17/02)	<p><u>Cogeneration unit regulatory status:</u></p> <p>Supply equal to or less than one-third the potential electrical output capacity or equal to or less than 219,000 MWe-hrs actual electric output on an annual basis to any utility power distribution system for sale (on a gross basis).</p> <p>If in any three calendar year period, the unit sells to a utility power distribution system an annual average of more than one-third of its potential electrical output capacity and more than 219,000 MWe-hrs actual electric output (on a gross basis), that unit shall be an affected unit, subject to the requirements of the Acid Rain Program.</p>	<p><i>Directly enforceable:</i></p> <p>Maintain records of electricity generation and sales in accordance with AOP Term 2.4.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.19	40 CFR 60.40Da(a) (2/16/12) WAC 173-401-615(1)(b) & (c), (10/17/02)	If SPI sells to a utility power distribution system an annual average of more than one-third of a unit’s potential electrical output capacity and more than 25 MW net-electrical output, that unit shall be an affected unit, subject to the applicable requirements of 40 CFR 60 Subpart Da.	<i>Directly Enforceable:</i> Comply with the MR&R requirements of AOP Term 5.1.18.
Provisions of 40 CFR 63 Subpart DDDDD (Boiler MACT)			
5.1.20	40 CFR 63 Subpart DDDDD 63.7500(a), 63.7505(a), 63.7515(d), 63.7540(a)(12) and (b), 63.7545(a) and (e)(8)(i), 63.7550(a), (b), (c)(1), (c)(5)(i)-(iii), (xiv), (xvii), and (h)(3), 63.7555(a), Table 3 Line 1, Table 9 (10/6/22)	<u>Boiler Tune-Up – with Continuous Oxygen Trim</u> Conduct a tune-up of the boiler every five years. Conduct subsequent annual tune-ups no more than 61 months after the previous tune-up. The tune-up shall include: inspect the burner, clean and replace components as necessary; inspect the flame pattern, adjust as necessary; inspect air-to-fuel ratio system control, as applicable to ensure it is correctly calibrated and functioning properly; optimize total emissions of CO; measure CO concentrations before and after adjustments are made; and maintain on-site an annual report summarizing inspection.	Submit a signed certification in the Notification of Compliance Status (NCS) in accordance with AOP Term 3.2.18 that indicates a tune-up was completed. Include a statement in the NCS, as applicable, “This facility complies with the initial tune-up according to the procedures in 63.7540(a)(10)(i) through (iv).” Submit a compliance report every five calendar years. The compliance report shall include, among other things, the date of the most recent tune-up and burner inspection and if applicable, a statement that no deviations occurred. The compliance report shall be certified by the Responsible Official. Reports are due, in accordance with AOP Term 4.1, 30 days after the close of the period that the reports cover. If available, the compliance reports shall be submitted electronically via CEDRI (www.epa.gov/cdx).

