

**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY  
AIR QUALITY DIVISION**

**MEMORANDUM**

**June 16, 2005**

**TO:** Dawson Lasseter, P.E., Chief Engineer, Permits Section

**THROUGH:** Ing Yang, P.E., New Source Permits Section

**THROUGH:** Grover Campbell, P.E., Existing Source Permits Section

**THROUGH:** Peer Review

**FROM:** Phillip Martin, P.E., New Source Permits Section

**SUBJECT:** Evaluation of Permit Application No. **96-043-C (M-5) (PSD)**  
Weyerhaeuser Company  
Kraft Process Paper Mill  
Valliant, McCurtain County, Oklahoma  
Sections 26, 27, 28, 33 and 34-T6S-R21E  
UTM Zone 15,306.50 Km Easting by 3763.50 Km Northing  
Located One Mile West of Valliant on US-70

**SECTION I. INTRODUCTION**

Weyerhaeuser operates a Kraft Process paper mill (SIC 2631) in Valliant, Oklahoma (Valliant Mill). The applicant is requesting a construction permit to modify the existing Lime Kiln (Emissions Unit Group [EUG E7]) at the Valliant Mill. The project will allow for the substitution of petroleum coke (petcoke) for a portion of the kiln heat input currently supplied by natural gas. The project will include the replacement of the existing kiln burner with petcoke/natural gas burners, as well as the construction of associated petcoke storage and handling equipment. The increase in emissions as a result of this modification will be below PSD significance levels. The project will not affect the kiln's status or operation as the backup control device for destruction of non-condensable gases (NCGs) and stripper off gases (SOGs) when the primary control system (i.e., thermal oxidizer) is off-line or experiencing difficulty.

Other aspects of the facility remain as listed in Permit Nos. 96-043-C (M-1)(PSD), 96-043-C (M-2)(PSD), 96-043-C (M-3)(PSD), 97-057-C (M-4)(PSD) and the associated conditions. Therefore, the conditions of this permit apply to the sources modified by this permit. The entire facility and the associated appropriate permit limits will be included in the Title V permit to be issued at a later date.

Given the highly competitive nature of the industry, the applicant has requested that equipment capacities, process rates, and emissions factors be held confidential. However, total emission rates cannot be held confidential.

## SECTION II. PROJECT DESCRIPTION

Weyerhaeuser proposes to modify its existing Lime Kiln at the Valliant Mill to accommodate the combustion of petcoke in the kiln. As a result, the existing Lime Kiln will be retrofitted with the necessary petcoke combustion equipment. In addition, the necessary petcoke receiving, storage, and handling equipment will be constructed. The proposed project consists of the following:

- Replacement of the existing Lime Kiln natural gas burners with burners capable of combusting 100% natural gas or a combination of natural gas and petcoke;
- Construction of a petcoke storage silo;
- Construction of a pneumatic petcoke delivery system;
- Construction of associated petcoke handling equipment.

The new kiln burner will be optimized to increase efficiency and limit pollutant formation. The proposed burner will utilize a semi-direct petcoke firing system, which minimizes burner primary air levels and reduces nitrogen oxides (NO<sub>x</sub>) emissions. The existing natural gas burner is oversized but is limited due to the throughput capacity of the kiln. The new petcoke/natural gas burner will be more appropriately sized for the kiln.

Petcoke will be delivered to the mill via trucks. The petcoke will be transferred from the truck trailer to a storage silo using pneumatic conveyance. The silo will be equipped with a bin vent fan that allows for air displacement when the silo is being filled with petcoke. The bin vent will be equipped with a filter to aid in product recovery. From the storage silo, the petcoke will be pneumatically conveyed to the kiln burners.

## SECTION III. FACILITY DESCRIPTION

The latest PSD permit 97-057-C (M-4) (PSD) describes the planned activities of the mill. The current status of the facility is described below. The mill produces paper products through the use of chemical digesters, secondary fiber processing, and paper machines. The primary raw materials used in the production of paper products at the mill are fiber source materials such as, but not limited to, wood chips from both softwood and hardwood species and old corrugated containers (OCC). In addition to the pulping and paper-making process units, other equipment at the mill are involved with recovering the chemicals used to produce virgin pulp. Spent cooking liquor is concentrated, burned to remove organics (recover heat value), and reacted with lime to regenerate the cooking liquor. The spent lime used for regeneration is recovered, washed, and calcinated for reuse.

Steam requirements at the mill are supplied by two large boilers (Bark Boiler and Power Boiler), a small package boiler and by a recovery furnace. Steam is also used to drive a turbine electric generator that supplements the mill's electric energy needs.

Various points in the process produce gases that cannot be condensed to a liquid form for sale, reuse, or disposal. These non-condensable gases (NCGs) contain reduced sulfur compounds and VOCs (including methane). Most of the NCGs generated at the site are collected and burned in a

dedicated NCG Thermal Oxidizer. The mill's lime kiln serves as a backup combustion system for the NCG Thermal Oxidizer. There are two collection systems for NCGs, both of which vent, to the oxidizer or lime kiln. These systems are known as "high volume, low concentration" (HVLC) and "low volume, high concentration" (LVHC) systems. The steam stripper system stripper off-gas (SOG) is routed directly to the NCG Thermal Oxidizer via an individual line. SOG's can also be sent to the Lime Kiln as a back-up combination system.

Operations at the mill can be subdivided into six (6) functional areas. The functional areas are based on the flow of materials within the mill and on the various steps in the production process. Emissions units within each functional process area are identified.

### **A. Pulping**

The digesters produce pulp by utilizing a chemical pulping process in which fiber sources such as wood chips are digested in a water solution of pulping chemicals. This solution chemically dissolves the lignin that holds the fibers together.

Repulping operations prepare fiber for the paper machines. Repulping hydromechanically breaks down fiber source materials in water which allows the fiber stock to be introduced into the paper machine stock preparation equipment. The fiber sources can include but are not limited to virgin fiber, as well as pre-consumer and post-consumer secondary (recycled) fiber.

### **B. Brownstock Washing**

The brownstock washing areas include brownstock washers and brownstock washer filtrate tanks. Brownstock washing area 1 and 2 also include a screening process. Pulp from digester surge tanks is screened in brownstock washing areas 1 and 2 to insure uniform fiber size. The flow-through tanks in the screening system are vented to the atmosphere.

### **C. Paper Making**

The paper machine wet end forms a base sheet by means of the primary headbox, which distributes the dilute stock evenly over a continuously moving wire screen. Water is removed from the stock by gravity drainage, by vacuum, and by press rolls. Until the fiber sheet has dried sufficiently to support its own weight, it is supported first by the wire screen and then by a moving felt sheet. Water removed from the stock during processing, called white water, is collected and reused in various mill processes.

### **D. Steam Production**

Steam producing units currently include:

Bark Boiler – Emissions Unit D1

Power Boiler – Emissions Unit D2

Package Boiler – Emissions Unit D3

In addition to the listed boilers, steam is produced by the Recovery Furnace (Emissions Unit E3) through waste heat recovery.

Steam from the Bark Boiler, Power Boiler, and Recovery Furnace feeds a common steam header. From the header, the steam may be used to drive the turbine electric generator. Steam extracted from the generator and steam that bypasses the generator is fed into the steam distribution system for use in various processes. Steam from the Package Boiler feeds directly into the steam distribution system.

The Bark Boiler burns a variety of fuels in varying combinations and amounts. Fuels include but are not limited to wood residues, OCC rejects, wastewater treatment sludge, oil, coal, and natural gas. Oils such as residual fuel oil, Petroleum residual fuel oil, Decant slurry oil, carbon black feedstock oil, and slurry oil are all recognized as fuel oil. Used oils from mill equipment may also be added to the Bark Boiler fuel mixture. Particulate emissions from the Bark Boiler are controlled by a primary dust collector and a wet venturi scrubber. The presence of wood ash and the wet venturi scrubber also results in a reduction in SO<sub>2</sub> emissions. Exhaust gases are emitted to the atmosphere through a dedicated stack.

#### **E. Chemical Recovery**

The Turpentine Recovery System condenses turpentine from vapors collected from equipment in the Digester areas. The turpentine that is recovered is sold as a by-product. The non-condensable fractions of these vapors are combusted in the NCG Thermal Oxidizer or the Lime Kiln.

Spent pulping liquor collected in the weak black liquor storage tanks is concentrated before it is processed in the Recovery Furnace. Transfers of spent liquor to or from off-site locations may be accomplished at any point in these processes.

During the evaporation process, a fatty substance called “soap” is removed from the spent liquor by soap skimmers. The soap is sent to the Tall Oil Plant for conversion into tall oil, which is sold as a product.

The Recovery Furnace is used to recover process chemicals from spent liquor from the spent liquor concentration area or spent liquor obtained from off-site. Prior to being burned, the spent liquor may pass through a mix tank, where it may be mixed with particulate matter captured in the Recovery Furnace’s electrostatic precipitator (ESP). A molten inorganic residue called smelt forms in the Recovery Furnace as a result of the burning of spent liquor. The smelt is drawn off into Smelt Dissolving Tanks and used to initiate the causticizing process that regenerates cooking chemicals. Smelt from the recovery furnace flows into the Smelt Dissolving Tanks, where it is dissolved in water or in weak wash, which is water that has been used in the Causticizing System to wash lime mud. The resulting solution, called green liquor, is sent to the Green Liquor Clarifier for further processing. The Smelt Dissolving Tanks are vented to a combined stack after particulate emissions have been reduced by spray scrubbers. The Green Liquor Clarifier removes heavy particles such as undissolved smelt. The heavy particles, known as dregs, flow to

the process sewer or to the dregs filter. If the filter is used, the filtrate is returned to the Green Liquor Clarifier, and the remaining dregs are sent to the process sewer, disposed of, or transferred off-site.

The Lime Slakers mix lime with green liquor to initiate the causticizing process that regenerates cooking liquor. The lime is fed from lime bins that are filled either from the Lime Kiln or by lime transported from off-site. Green liquor enters the Slakers from the green liquor clarifier, from green liquor storage, or from off-site sources. The mixture of green liquor and lime flows from the Slakers through classifiers, which remove unreacted lime and other debris, to the Causticizers. The Causticizers are agitated holding tanks where the reaction between lime and green liquor yields white liquor. White liquor flow from the Causticizers to the one of two White Liquor Clarifiers where lime mud is removed. Lime mud is washed in the mud washer and calcined

The Lime Mud is calcined in the Lime Kiln to regenerate calcium oxide (quick lime). The Lime Kiln is fueled by natural gas or will be a combination of natural gas and petcoke and is also used as a backup to the NCG Thermal Oxidizer if the Thermal Oxidizer is not being used to oxidize the collected NCGs/SOG's.

Particulate emissions from the kiln are controlled by an electrostatic precipitator, which returns collected lime dust to the kiln. The regenerated quick lime is transferred to the lime bins which feed the Slakers. The Lime Bins are vented to the lime kiln combustion air makeup.

#### **F. Miscellaneous Processes**

The Woodyard operations include the receipt, storage, and handling of fiber source materials and Bark Boiler fuels.

Solid fuels for the Bark Boiler are received by railroad or truck or from Valliant Chips, Inc, an outside vendor wood chipping operation located on leased mill property. After receipt, the fuels are conveyed to the Bark Boiler fuel storage pile. Oversized materials diverted from the fiber source processing/storage area pass through a hogger for size reduction before being stockpiled. Fuel reclaimed from the storage pile is conveyed directly to the Bark Boiler.

Heavy trucks and other vehicles regularly travel on paved and unpaved roads within the Valliant Mill. These vehicles are expected to cause fugitive dust emissions.

The Valliant Mill Wastewater Treatment System (WWTS) consists of the Bark Ash Dewatering System, the bar screen, the Primary Effluent Clarifier, a Sludge Dewatering Operation, the perforated plate screen, Aerated Stabilization Basins, and Emergency Storage Ponds. With the exception of the Sludge Dewatering Operation, the WWTS components are open to the atmosphere. VOCs and reduced sulfur compounds contained in mill wastewater are emitted from the system components.

A variety of solid wastes are generated as part of the manufacturing processes at the Valliant Mill. Wastes generally are transported by trucks from the mill to the on-site Solid Waste Disposal facility (landfill) located south of the manufacturing complex. The majority of the roads in the manufacturing complex are paved while those in the landfill area are unpaved.

#### SECTION IV. EMISSIONS

This section presents the anticipated emissions changes, as well as a discussion of the potential PSD applicability for the proposed project.

A PSD netting analysis was performed based on suggested emissions netting procedures in the Draft United States Environmental Protection Agency (U.S. EPA) New Source Review (NSR) Workshop Manual. A six-step procedure (summarized below) was used as a guideline for determining the net emissions change from the proposed project.

1. Emission Increases from the Proposed Project - Determine the emission increases from the proposed project, including any associated emissions increases (i.e. debottlenecking emissions). If increases are above PSD Significant Emission Rates (SERs), proceed; if not, the proposed project is not subject to PSD review.
2. Contemporaneous Period - Determine the beginning and ending dates of the contemporaneous period as it relates to the proposed project.
3. Emissions Increases and Decreases During the Contemporaneous Period - Determine which emissions units at the facility experienced or will experience a creditable increase or decrease in emissions during the contemporaneous period. This step also includes any emissions decreases from the project.
4. Creditable Emissions Changes - Determine which contemporaneous emissions changes are creditable.
5. Amount of the Emissions Increase and Decrease - Determine, on a pollutant-by-pollutant basis, the amount of each contemporaneous and creditable emissions increase and decrease.
6. PSD Review - Sum all contemporaneous and creditable increases and decreases with the emissions changes from the project to determine if a significant net emissions increase will occur.

As explained in the NSR Workshop Manual, the proposed project is exempt from PSD review and the PSD applicability process is complete if the proposed project emission increases estimated in Step 1 do not result in a significant emissions increase. The following sections detail the emissions calculations performed by Weyerhaeuser to demonstrate that "emission increases from the project," as calculated in Step 1, are not considered a significant emission increase.