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.21	40 CFR 63 Subpart DDDDD 63.7500(f), 63.7505(e) (10/6/22) 63.7535(b) (11/20/15) 63.7555(d)(10)-(13), Table 3 Lines 5 and 6 (10/6/22)	<p><u>Startup and shutdown provisions</u></p> <p>Emission limitations, work practice standards, and operating limits apply at all times the affected unit is operating except during periods of startup and shutdown during which time you must comply only with the work practice standards in Table 3, lines 5 and 6 of 40 CFR 63 Subpart DDDDD.</p>	<p>Operate all CMS during startup and shutdowns. Use only natural gas for startups. Maintain records of the calendar date, time, occurrence and duration of each startup and shutdown. Maintain records of the type and amount of fuels used during each startup and shutdown.</p> <p>If you choose to comply using definition (1) of "startup" in 63.7575:</p> <ul style="list-style-type: none"> Vent all emissions to the main stack once you fire non-clean fuels, and engage all applicable control devices. <p>If you choose to rely on definition (2) of "startup" in 63.7575:</p> <ul style="list-style-type: none"> Vent all emissions to the main stack once you fire non-clean fuels, and engage all applicable control devices so as to comply with emission limits within four hours of start of supplying useful thermal energy. Engage and operate PM control within one hour of first feeding non-clean fuels. Develop and implement a written startup and shutdown plan as specified in 63.7505(e). <p>Collect monitoring data during startups as specified in 63.7535(b) and 63.7555(d)(10)-(13)</p>
5.1.22	40 CFR 63 Subpart DDDDD 63.7505(c), 63.7515(e), (f), 63.7521(a), (c) - (e), 63.7530(c) (10/6/22) Table 6 (11/14/18)	<p><u>Fuel analysis</u></p> <p>If the emission rate calculated according to 63.7530(c) is less than the applicable emission limit, you may comply with the limits in 5.1.25, 5.1.26, or 5.1.27 through a fuel analysis. Conduct fuel analyses for chloride and mercury according to the procedures in 63.7521(c) - (e) and Table 6. Conduct analysis for TSM if you are opting to comply with the TSM alternative standard.</p>	<p>Calculate emission rates based on 63.7530(c).</p> <p>Conduct fuel analyses monthly. Complete the fuel analysis any time within the calendar month as long as the analysis is separated from the previous analysis by at least 14 calendar days. If multiple samples are taken per month, the 14-day restriction does not apply.</p> <p>Determine the concentration of pollutants in the fuel (mercury and/or chlorine and/or TSM) in units of pounds per million Btu. Report results of fuel analyses to NWCAA within 60 days after completion.</p> <p>If each of 12 consecutive monthly fuel analyses demonstrates 75 percent or less of the compliance level, you may decrease the fuel analysis frequency to quarterly for that fuel. If any quarterly sample exceeds 75 percent of the compliance level or you begin burning a new type of fuel, you must return to monthly monitoring for that fuel, until 12 months of fuel analyses are again less than 75 percent of the compliance level.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.23	<p>40 CFR 63 Subpart DDDDD</p> <p>63.7515(a)-(c), 63.7520 (a)-(e), 63.7555(a)(2) (10/6/22)</p> <p>63.7560 (5/18/11)</p> <p>Tables 2 and 4 (10/6/22)</p> <p>Table 5 (11/20/15)</p> <p>Table 7 and Table 8 line 10a (10/6/22)</p>	<p><u>Stack testing:</u></p> <p>If complying with the limits in 5.1.25, 5.1.26, or 5.1.27 through stack testing:</p> <p>Conduct each performance test required by AOP terms 5.1.25, 5.1.26, or 5.1.27 according to the requirements in Tables 5 and 7 to 40 CFR 63 Subpart DDDDD. Conduct tests at representative operating load conditions.</p> <p>Conduct a minimum of three separate test runs for each performance test required. Each test run must comply with the minimum sampling times or volumes specified in Table 2.</p> <p>Conduct tests annually. The first test must be completed not later than 180 days after 1/31/2016, and subsequent tests must be completed no more than 13 months after the previous performance test.</p> <p>If your performance tests for at least two consecutive years show that your emissions are at or below 75 percent of the emission limit, and if there are no changes in the operation of the boiler or air pollution control equipment that could increase emissions, you may choose to conduct performance tests for the pollutant every third year. Each such performance test must be conducted no more than 37 months after the previous performance test.</p> <p>If a performance test shows emissions exceeded 75 percent of the emission limit for the pollutant, you must conduct annual performance tests for that pollutant until all performance tests over a consecutive two-year period are at or below 75 percent of the emission limit.</p>	<p>Keep records of performance tests in a form suitable and readily available for expeditious review.</p> <p>Keep each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.</p> <p>Keep each record on site, or they must be accessible from on-site (for example, through a computer network), for at least two years after the date of each occurrence, measurement, maintenance, corrective action, report, or record. You can keep the records off site for the remaining three years.</p> <p>Collect operating load data or steam generation data every 15 minutes.</p> <p>Determine the average operating load by computing the hourly averages using all of the 15-minute readings taken during each performance test.</p> <p>Determine the average of the three test run averages during the performance test, and multiply this by 1.1 (110 percent) as your operating limit.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.24	40 CFR 63 Subpart DDDDD 63.7500(a), 63.7505(a), (c), 63.7510(e), 63.7525(a), (d), Table 2 line 7a (10/6/22)	<u>CO limit</u> Demonstrate compliance with the following CO limit using CEMS: 720 ppm by volume on a dry basis corrected to three percent oxygen, 30-day rolling average.	Follow MR&R under AOP term 5.1.29.
5.1.25	40 CFR 63 Subpart DDDDD 63.7490(d), 63.7500(a), 63.7505(a), (c), 63.7510(b), (e), 63.7515(a), (b), (c) and (f), 63.7520, 63.7530(c), Table 2 line 7b, Table 4 line 7 (10/6/22) Table 5 line 1, and Table 6 line 4 (11/20/15)	<u>Filterable PM/TSM limit</u> Demonstrate compliance with one of the following: <ul style="list-style-type: none"> filterable PM limit using a stack test: 3.4E-02 lb/MMBtu of heat input. TSM² limit using a stack test: 2.0E-04 lb/MMBtu of heat input. Use fuel analysis if the emission rate of TSM calculated according to 63.7530(c) is less than the applicable emission limit. Maintain the fuel type or fuel mixture such that the applicable emission rates calculated according to 63.7530(c)(1), (2) and/or (3) is less than the applicable emission limits.	If demonstrating compliance through stack testing: <ul style="list-style-type: none"> Follow MR&R under AOP term 5.1.23. For filterable PM testing use Methods 1, 2 or 2F or 2G, 3A or 3B, 4, 5 or 17, and 19 of 40 CFR Part 60 Appendix A using specific sampling volumes from Table 2 Line 7. For TSM testing use Methods 1, 2 or 2F or 2G, 3A or 3B, 4, 29, and 19 of 40 CFR Part 60 Appendix A. Report results within 60 days after the completion of the performance tests. If available, the compliance reports shall be submitted electronically via CEDRI (www.epa.gov/cdx). If you elect to demonstrate compliance using fuel analysis, use the methods in line 4 of Table 6 and follow MR&R under AOP term 5.1.22.