## **Emission Increases From The Proposed Project**

In this step, the emission increases from the proposed project were calculated on a pollutant-by-pollutant basis. Additional analysis is required only for those regulated pollutants that have emissions increases greater than the PSD SERs. Emission decreases are not considered in this step. The table at the end of this section presents the emission increases from this project. The sections below provide an evaluation on a pollutant-by-pollutant basis for the emissions resulting from the modification of the Lime Kiln burner and from the handling of petcoke.

### **Lime Kiln Burner Modification**

Two main factors, a more efficient burner and use of petcoke as a kiln fuel, impact emissions for the proposed project. The new kiln burner design will be optimized to allow for more efficient combustion. This efficient burner design will result in higher heat transfer and lower products of combustion. The proposed project is anticipated to result in the following emissions changes.

#### **Particulate Matter**

Lime kilns, in general, generate large quantities of particulate matter (PM) and particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>) because of the manner of operation and material used. Weyerhaeuser currently uses an electrostatic precipitator (ESP) as a particulate control device on the existing Lime Kiln. Therefore, the use of petcoke as a kiln fuel will not have a measurable impact on particulate emissions for the kiln. The maximum hourly emission rate will remain unchanged from existing levels.

#### **Volatile Organic Compounds**

The addition of petcoke as a kiln fuel will have no impact on volatile organic compounds (VOC) emissions. High operating temperature and sufficient oxygen content allow for a high VOC destruction rate in the kiln. Also, the new kiln burner will be optimized to maximize efficiency. This increase in burner efficiency will enhance fuel combustion rate.

#### **Carbon Monoxide**

The new optimized burner will also minimize carbon monoxide (CO) emissions for the kiln. The burner will be designed to operate with sufficient oxygen to ensure complete combustion of the fuel. Estimated potential emissions of CO from the Lime Kiln, while firing petcoke or natural gas, remain unchanged from Permit No. 99-134-C. Past actual emissions for CO from the Lime Kiln are calculated using values provided in the calendar years 2002 and 2003 Annual Emissions Inventories.

#### **Nitrogen Oxides**

There are two main mechanisms that drive the formation of NO<sub>x</sub> compounds during combustion. One mechanism is the conversion of fuel-composed nitrogen compounds that are converted to

NO<sub>x</sub> when combusted. The second mechanism for NO<sub>x</sub> generation from combustion is a thermally driven mechanism. In high temperature environments (greater than 2,900 °F), thermal NO<sub>x</sub> is generally the dominant mechanism. NO<sub>x</sub> emissions from the Valliant Mill's Lime Kiln are currently produced exclusively by the thermal mechanism, because of the low content of nitrogen in natural gas and the high flame temperature of the existing burners. The new petcoke/natural gas burner will have a lower flame temperature, be designed with a low NO<sub>x</sub> formation semi-direct firing system, and will be optimized to provide a higher efficiency over the current burner system.

### **Sulfur Dioxide**

SO<sub>2</sub> emissions from the Lime Kiln are generated from the combustion of sulfur compounds in the fuel and from the combustion of NCGs/SOGs when the thermal oxidizer is off-line or experiencing difficulty. The Lime Kiln controls SO<sub>2</sub> emissions by utilizing the regenerated quicklime in the kiln as an in situ scrubbing agent. SO<sub>2</sub> removal is dependent on the sulfur loading into the kiln and the amount of quick lime processed. Despite the large amount of quick lime in the kiln, the removal of SO<sub>2</sub> is also dependent on the exposed surface area of the quick lime. The SO<sub>2</sub> forms CaSO<sub>4</sub> on the surface of the lime. This layer then inhibits the SO<sub>2</sub> elimination reaction from occurring further. Studies have shown that sulfur to quick lime ratios of up to 20 pounds of sulfur per ton of quick lime (20 lb S/ton CaO) offers a significant SO<sub>2</sub> removal efficiency. Weyerhaeuser considers several inputs to the method of estimating SO<sub>2</sub> emissions to be confidential. The estimated increase in SO<sub>2</sub> emissions is 38.55 ton/yr. The petcoke firing rate is a physical limitation of the delivery system. Therefore, this estimation represents a maximum emission increase when the kiln is combusting petcoke.

### **Total Reduced Sulfur**

Total reduced sulfur (TRS) compounds include hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide. Maximum hourly emission rates of TRS are not anticipated to change from existing levels.

Past actual emissions of TRS for the Lime Kiln presented in the calendar years 2002 and 2003 Annual Emissions Inventories were based on the Valliant Mill's compliance with the State's Subchapter 31 limit for TRS. However, Weyerhaeuser has reviewed kiln data for several similar kilns that indicates that TRS emissions have historically been, and are currently, much lower. Therefore, the past actual emissions for TRS from the Lime Kiln are based upon revised emissions estimates for those years.

### **Lead**

Maximum hourly emissions of lead (Pb) from the Lime Kiln are not anticipated to change from existing levels. Past actual emissions for Pb from the Lime Kiln are calculated using values provided in the calendar years 2002 and 2003 Annual Emissions Inventories.



**Petcoke Receiving, Storage, and Handling**

An emission increase in PM/PM<sub>10</sub> is expected from the proposed receiving, storage, and handling of petcoke. Petcoke delivery trucks will generate PM/PM<sub>10</sub> emissions from road traffic, and PM/PM<sub>10</sub> emissions may also be released from the storage silo bin vent during loading operations. The following table presents a summary of emission estimates from petcoke receiving, storage, and handling.

**Petcoke Receiving, Storage, And Handling Emissions Summary**

Description	PM Emission Rate	PM <sub>10</sub> Emission Rate
	(TPY)	(TPY)
Petcoke Trucks	0.21	0.04
Silo Bin Vent	0.45	0.45
<b>Total</b>	<b>0.66</b>	<b>0.49</b>

**Emission Increases Summary**

The following table summarizes the project emission increases of PM, PM<sub>10</sub>, CO, NO<sub>x</sub>, SO<sub>2</sub>, VOC, TRS, and Pb for the Lime Kiln. These emission increases are based on potential emissions and the past actual emissions for each pollutant.

**Summary Of Emission Increases From The Proposed Project**

Description	PM (TPY)	PM <sub>10</sub> (TPY)	CO (TPY)	NO <sub>x</sub> (TPY)	SO <sub>2</sub> (TPY)	VOC (TPY)	TRS (TPY)	Pb (TPY)
Past Actual Emissions*	35.79	35.79	37.90	106.35	1.8	15.13	5.31	0.20
Lime Kiln Potential Emissions	41.16	41.16	80.77	140.18	38.55	27.37	6.68	0.32
Petcoke Receiving, Storage, & Handling Potential Emissions	0.66	0.49	-	-	-	-	-	-
Potential Emissions - Past Actual Emissions*	6.03	5.86	42.87	33.83	36.75	12.24	1.37	0.12
PSD SER Limit	25	15	100	40	40	40	10	0.6
Above PSD SER?	No	No	No	No	No	No	No	No

\*The "Potential Emissions - Past Actual Emissions" for PM, PM<sub>10</sub>, and TRS are based on revised past actual emissions.