² *Total selected metals (TSM)* means the sum of the following metallic hazardous air pollutants: arsenic, beryllium, cadmium, chromium, lead, manganese, nickel and selenium.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.26	40 CFR 63 Subpart DDDDD 63.7490(d) (1/31/13) 63.7495(b) (11/20/15) 63.7500(a), 63.7505(a), (c), 63.7510(b), (e), 63.7515(a), (b), (c) and (f), 63.7520, 63.7530(c), Table 2 line 1a, Table 4 line 7 (10/6/22) Table 5 line 3 (11/20/15) Table 6 line 2 (11/14/18)	<p><u>HCl limit</u></p> <p>Demonstrate compliance with one of the following</p> <ul style="list-style-type: none"> HCl limit using a stack test: 2.0E-02 lb/MMBtu of heat input. <p>Use fuel analysis if the emission rate of HCl calculated according to 63.7530(c) is less than the applicable emission limit. Maintain the fuel type or fuel mixture such that the applicable emission rates calculated according to 63.7530(c)(1), (2) and/or (3) is less than the applicable emission limits.</p>	<p>If demonstrating compliance through stack testing:</p> <ul style="list-style-type: none"> Follow MR&R under AOP term 5.1.23. Use Methods 1, 2 or 2F or 2G, 3A or 3B, 4, 19, and 26 or 26A of 40 CFR Part 60 Appendix A, using specific sampling volumes from Table 2 Line 1. <p>Report results within 60 days after the completion of the performance tests. If available, the compliance reports shall be submitted electronically via CEDRI (www.epa.gov/cdx).</p> <p>If you elect to demonstrate compliance using fuel analysis, use the methods in line 2 of Table 6 and follow MR&R under AOP term 5.1.22.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.27	40 CFR 63 Subpart DDDDD 63.7490(d) (1/31/13) 63.7495(b) (11/20/15) 63.7500(a), 63.7505(a) and (c), 63.7510(b) and (e), 63.7515(a), (b), (c) and (f), 63.7520, 63.7530(c), Table 2 line 1b, Table 4 line 7 (10/6/22) Table 5 line 4 (11/20/15) Table 6 line 1 (11/14/18)	<p><u>Mercury limit</u></p> <p>Demonstrate compliance with one of the following</p> <ul style="list-style-type: none"> Mercury limit using a stack test: 5.4E-06 lb/MMBtu of heat input. <p>Use fuel analysis if the emission rate of mercury calculated according to 63.7530(c) is less than the applicable emission limit. Maintain the fuel type or fuel mixture such that the applicable emission rates calculated according to 63.7530(c)(1), (2) and/or (3) is less than the applicable emission limits.</p>	<p>If demonstrating compliance through stack testing:</p> <ul style="list-style-type: none"> Follow MR&R under AOP term 5.1.23. Use Methods 1, 2, 2F or 2G, 3A or 3B, 4, 29, 19 and 30A or 30B of 40 CFR Part 60 Appendix A, using specific sampling volumes from Table 2 Line 1. <p>Report results within 60 days after the completion of the performance tests. If available, the compliance reports shall be submitted electronically via CEDRI (www.epa.gov/cdx).</p> <p>If you elect to demonstrate compliance using fuel analysis, use the methods in line 1 of Table 6 and follow MR&R under AOP term 5.1.22.</p>
5.1.28	40 CFR 63 Subpart DDDDD 63.7500(a)(2), 63.7525(c), Table 4 line 4a (10/6/22)	<p><u>Opacity</u></p> <p>Maintain opacity to less than or equal to 10 percent opacity or the highest hourly average opacity reading measured during the performance test run demonstrating compliance with the PM (or TSM) emission limitation (daily block average).</p>	<p>Follow MR&R under AOP term 5.1.30.</p>