The Lime Kiln serves as a backup air pollution control device when the thermal oxidizer is off-line or experiencing difficulty. However, the potential emissions during NCGs/SOGs combustion were relied upon in a previously issued PSD permit, therefore they were not included in this analysis.

The potential emission increases from this project are below the PSD levels of significance. Therefore, this project is not subject to full PSD review.

## SECTION V. OKLAHOMA AIR QUALITY RULES

OAC 252:100-1 (General Provisions) [Applicable]  
Subchapter 1 includes definitions but there are no regulatory requirements.

OAC 252:100-3 (Air Quality Standards and Increments) [Applicable]  
Subchapter 3 enumerates the primary and secondary ambient air quality standards and the significant deterioration increments. At this time, all of Oklahoma is in “attainment” of these standards.

OAC 252:100-4 (New Source Performance Standards) [Not Applicable to this Project]  
Federal regulations in 40 CFR Part 60 are incorporated by reference as they exist on July 1, 2002, except for the following: Subpart A (Sections 60.4, 60.9, 60.10, and 60.16), Subpart B, Subpart C, Subpart Ca, Subpart Cb, Subpart Cc, Subpart Cd, Subpart Ce, Subpart AAA, and Appendix G. These requirements are covered in the “Federal Regulations” section.

OAC 252:100-5 (Registration, Emissions Inventory and Annual Operating Fees) [Applicable]  
Subchapter 5 requires sources of air contaminants to register with Air Quality, file emission inventories annually, and pay annual operating fees based upon total annual emissions of regulated pollutants. Emission inventories were submitted and fees paid for previous years as required.

OAC 252:100-8 (Operating Permits (Part 70)) [Applicable]  
This facility meets the definition of a major source since it has the potential to emit regulated pollutants in excess of 100 TPY. A Title V permit application for this facility has been received in this office and this modification will be incorporated into the Title V permit. This Subchapter also contains provisions for construction permits at major sources. The applicant has fulfilled all applicable requirements relative to the construction permit application provisions. Part 5 includes the general administrative requirements for Part 70 permits. Any planned changes in the operation of the facility that result in emissions not authorized in the permit and that exceed the “Insignificant Activities” or “Trivial Activities” thresholds require prior notification to AQD and may require a permit modification. Insignificant activities refer to those individual emission units either listed in Appendix I or whose actual calendar year emissions do not exceed the following limits.

- 5 TPY of any one criteria pollutant
- 2 TPY of any one hazardous air pollutant (HAP) or 5 TPY of multiple HAPs or 20% of any threshold less than 10 TPY for a HAP that the EPA may establish by rule
- 0.6 TPY of any one Category A toxic substance
- 1.2 TPY of any one Category B toxic substance
- 6.0 TPY of any one Category C toxic substance

Emission limitations and operational requirements necessary to assure compliance with all applicable requirements for all sources are taken from the construction permit application.

OAC 252:100-9 (Excess Emission and Malfunction Reporting Requirements) [Applicable]  
In the event of any release which results in excess emissions, the owner or operator of such facility shall notify the Air Quality Division as soon as the owner or operator of the facility has knowledge of such emissions, but no later than 4:30 p.m. the next working day. Within ten (10) working days after the immediate notice is given, the owner or operator shall submit a written report describing the extent of the excess emissions and response actions taken by the facility. Part 70/Title V sources must report any exceedance that poses an imminent and substantial danger to public health, safety, or the environment as soon as is practicable. Under no circumstances shall notification be more than 24 hours after the exceedance.

OAC 252:100-13 (Prohibition of Open Burning) [Applicable]  
Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in this subchapter.

OAC 252:100-19 (Particulate Matter (PM)) [Applicable]  
Section 19-4 regulates emissions of PM from new and existing fuel-burning equipment, with emission limits based on maximum design heat input rating. Appendix C specifies a PM emission limitation in lb/MMBTU for equipment that is based on a maximum design heat input rating (MMBTUH). Weyerhaeuser considers the maximum design heat input rating of the Lime Kiln to be confidential, but the limit is well within compliance with Appendix C. Section 19-12 limits particulate emissions from emission points in an industrial process based on process weight rate, as specified in Appendix G. Weyerhaeuser considers the process weight rate of the Lime Kiln to be confidential, but the limit is well within compliance with Appendix G. The permit will establish PM emission limits for the Lime Kiln and a requirement to operate and maintain air pollution controls that are necessary to comply with the emissions limitations of Subchapter 19.

OAC 252:100-25 (Smoke, Visible Emissions, and Particulate Matter) [Applicable]  
No discharge of greater than 20% opacity is allowed except for short-term occurrences that consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. The Lime Kiln is subject to 40 CFR Part 63, Subpart MM which is more stringent than this subchapter. Compliance with the more stringent requirement will be required by the permit.

OAC 252:100-29 (Fugitive Dust) [Applicable]  
No person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originated in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or to interfere with the maintenance of air quality standards. Weyerhaeuser does not anticipate the discharge of any visible emissions beyond the property line as a result of the proposed project. The paved roads at the Valiant Mill are periodically maintained to minimize fugitive dust.

OAC 252:100-31 (Sulfur Compounds)

[Applicable]

Part 2 limits emissions of sulfur dioxide from any one existing source or any one new petroleum and natural gas process source subject to OAC 252:100-31-26(a)(1). Ambient air concentration of sulfur dioxide at any given point shall not be greater than 1300  $\mu\text{g}/\text{m}^3$  in a 5-minute period of any hour, 1,200  $\mu\text{g}/\text{m}^3$  for a 1-hour average, 650  $\mu\text{g}/\text{m}^3$  for a 3-hour average, 130  $\mu\text{g}/\text{m}^3$  for a 24-hour average, or 80  $\mu\text{g}/\text{m}^3$  for an annual average. Part 2 also limits the ambient air impact of hydrogen sulfide emissions from any new or existing source to 0.2 ppm for a 24-hour average (equivalent to 280  $\mu\text{g}/\text{m}^3$ ). The ambient air quality modeling summarized in Permit No. 96-043-C (M-3) (PSD) demonstrated compliance with these standards. This modification is not expected to increase the impacts above the Subchapter 31 limits.

Part 15 regulates kraft pulp mills. After May 8, 1989, all existing kraft pulp mills shall meet the following standards.

(1) TRS. Emissions of TRS shall not exceed:

- (A) 40 ppm TRS measured as hydrogen sulfide on a dry basis and on a 12-hour average, converted to 8% by volume oxygen from any recovery furnace;
- (B) 40 ppm TRS measured as hydrogen sulfide on a dry basis and on a 12-hour average, corrected to 10% by volume oxygen from any lime kiln; and,
- (C) 0.033 lb TRS/T black liquor solids as hydrogen sulfide (0.016 g TRS/kg of black liquor solids as hydrogen sulfide) for a 12-hour average from any smelt dissolving tank.

(2) Non-condensable gases. Non-condensable gases from all evaporators and digester systems shall be efficiently incinerated or otherwise treated to limit emissions of TRS measured as hydrogen sulfide to less than 5 ppm by volume on a dry basis.

Weyerhaeuser shall comply with the Part 15 standards.

OAC 252:100-33 (Nitrogen Oxides)

[Not Applicable To This Project]

Subchapter 33 controls the emissions of NO<sub>x</sub> from fuel-burning equipment and nitric acid plants constructed after the effective date of the regulation (February 15, 1972). The limit under this subchapter is 0.20 lb/MMBTU for natural gas-fired equipment and 0.7 lb/MMBTU for solid fuel-firing (such as petcoke). There is no standard when different types of fuels are burned simultaneously. The Lime Kiln was constructed prior to February 15, 1972 and actual NO<sub>x</sub> emissions will not increase as a result of this project, therefore the Lime Kiln is not subject to this subchapter.

OAC 252:100-35 (Carbon Monoxide)

[Not Applicable]

None of the following affected processes are located at this facility: gray iron cupola, blast furnace, basic oxygen furnace, petroleum catalytic cracking unit, or petroleum catalytic reforming unit.

OAC 252:100-37 (Volatile Organic Compounds)

[Applicable]

Part 3 requires storage tanks constructed after December 28, 1974, with a capacity of 400 gallons or more and storing a VOC with a vapor pressure greater than 1.5 psia to be equipped with a permanent submerged fill pipe or with an organic vapor recovery system. No new VOC storage tanks will be added as a result of this project.

Part 5 limits the VOC content of coating used in coating lines or operations. This facility will not normally conduct coating or painting operations except for routine maintenance of the facility and equipment, which is exempt.

Part 7 requires fuel-burning equipment to be operated and maintained so as to minimize emissions. Temperature and available air must be sufficient to provide essentially complete combustion. The permit will require compliance.

OAC 252:100-41 (Hazardous and Toxic Air Contaminants)

[Applicable]

Part 3 addresses hazardous air contaminants. NESHAP, as found in 40 CFR Part 61, are adopted by reference as they exist on July 1, 2003, with the exception of Subparts B, H, I, K, Q, R, T, W and Appendices D and E, all of which address radionuclides. In addition, General Provisions as found in 40 CFR Part 63, Subpart A, and the Maximum Achievable Control Technology (MACT) standards as found in 40 CFR Part 63, Subparts F, G, H, I, J, L, M, N, O, Q, R, S, T, U, W, X, Y, AA, BB, CC, DD, EE, GG, HH, II, JJ, KK, LL, MM, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, CCC, DDD, EEE, GGG, HHH, III, JJJ, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, TTT, UUU, VVV, XXX, AAAA, CCCC, GGGG, HHHH, JJJJ, NNNN, OOOO, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, WWWW, XXXX, BBBB, CCCC, FFFFF, JJJJ, KKKKK, LLLLL, MMMMM, NNNNN, PPPPP, QQQQQ, and SSSSS are hereby adopted by reference as they exist on July 1, 2003. These standards apply to both existing and new sources of HAPs. These requirements are covered in the “Federal Regulations” section.

Part 5 is a **state-only** requirement governing toxic air contaminants. New sources (constructed after March 9, 1987) emitting any category “A” pollutant above de minimis levels must perform a BACT analysis, and if necessary, install BACT. All sources are required to demonstrate that emissions of any toxic air contaminant that exceed the de minimis level do not cause or contribute to a violation of the maximum acceptable ambient concentration (MAAC). The Lime Kiln is subject to 40 CFR Part 63, Subpart MM, therefore it is exempt from Part 5.

OAC 252:100-43 (Sampling and Testing Methods)

[Applicable]

This subchapter provides general requirements for testing, monitoring and recordkeeping and applies to any testing, monitoring or recordkeeping activity conducted at any stationary source. To determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests.

Emissions and other data required to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. 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.

**The following Oklahoma Air Quality Rules are not applicable to this project:**

OAC 252:100-10	General Operating Permits	not available
OAC 252:100-11	Alternative Emissions Reduction	not requested
OAC 252:100-15	Mobile Sources	not in source category
OAC 252:100-17	Incinerators	not type of emission unit
OAC 252:100-21	PM from Wood Waste Burning	not type of emission unit
OAC 252:100-23	Cotton Gins	not type of emission unit
OAC 252:100-24	Grain Elevators	not in source category
OAC 252:100-39	Nonattainment Areas	not in area category

**SECTION VI. FEDERAL REGULATIONS**

PSD, 40 CFR Part 52 [Not Applicable to this Project]  
 PSD does not apply to this project since emission increases are less than the significance levels. (CO 100 TPY, NO<sub>x</sub> 40 TPY, SO<sub>2</sub> 40 TPY, PM 25 TPY, PM<sub>10</sub> 15 TPY, VOC 40 TPY, etc.)

NSPS, 40 CFR Part 60 [Applicable]  
Subpart D (Steam Generating Units) affects boilers with a rated heat input greater than 250 MMBTUH which commenced construction, reconstruction, or modification after August 17, 1971. This subpart affects the Bark Boiler, specifying emissions limitations of 0.8 lb/MMBTU SO<sub>2</sub>, 0.10 lb/MMBTU PM, and 0.3 lb/MMBTU NO<sub>x</sub>. CEMS systems measuring opacity, NO<sub>x</sub>, SO<sub>2</sub>, and a diluent gas (CO<sub>2</sub> or O<sub>2</sub>) are required. The project does not propose any new or modified steam generating units.

Subpart Kb (Volatile Organic Materials Storage Vessels) affects tanks with a capacity above 19,812 gallons which commenced construction, reconstruction, or modification after July 23, 1984. The project does not propose any new or modified storage vessels exceeding the de minimis capacities and/or vapor pressures specified in 40 CFR 60.110b(b). Therefore, this subpart is not applicable to this project.

Subpart BB (Kraft Paper Mills) affects each digester system, brown stock washer system, multiple-effect evaporator, recovery furnace, smelt dissolving tank, lime kiln, and condensate stripper system (i.e., steam stripping system) in kraft pulp mills, for which construction, modification, or reconstruction is commenced after September 24, 1976. The Lime Kiln was constructed before September 24, 1976. A modification under NSPS guidelines is defined in 40 CFR 60.2 as “any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.” Subpart BB has standards that apply to TRS and PM. Therefore, because the proposed project will not result in an increase in TRS or PM emissions from the Lime Kiln, the project is not considered a modification under NSPS.

The Lime Kiln and the NCG Thermal Oxidizer are pollution control devices for equipment subject to Subpart BB. Subpart BB prohibits discharge into the atmosphere of gases that contain total reduced sulfur (TRS) in excess of 5 ppm by volume unless the gases are combusted in an incinerator or other device not subject to the provisions of this subpart and are subjected to a

minimum temperature of 1,200 °F for at least 0.5 seconds. Subpart BB requires a continuous monitoring system and describes excess emissions as periods in excess of 5 minutes in duration in which the combustion temperature at the point of incineration is less than 1,200°F. The applicant will maintain compliance with NSPS, Subpart BB by continuously monitoring the control device combustion temperature and using engineering calculations to determine residence time.