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Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.29	40 CFR 63 Subpart DDDDD 63.7525(a), (d) (10/6/22) 63.7535 (11/20/15) NWCAA 367 (7/10/25 State Only)	<u>CO CEMS</u> Install, certify, operate and maintain continuous emission monitoring systems for CO and oxygen according to the procedures in 63.7525(a)(1)-(7) and (d).	Operate and maintain the CO CEMS and an oxygen analyzer according to the applicable procedures under Performance Specification 4, 4A, or 4B at 40 CFR part 60, appendix B, 40 CFR 60 appendix F, 63.7540(a)(8), and NWCAA 367 and NWCAA Appendix A. You must operate the monitoring system and collect data at all required intervals at all times that the boiler is operating and compliance is required, except for periods of monitoring system malfunctions or out of control periods, and required monitoring system quality assurance or control activities.
5.1.30	40 CFR 63 Subpart DDDDD 63.7525(c) (10/6/22) 63.7535 (11/20/15) NWCAA 367 (7/10/25 State Only)	<u>Opacity COMS</u> Install, certify, operate and maintain a continuous emission monitoring system for opacity according to the procedures in 63.7525(c)(1)-(7).	Operate and maintain the COMS according to the applicable procedures under Performance Specification 1, 40 CFR part 60, appendix B, 40 CFR 60 appendix F, 63.7540(a)(8), and NWCAA 367 and NWCAA Appendix A. You must operate the monitoring system and collect data at all required intervals at all times that the boiler is operating and compliance is required, except for periods of monitoring system malfunctions or out of control periods, and required monitoring system quality assurance or control activities.
5.1.31	40 CFR 63 Subpart DDDDD 63.7540(a), (b), and (d) (10/6/22) 63.7550 Tables 2, 3, 4, 8 (10/6/22) Table 9 (11/20/15)	<u>Continuous compliance</u> You must demonstrate continuous compliance with each emission limit in Table 2 to subpart DDDDD, the work practice standards in Table 3 to subpart DDDDD, and the operating limits in Table 4 to subpart DDDDD that applies to you according to the methods specified in Table 8 to subpart DDDDD.	Keep records of the type and amount of all fuels burned in the boiler. Report each deviation according to the requirements in 63.7550. Submit the compliance reports required in Table 9 to subpart DDDDD according to the schedule in 63.7550(b) containing the information in 63.7550(c) as applicable. Keep copies of each notification and report submitted to comply with subpart DDDDD.
5.1.32	40 CFR 63 Subpart DDDDD 63.7500(a)(3) (10/6/22)	<u>Work practice standards</u> At all times, you must operate and maintain the boiler and associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.	Determination of whether such operation and maintenance procedures are being used will be based on information available to NWCAA that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1.33	40 CFR 63 Subpart DDDDD Table 4 line 7, Table 8 line 10 (10/6/22)	<u>Work practice standards</u> Maintain the operating load of the boiler such that it does not exceed 110 percent of the highest hourly average operating load recorded during the most recent performance test.	Collect operating load data or steam generation data every 15 minutes.

Table 5-2 Specifically Applicable Requirements – EU-2, Cooling Towers

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.2.1	OAC 938c Condition 22 (5/8/13)	The owner or operator shall install, operate, and maintain drift eliminators with at least a 0.0005 percent design drift loss on the cooling tower.	The design drift loss shall be demonstrated by manufacturer specifications.
5.2.2	OAC 938c Condition 23 (5/8/13)	Only water treatment chemicals that do not contain chromium or chromium-compounds shall be used in the cooling tower.	Keep on-site Material Safety Data Sheets (MSDS) for all water treatment chemicals.

Table 5-3 Specifically Applicable Requirements – EU-3, Planer Mill

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.3.1	PSD 05-04 A3 Conditions B.7 and B.13.2 (4/23/24) CAM: 40 CFR 64.3(b), 64.6(c), 64.7(c)-(e), 64.9(a)-(b) (10/22/97) WAC 173-401-615(4) (10/17/02) WAC 173-401-630(1) (3/5/16)	<p><u>Planer baghouse stack PM/PM₁₀/PM_{2.5} limits (filterable + condensable) expressed as PM₁₀</u> emissions shall not exceed:</p> <ul style="list-style-type: none"> • 0.005 gr PM₁₀/dscf one-hour average , and • 9.4 tons PM₁₀ in any consecutive 12-month period 	<p>Monitor continuous compliance by 40 CFR Part 60 Appendix A Methods 5 and 202 by an independent testing vendor at least once every 12 months. Compliance will be demonstrated from the arithmetic mean of not less than three two-hour test samples. Equivalent concentration test methods may be used if approved in advance by Ecology and NWCAA.</p> <p>If three consecutive tests (each test being the average of three two-hour samples) have PM₁₀ concentrations less than 0.0025 gr/dscf, testing interval goes to at least once every 36 months. Any test with an average PM₁₀ concentration of 0.0025 gr/dscf or greater causes the testing interval to go back to at least once every 12 months.</p> <p>Determine an emission factor, in units of lb/Mbf, based on the most recent PM₁₀ test results and the planer mill production rate maintained during the corresponding tests.</p> <p><i>Directly Enforceable:</i> Record quantity of lumber processed by the planer mill each month in units of Mbf. Within 30-days of the end of each month use the most recently determined emission factor to calculate PM₁₀ emissions in from the planer mill in lb/month. Add this value to PM₁₀ emissions for the most recent 11 months to and then divide by 2,000 to get tons PM₁₀ for the most recent consecutive 12-month period. Report PM₁₀ emissions according to term 5.3.2.</p> <p><i>Compliance Assurance Monitoring:</i> Observe the planer baghouse stack at least once per operating day while the baghouse is operating and controlling emissions from planer operations. If, at any time, visible emissions are observed by plant personnel, SPI will take immediate corrective action and will maintain records of observations and corrective action taken.</p> <p>Once per operating day, check the pressure taps for plugging, and check and record the differential pressure of the baghouse. If the baghouse is operating outside of the range 1.0-4.0 in. water, shut down immediately the baghouse and all equipment routed to it. Do not resume operation until the problem has been identified and corrected. Maintain a written log of the differential pressure gauge readings. Include in the log any bag failures or repairs, the time and date that the inspection or repair was conducted, and the initials of the individual performing the inspection or repair.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.3.2	PSD 05-04 A3 Conditions B.18.2.2.1, and B.18.2.2.3 (4/23/24)	<u>Planer baghouse reports:</u> Quarterly, submit continuing compliance reports to NWCAA and Ecology (postmarked no later than one calendar month after the close of each respective calendar quarter).	The report shall include: <ul style="list-style-type: none"> • Certification by the responsible party for the facility that the relevant equipment was operated and maintained in accordance with the O&M Manual. • PM₁₀ stack concentration from most recent compliance test in gr/dscf • PM₁₀ emissions in lb/MMBtu, consecutive 12-month total, for each month of the reporting period.