Subpart Y (Coal Preparation Plant) affects thermal dryers, pneumatic coal cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems at any coal preparation plant that commences construction or modification after October 24, 1974. The Valliant Mill is not considered a coal preparation plant, as it does not operate any of the processes identified in 40 CFR 60.251(a) breaking, crushing, screening, wet or dry cleaning, and thermal drying of coal. Therefore, this subpart is not applicable.

NESHAP, 40 CFR Part 61

[Not Applicable to this Project]

Subpart E (Mercury Emissions) affects wastewater treatment sludge incineration, limiting mercury emissions to 3,200 grams per 24-hour period. This standard affects the Bark Boiler, which is used to dispose of water treatment sludges. The existing bark boiler remains subject to Subpart E. This project does not involve any wastewater treatment sludge incineration.

NESHAP, 40 CFR Part 63

[Applicable]

Subpart S (Pulp & Paper Industry) establishes MACT standards for control of HAPs from pulp and paper production which were finalized and published in the Federal Register on April 15, 1998. These standards will affect knoter systems (wood knot removal systems), pulp screens, pulp washing systems, decker systems, digester vents, evaporator system vents, turpentine recovery systems, weak liquor evaporators, and other high-volume-low-concentration (HVLC) and low-volume-high-concentration (LVHC) systems. With the exception of those systems not required to be collected and controlled until April 2006, these units are currently vented to the NCG thermal oxidizer. The pulp washing systems are allowed until April 17, 2006, to achieve compliance provided that the owner or operator establishes milestones of progress and dates by which these will be achieved. There are several units not affected by Subpart S but which do have significant HAP emissions. In addition to the No. 3 Digester system (semi-chemical process), Subpart S does not affect the paper machines; applicability ends at the last pulp washing step. The OCC plants are “secondary fiber” processes, but the only standards of Subpart S which affect secondary fiber processes are for bleaching units; there is no bleaching unit at this facility. The Lime Kiln is a backup control device for the HVLC and LVHC systems. The permit will require compliance with all applicable standards.

Subpart MM (Chemical Recovery Combustion Sources) establishes MACT standards for control of HAPs from chemical recovery combustion sources which were finalized and published in the Federal Register on January 12, 2001. The Lime Kiln is subject to this standard. The permit will require compliance with all applicable requirements.

Subpart DDDDD, Industrial, Commercial, and Institutional Boilers and Process Heaters. This subpart was published in the Federal Register on September 13, 2004, and affects any boiler or process heater located at a major source of HAP. The MACT standards will be applicable to relevant sources at the Valliant Mill and will be implemented in accordance with schedules in the

final rule. The Lime Kiln is not considered a boiler or a process heater and is not subject to Subpart DDDDD.

Compliance Assurance Monitoring, 40 CFR 64 [Not Applicable to the Lime Kiln]  
Compliance Assurance Monitoring, as published in the Federal Register on October 22, 1997, applies to any pollutant specific emission unit at a major source, that is required to obtain a Title V permit, if it meets all the following criteria:

- It is subject to an emission limit or standard for an applicable regulated air pollutant
- It uses a control device to achieve compliance with the applicable emission limit or standard
- It has potential emissions, prior to the control device, of the applicable regulated air pollutant of 100 TPY

The lime kiln has potential PM emissions, prior to the control device, of more than 100 TPY. However, the lime kiln is subject to an emission limit under 40 CFR 63 Subpart MM, therefore it is not subject to this rule.

Accidental Release Prevention, 40 CFR Part 68 [Not Applicable]  
This facility will not process or store more than the threshold quantity of any regulated substance (Section 112r of the Clean Air Act 1990 Amendments). More information on this federal program is available on the web page: [www.epa.gov/ceppo](http://www.epa.gov/ceppo).

Stratospheric Ozone Protection, 40 CFR Part 82 [Subpart A and F Applicable]  
These standards require phase out of Class I & II substances, reductions of emissions of Class I & II substances to the lowest achievable level in all use sectors, and banning use of nonessential products containing ozone-depleting substances (Subparts A & C); control servicing of motor vehicle air conditioners (Subpart B); require Federal agencies to adopt procurement regulations which meet phase out requirements and which maximize the substitution of safe alternatives to Class I and Class II substances (Subpart D); require warning labels on products made with or containing Class I or II substances (Subpart E); maximize the use of recycling and recovery upon disposal (Subpart F); require producers to identify substitutes for ozone-depleting compounds under the Significant New Alternatives Program (Subpart G); and reduce the emissions of halons (Subpart H).

Subpart A identifies ozone-depleting substances and divides them into two classes. Class I controlled substances are divided into seven groups; the chemicals typically used by the manufacturing industry include carbon tetrachloride (Class I, Group IV) and methyl chloroform (Class I, Group V). A complete phase-out of production of Class I substances is required by January 1, 2000 (January 1, 2002, for methyl chloroform). Class II chemicals, which are hydrochlorofluorocarbons (HCFCs), are generally seen as interim substitutes for Class I CFCs. Class II substances consist of 33 HCFCs. A complete phase-out of Class II substances, scheduled in phases starting by 2002, is required by January 1, 2030.

This facility uses Class I & II substances in refrigeration equipment and is in compliance with this Part.



## SECTION VII. COMPLIANCE

### Tier Classification and Public Review

This application has been determined to be Tier I based on the request for a permit for a modification to an existing major source for a facility change that is considered a minor modification as defined in Subchapter 8. Minor modifications are considered any modifications that:

1. Do not violate any applicable requirement, or state-only requirements (This modification will not violate any applicable requirements.);
2. Do not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the permit (This modification will not change any existing requirements.);
3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis (This modification does not require a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis.);
4. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement or state-only requirement which the source has assumed to avoid some other applicable requirement or state-only requirement to which the source would otherwise be subject. Such terms and conditions include federally-enforceable emissions caps assumed to avoid classification as a modification under any provision of Title I and alternative emissions limits approved pursuant to regulations promulgated under § 112(i)(5) of the Act (This permit does not establish or change a permit term or condition to avoid applicable requirements.); and
5. Are not modifications under any provision of Title I of the Act. (This modification is not a modification under any provision of Title I of the Act. Modification refers to an increase in emissions at PSD major sources; the emissions change is less than PSD levels of significance.)

The permittee has submitted an affidavit that they are not seeking a permit for land use or for any operation upon land owned by others without their knowledge. The applicant has provided notification to the landowner from which the property of the facility is leased. A proposed permit was sent to EPA for review. No comments were received from EPA.

Information on all permit actions is available for review by the public in the Air Quality section of the DEQ Web page: <http://www.deq.state.ok.us/>

### Fees Paid

Modification of a Part 70 source construction permit fee of \$1,500.

**SECTION VIII. SUMMARY**

The applicant has demonstrated the ability to achieve compliance with applicable state and federal ambient air quality standards and air pollution control rules and regulations. There are no active compliance or enforcement Air Quality issues that would affect the issuance of this permit. Issuance of the permit is recommended.