Table 5-4 Specifically Applicable Requirements – EU-4, Dry Kilns

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.4.1	OAC 938c, Conditions 15 and 16 (5/8/13)	<u>Lumber kilns HAP emissions</u> SPI is allowed to process Western Hemlock and/or Douglas-Fir in the kilns.	No wood species other than Western hemlock or Douglas fir shall be processed in the kilns without prior written approval from the NWCAA. Each calendar month, SPI shall record the quantity of Douglas fir and the quantity of hemlock dried in each kiln for that month and for the previous 12-month period
5.4.2	OAC 938c, Condition 17 (5/8/13)	<u>Lumber kilns HAP emissions</u> At no time shall any kiln dry-bulb temperature setpoint or the actual dry-bulb temperature in any dry kiln exceed 200°F.	SPI shall continuously monitor and record the dry-bulb temperature in each dry kiln using a device accurate to within ± 0.50 °F.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.4.3	PSD 05-04 A3 Conditions B.8.1, B.14, and B.18.2.2.4.1 (4/23/24)	<u>Lumber kilns PM/PM₁₀/PM_{2.5} limits (filterable + condensable) expressed as PM₁₀</u> Emissions shall not exceed 5.86 tons PM ₁₀ in any consecutive 12-month period.	Monitor continuous compliance: for each wood species processed, separately determine drying kiln loading in board feet each day. Each month's drying kiln PM ₁₀ emissions shall be determined based on each species' emission factor: <ul style="list-style-type: none"> • Douglas fir: 0.02 lb PM₁₀/Mbf • Western hemlock: 0.02 lb PM₁₀/Mbf • Other wood species <ul style="list-style-type: none"> ○ If ≤ 10 percent monthly production, use 0.04 lb/Mbf or value approved in writing by Ecology and NWCAA ○ If > 10 percent monthly production, use value approved in writing by Ecology and NWCAA Quarterly, submit PM ₁₀ emissions (12-month total data) and daily kiln loading per species in continuing performance monitoring reports in accordance with 5.4.6.
5.4.4	PSD 05-04 A3 Conditions B.8.2, B.16.2, and B.18.2.2.4.2 (4/23/24) WAC 173-401-630(1) (3/5/16)	<u>Lumber drying kilns VOC limit</u> VOC emissions, calculated as pinene (10 carbons per molecule, MW = 136) shall not exceed 120 tons VOC in any consecutive 12-month period.	Operate the computerized steam management system for the dry kilns to minimize steam demand in accordance with the manufacturer's specifications. Record, on a monthly basis, dry kiln production each species of wood in board feet. Monitor continuous compliance monthly calculating VOC for each month's production for each species, based on the following VOC emission factors: <ul style="list-style-type: none"> • Douglas Fir: 0.6 lb/Mbf • Western Hemlock: 0.33 lb/Mbf • Other wood species: <ul style="list-style-type: none"> ○ If ≤ 10 percent monthly production, use 0.6 lb/Mbf or value approved in writing by Ecology and NWCAA ○ If > 10 percent monthly production, use value approved in writing by Ecology and NWCAA Quarterly, submit VOC emissions (12-month total data) and daily kiln loading per species in continuing performance monitoring reports in accordance with 5.4.6.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.4.5	OAC 938c, Condition 18 (5/8/13)	<u>Opacity</u> The opacity of emissions from the dry kilns shall not exceed 10 percent for a period or periods aggregating more than three minutes in any one hour, as determined by DOE Method 9A.	Monthly, conduct an opacity observation of the dry kilns month during operation. Inspections are to be performed during daylight hours while the kilns are in operation. If, during the scheduled inspection or at any other time, visible emissions other than uncombined water are observed, SPI shall, as soon as possible, but no later than within 24 hours of the initial observation, take corrective action until there are no visible emissions or, alternatively, record the opacity using DOE Method 9A or shut down the kiln until it can be repaired.
5.4.6	PSD 05-04 A3 Condition B.16.2, B.14, B.18.2.1, and B.18.2.2.4 (4/23/24)	<u>Lumber kiln reports:</u> Quarterly, submit continuing compliance reports to NWCAA and Ecology (postmarked no later than one calendar month after the close of each respective calendar quarter).	The report shall include: Certification by the responsible party for the facility that the relevant equipment was operated and maintained in accordance with the O&M Manual. <ul style="list-style-type: none"> • MBf per day totals for each day of the reporting period – by wood species • PM₁₀ emissions in tons/yr, consecutive 12-month total, for each month of the reporting period. • VOC emissions in tons/yr, consecutive 12-month total, for each month of the reporting period.

Table 5-5 Specifically Applicable Requirements – EU-5, Anti-mold Spray Chamber

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.5.1	PSD 05-04 A3 Condition B.3 (4/23/24) WAC 173-401- 615(1)(b) & (c), (10/17/02)	<u>Fugitive Emissions</u> SPI-Burlington shall use only wood preservatives that have been approved by the USEPA under the Federal Insecticide, Fungicide, and Rodenticide Act.	<i>Directly enforceable:</i> Maintain records, such as manufacturer specification sheet or MSDS, showing EPA approval.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.5.2	OAC 938c, Conditions 19 and 20 (5/8/13)	<p><u>Fugitive Emissions</u> SPI shall collect emissions from the spray chamber and shall vent all such emissions to a mist eliminator (demister). The demister shall be operated whenever anti-stain/brightener is applied.</p>	<p>SPI shall conduct monthly visual inspections during any month that the spray chamber is used, of the following:</p> <ul style="list-style-type: none"> a) Ductwork, to ensure structural integrity (no corrosion, holes, etc.), b) Fan, to ensure proper fan operation, and <p>Exhaust stack(s) and surrounding roof or structure, to ensure no anti-stain/brightener deposition which would indicate breakthrough or malfunction of the demister. If structural or mechanical problems are noted during such inspections, SPI shall correct problems identified by these inspections within 24 hours of initial discovery or discontinue anti-stain application. If anti-stain/brightener chemical deposition is discovered at the exhaust stack(s) or on surrounding roofs or structure, SPI shall perform a more detailed examination of the process to determine reasons for breakthrough, and SPI shall revise its Operation and Maintenance Plan to address any problems related to the breakthrough and any related problems with the demister within one week of initial discovery. Excess anti-stain/brightener deposition shall be removed from exhaust stack(s) and surrounding roofs or structure within 10 days of initial discovery.</p>
5.5.3	OAC 938c, Condition 21 (5/8/13)	All anti-mold coating operations shall take place inside the spray chamber. Anti-mold coatings shall not be applied by hand or with hand held equipment.	No specific MR&R for this term
5.5.4	PSD 05-04 A3 Conditions B.9, B.16.3, and B.18.2.2.5 (4/23/24) WAC 173-401- 615(1)(b) & (c), (10/17/02)	<p><u>Anti-mold spray chamber VOC emissions limit.</u></p> <p>VOC emissions shall not exceed nine tons in any consecutive 12-month period.</p> <p>Maintain the anti-mold spray chamber as a "drip-free" design.</p> <p>Operate and maintain the spray chamber mist eliminator and condensate recycle system in accordance with the manufacturer's specifications.</p>	<p>Quarterly, submit continuing compliance reports to NWCAA and Ecology (postmarked no later than one calendar month after the close of each respective calendar quarter) that shall include:</p> <ul style="list-style-type: none"> • Certification by the responsible party for the facility that the relevant equipment was operated and maintained in accordance with the O& M Manual. • Quantity of wood treatment materials consumed in the anti-mold spray system per month. • VOC emissions per consecutive 12-month total, for each month of the reporting period.

Table 5-6 Specifically Applicable Requirements – EU-6, Natural Gas Package Boiler