# PERMIT

AIR QUALITY DIVISION  
STATE OF OKLAHOMA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
707 N. ROBINSON STREET, SUITE 4100  
P.O. BOX 1677  
OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 96-043-C (M-5)(PSD)

Weyerhaeuser Company,

having complied with the requirements of the law, is hereby granted permission to construct modifications to the Lime Kiln and construct associated petcoke storage and handling equipment at the Valliant Paper Mill, McCurtain County, Oklahoma.

subject to the following conditions, attached:

Standard Conditions dated March 9, 2005

Specific Conditions

In the absence of construction commencement, this permit shall expire 18 months from the issuance date, except as authorized under Section VIII of the Standard Conditions.

\_\_\_\_\_  
Chief Engineer, Air Quality Division

\_\_\_\_\_  
Date

**PERMIT TO CONSTRUCT  
AIR POLLUTION CONTROL FACILITY  
SPECIFIC CONDITIONS**

**Weyerhaeuser Company  
Valliant Mill**

**Permit No. 96-043-C (M-5) (PSD)**

The permittee is authorized to construct in conformity with the specifications submitted to Air Quality on April 15, 2004. The Evaluation Memorandum dated June 16, 2005, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain limitations or permit requirements. Commencing construction or operations under this permit constitutes acceptance of, and consent to the conditions contained herein:

**A. Equipment and Emission Limitations**

1. Points of emissions and limitations for each point affected by this project:

[OAC 252-100-8-6(a)(1)]

**A. EUG E7 – Lime Kiln**

Unit	PM & PM <sub>10</sub>		CO		SO <sub>2</sub>		NO <sub>x</sub>	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
Lime Kiln	9.40	41.16	18.44	80.77	8.80	38.55	32.0	140.2
	VOC (as carbon)		TRS		Pb			
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY		
	6.25	27.37	1.52	6.68	0.07	0.32		

2. The Lime Kiln includes the following units.

[OAC 252:100-8-6(a)(1)]

<b>Emission Point</b>	<b>EU Name/Model</b>	<b>Construction Date</b>
E-E7,A (Lime Kiln Stack)	Lime Kiln	Pre-1972
	No. 1 Lime Bin	
	No. 2 Lime Bin	

3. TRS emissions from the Lime Kiln shall not exceed 40 ppm measured as H<sub>2</sub>S on a dry basis, on a 12-hour average, adjusted to 10% oxygen. [OAC 252:100-31-15(a)(1)(A)]

4. The Lime Kiln is subject to federal NESHAP for Source Categories, 40 CFR 63, Subpart MM, and shall comply with all applicable requirements.

[40 CFR Part 63 Subpart MM]

5. The Lime Kiln may be used as a back-up control device for the control of emissions as specified in federal NSPS, 40 CFR 60, Subpart BB, and federal NESHAP for Source Categories, 40 CFR 63, Subpart S. The SO<sub>2</sub>, TRS, and NO<sub>x</sub> emission limitations in 1.A.

above for the Lime Kiln do not apply when the Lime Kiln is used as a backup control device for the destruction of non-condensable gases (NCGs) and stripper off-gases (SOGs).

[Permit No. 99-134-C]

- a. When used as a back-up control device for the control of emissions as specified in federal NSPS, 40 CFR 60, Subpart BB, the Lime Kiln shall combust the gases at a minimum temperature of 650 degrees C (1200 degrees F) for at least 0.5 second.
    - i. The permittee shall demonstrate compliance with this requirement by operating a continuous monitoring system to measure and record the combustion temperature, when the Lime Kiln is used as a back-up control device for the control of emissions as specified in federal NSPS, 40 CFR 60, Subpart BB.
    - ii. Engineering equations shall be used to calculate residence time. These calculations shall be made available to regulatory personnel upon request.
  - b. When used as a back-up control device for the control of emissions as specified in federal NESHAP for Source Categories, 40 CFR 63, Subpart S, the Lime Kiln shall comply with all applicable requirements.
6. Upon issuance of an operating permit, the permittee is authorized to operate the facility continuously (24 hours per day, every day of the year). [OAC 252:100-8-6(a)]
  7. The Lime Kiln shall be fired with natural gas and/or petroleum coke.
  8. The permittee shall apply for an operating permit or submit a modification to the previously submitted Title V operating permit application for this project within 180 days of issuance of this permit or initial startup of the new burner, whichever is later.
  9. The opacity of any emissions to the atmosphere by any of the sources modified by this permit shall not exceed 20% except for short-term occurrences not to exceed 5 minutes in any hour nor 20 minutes in any 24-hour period. In no case shall opacity exceed 60%. [OAC 252:100-25]
  10. The permittee shall not cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originate in such a manner as to damage or interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or to interfere with the maintenance of air quality standards. [OAC 252:100-29]
  11. The permittee shall at all times operate and maintain all fuel-burning equipment in a manner that will minimize emissions of hydrocarbons or other organic materials. [OAC 252:100-37-36]

**B. Reporting and Record-Keeping**

12. The permittee shall utilize monthly average operating rate records (based upon a Weyerhaeuser fiscal month) and emission factors to demonstrate compliance with the short term and long term emission limits for Lime Kiln in Specific Condition No. 1.
13. The permittee shall keep records (based upon a Weyerhaeuser fiscal month) to document compliance with the emission limits in Specific Condition No. 1. These records shall be maintained on-site for a period of at least five years following the dates of the recordings and shall be made available to regulatory personnel upon request.
14. The permittee shall comply with the provisions of OAC 252:100-9 for excess emissions during start-up, shut-down, and malfunction of air pollution control equipment. Requirements of OAC 252:100-9 include immediate notification and written notification of Air Quality and demonstrations that the excess emissions meet the criteria specified in OAC 252:100-9.
15. The provisions of this permit supersede conditions of any other permits limiting emissions from the Lime Kiln (EUG E7).

**TITLE V (PART 70) PERMIT TO OPERATE / CONSTRUCT  
STANDARD CONDITIONS  
(March 9, 2005)**

**SECTION I. DUTY TO COMPLY**

A. This is a permit to operate / construct this specific facility in accordance with Title V of the federal Clean Air Act (42 U.S.C. 7401, et seq.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

B. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

C. The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, for revocation of the approval to operate under the terms of this permit, or for denial of an application to renew this permit. All terms and conditions (excluding state-only requirements) are enforceable by the DEQ, by EPA, and by citizens under section 304 of the Clean Air Act. This permit is valid for operations only at the specific location listed.

[40 CFR §70.6(b), OAC 252:100-8-1.3 and 8-6 (a)(7)(A) and (b)(1)]

D. 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 conditions of the permit. [OAC 252:100-8-6 (a)(7)(B)]

**SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS**

A. Any exceedance resulting from emergency conditions and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV. [OAC 252:100-8-6 (a)(3)(C)(iii)]

B. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements.