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.6.1	OAC 1089b Condition 2 (8/31/21) WAC 173-401- 615(1)(b) & (c), (10/17/02)	Fuel combusted in the boiler shall be limited to natural gas only.	<i>Directly Enforceable:</i> Keep records of the amount of fuel combusted in the boiler for a period of not less than five years. Make the records available to the NWCAA upon request.
5.6.2	40 CFR 60 Subpart Dc 60.48c(g)(2), (i) (1/28/09)	Each month record amount of natural gas burned in the boiler.	Maintain records for two years following the date of such records.
5.6.3	OAC 1089b Condition 1 (8/31/21)	Visible emissions shall not exceed five percent opacity for more than three minutes (aggregate) within any 60-minute period.	Use Washington State Department of Ecology Method 9A.
5.6.4	OAC 1089b Condition 6 (8/31/21)	Develop a written operating and maintenance manual for the boiler. Include in the manual practices for maintaining good air pollution control.	Keep the operating and maintenance manual up-to-date and on site. Follow operating and maintenance practices at all times.
5.6.5	OAC 1089b Condition 3, 5 (8/31/21) NWCAA Section 367 (7/10/25 State Only)	Emissions of NO _x from the boiler stack shall not exceed 1.7 lb/hr, one-hour average.	Demonstrate compliance using the average of three 60-minute test runs. During the test, operate the boiler at 90 percent or greater average firing rate capacity. Conduct source testing in accordance with NWCAA Section 367 and Appendix A and using 40 CFR Part 60 Appendix A Methods 7E and 19. During the performance tests, record fuel usage continuously and include usage in the performance test report as raw data and in summary form. The heat content of natural gas shall be 1,042 Btu/scf or obtained from the natural gas supplier during the test. The Fd factor for natural gas shall be 8,710 dscf (exhaust)/MMBtu. Conduct the first test within 250 days of the date of issuance of this order (August 31, 2021). Perform subsequent tests not more than 12 months from the date of the previous test.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.6.6	<p>OAC 1089b Condition 4, 5 (8/31/21)</p> <p>NWCAA Section 367 (7/10/25 State Only)</p>	<p>Emissions of CO from the boiler stack shall not exceed 50 ppmvd corrected to three percent oxygen, one-hour average.</p>	<p>Demonstrate compliance using the average of three 60-minute test runs. During the test, operate the boiler at 90 percent or greater average firing rate capacity. Conduct source testing in accordance with NWCAA Section 367 and Appendix A and using 40 CFR Part 60 Appendix A Method 10.</p> <p>During the performance tests, record fuel usage continuously and include usage in the performance test report as raw data and in summary form. The heat content of natural gas shall be 1,042 Btu/scf or obtained from the natural gas supplier during the test. The Fd factor for natural gas shall be 8,710 dscf (exhaust)/MMBtu.</p> <p>Conduct the first test within 250 days of the date of issuance of this order (August 31, 2021). Perform subsequent tests not more than 12 months from the date of the previous test.</p>
5.6.7	<p>40 CFR 63 Subpart DDDDD 63.7500(a)(1), (3), (e), 63.7505(a), 63.7510(g), 63.7515(d), 63.7540(a)(10)(i)-(vi), (b), 63.7545(a), (e)(8)(i) (10/6/22)</p> <p>63.7550(a), (b)(1)-(4), (c)(1), (c)(5)(i)-(iii), (xiv), (xvii) (11/20/15)</p> <p>Table 3 Line 3 (10/6/22)</p> <p>Table 9 (11/20/15)</p>	<p><u>Boiler Tune-up</u></p> <p>For units designed to burn Gas 1 fuels, conduct a tune-up of the boiler annually.</p> <p>The inspection shall include: inspect the burner, clean and replace components as necessary; inspect the flame pattern and adjust as necessary; inspect the air-to-fuel ration system control to ensure it is correctly calibrated and functioning properly; optimize total emissions of CO and measure CO concentrations in ppmv before and after adjustments are made; maintain on-site an annual report summarizing inspection.</p>	<p>Each annual tune-up must be no more than 13 months after the previous tune-up.</p> <p>Submit a signed certification in the NCS in accordance with AOP Term 3.2.19 that indicates a tune-up was completed. Submit a compliance report every year in accordance with AOP Term 4.1.</p> <p>The compliance report shall be submitted electronically via CEDRI (www.epa.gov/cdx), if available. The compliance report shall include the date of the most recent tune-up and burner inspection; if applicable, a statement that no deviations occurred; and must be certified by the Responsible Official or Duly Authorized Representative.</p>

SECTION 6 INAPPLICABLE REQUIREMENTS

Table 6-1 lists requirements that are deemed inapplicable to the facility. The basis for each determination of inapplicability is included.

Table 6-1 Inapplicable Requirements

Requirement	Emission Unit	Brief Discussion of Requirement	Basis
40 CFR Part 60 Subpart E	EU-1	New Source Performance Standards for incinerators	Only biomass and natural gas are fired in the boiler.
40 CFR Part 60 Subpart KKKK	EU-1	New Source Performance Standards for stationary combustion turbines	SPI operates a steam turbine.
40 CFR Part 60 Subpart Kb	Facility	New Source Performance Standards for Volatile Organic Liquid Storage Vessels	No storage vessels have been constructed at the facility.
40 CFR Part 63 Subpart Q	EU-2	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers	SPI does not use chromium based water treatment chemicals in their cooling towers.
WAC 173-400-050(2), (4), and (5)	Facility	Emission Standards for Combustion and Incineration Units	The facility burns only clean hog fuel and biomass residuals, and is therefore not an incinerator or waste combustion unit.
WAC 173-400-070(1), (3) – (8)	Facility	Emission Standards for Certain Source Categories	SPI does not operate a wigwam burner, orchard heater, grain elevator, catalytic cracking unit, sulfuric acid plant, or sewage sludge incinerator.
WAC 173-433	EU-1	Solid Fuel Burning Devices	As defined in WAC 173-433-030(9), EU-1 is not a solid fuel burning device (greater than one MMBtu/hr).
WAC 173-434	EU-1	Solid Waste Incinerator Facilities	As defined in WAC 173-434-030, the facility is not defined as a solid waste incinerator.