[OAC 252:100-8-6 (a)(3)(C)(iv)]

C. Oral notifications (fax is also acceptable) shall be made to the AQD central office as soon as the owner or operator of the facility has knowledge of such emissions but no later than 4:30 p.m. the next working day the permittee becomes aware of the exceedance. Within ten (10) working days after the immediate notice is given, the owner operator shall submit a written report describing the extent of the excess emissions and response actions taken by the facility. Every written report submitted under OAC 252:100-8-6 (a)(3)(C)(iii) shall be certified by a responsible official. [OAC 252:100-8-6 (a)(3)(C)(iii)]

**SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING**

A. The permittee shall keep records as specified in this permit. Unless a different retention period or retention conditions are set forth by a specific term in this permit, these records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

[OAC 252:100-8-6 (a)(3)(B)(ii), 8-6 (c)(1), and 8-6 (c)(2)(B)]

B. Records of required monitoring shall include:

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

[OAC 252:100-8-6 (a)(3)(B)(i)]

C. No later than 30 days after each six (6) month period, after the date of the issuance of the original Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from permit requirements since the previous report shall be clearly identified in the report.

[OAC 252:100-8-6 (a)(3)(C)(i) and (ii)]

D. If any testing shows emissions in excess of limitations specified in this permit, the owner or operator shall comply with the provisions of Section II of these standard conditions.

[OAC 252:100-8-6 (a)(3)(C)(iii)]

E. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act.

F. Submission of quarterly or semi-annual reports required by any applicable requirement that are duplicative of the reporting required in the previous paragraph will satisfy the reporting requirements of the previous paragraph if noted on the submitted report.

G. Every report submitted under OAC 252:100-8-6 and OAC 252:100-43 shall be certified by a responsible official.

[OAC 252:100-8-6 (a)(3)(C)(iv)]



H. Any owner or operator subject to the provisions of NSPS shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility or any malfunction of the air pollution control equipment. [40 CFR 60.7 (b)]

I. Any owner or operator subject to the provisions of NSPS shall maintain a file of all measurements and other information required by the subpart recorded in a permanent file suitable for inspection. This file shall be retained for at least two years following the date of such measurements, maintenance, and records. [40 CFR 60.7 (d)]

J. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted. [OAC 252:100-8-6 (c)(4)]

K. All testing must be conducted by methods approved by the Division Director under the direction of qualified personnel. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer's instructions and in accordance with a protocol meeting the requirements of the "AQD Portable Analyzer Guidance" document or an equivalent method approved by Air Quality. [40 CFR §70.6(a), 40 CFR §51.212(c)(2), 40 CFR § 70.7(d), 40 CFR §70.7(e)(2), OAC 252:100-8-6 (a)(3)(A)(iv), and OAC 252:100-43]

L. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 CFR Part 60, 61, and 63, for all equipment constructed or operated under this permit subject to such standards. [OAC 252:100-4-5 and OAC 252:100-41-15]

#### SECTION IV. COMPLIANCE CERTIFICATIONS

A. No later than 30 days after each anniversary date of the issuance of the original Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit and of any other applicable requirements which have become effective since the issuance of this permit. The compliance certification shall also include such other facts as the permitting authority may require to determine the compliance status of the source.

[OAC 252:100-8-6 (c)(5)(A), (C)(v), and (D)]

B. The certification shall describe the operating permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period; and a statement that the facility will continue to comply with all applicable requirements.

[OAC 252:100-8-6 (c)(5)(C)(i)-(iv)]

C. Any document required to be submitted in accordance with this permit shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete.

[OAC 252:100-8-5 (f) and OAC 252:100-8-6 (c)(1)]

D. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.

[OAC 252:100-8-5 (e)(8)(B) and OAC 252:100-8-6 (c)(3)]

#### **SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM**

The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual certification.

[OAC 252:100-8-6 (c)(6)]

#### **SECTION VI. PERMIT SHIELD**

A. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit.

[OAC 252:100-8-6 (d)(1)]

B. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are summarized in the Specific Conditions of this permit.

[OAC 252:100-8-6 (d)(2)]

#### **SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT**

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD.

[OAC 252:100-5-2.1, -5-2.2, and OAC 252:100-8-6 (a)(8)]

**SECTION VIII. TERM OF PERMIT**

A. Unless specified otherwise, the term of an operating permit shall be five years from the date of issuance. [OAC 252:100-8-6 (a)(2)(A)]

B. A source's right to operate shall terminate upon the expiration of its permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration. [OAC 252:100-8-7.1 (d)(1)]

C. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]

D. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

**SECTION IX. SEVERABILITY**

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

[OAC 252:100-8-6 (a)(6)]

**SECTION X. PROPERTY RIGHTS**

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

[OAC 252:100-8-6 (a)(7)(D)]

B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued.

[OAC 252:100-8-6 (c)(6)]

**SECTION XI. DUTY TO PROVIDE INFORMATION**

A. The permittee shall furnish to the DEQ, upon receipt of a written request and within sixty (60) days of the request unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, revoking, reissuing, terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit.

[OAC 252:100-8-6 (a)(7)(E)]

B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.

[OAC 252:100-8-6 (a)(7)(E)]

C. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within 10 days after such date.

[Oklahoma Clean Air Act, 27A O.S. § 2-5-112 (G)]

## SECTION XII. REOPENING, MODIFICATION & REVOCATION

A. The permit may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit modification, revocation, reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

[OAC 252:100-8-6 (a)(7)(C) and OAC 252:100-8-7.2 (b)]

B. The DEQ will reopen and revise or revoke this permit as necessary to remedy deficiencies in the following circumstances:

[OAC 252:100-8-7.3 and OAC 252:100-8-7.4(a)(2)]

- (1) Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
- (2) The DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (3) The DEQ or the EPA determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue this permit if it determines that the permittee has submitted false or misleading information to the DEQ.

C. If “grandfathered” status is claimed and granted for any equipment covered by this permit, it shall only apply under the following circumstances:

[OAC 252:100-5-1.1]

- (1) It only applies to that specific item by serial number or some other permanent identification.
- (2) Grandfathered status is lost if the item is significantly modified or if it is relocated outside the boundaries of the facility.

D. To make changes other than (1) those described in Section XVIII (Operational Flexibility), (2) administrative permit amendments, and (3) those not defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII), the permittee shall notify AQD. Such changes may require a permit modification.

[OAC 252:100-8-7.2 (b)]

E. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit are prohibited. [OAC 252:100-8-6 (c)(6)]

### SECTION XIII. INSPECTION & ENTRY

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(18) for confidential information submitted to or obtained by the DEQ under this section):

- (1) enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (3) inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (4) as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit.

[OAC 252:100-8-6 (c)(2)]

### SECTION XIV. EMERGENCIES

A. Any emergency and/or exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance.

[OAC 252:100-8-6 (a)(3)(C)(iii)(II)]

B. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency.

[OAC 252:100-8-2]

C. An emergency shall constitute an affirmative defense to an action brought for noncompliance with such technology-based emission limitation if the conditions of paragraph D below are met.

[OAC 252:100-8-6 (e)(1)]

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

- (1) an emergency occurred and the permittee can identify the cause or causes of the emergency;
- (2) the permitted facility was at the time being properly operated;

- (3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) the permittee submitted timely notice of the emergency to AQD, pursuant to the applicable regulations (i.e., for emergencies that pose an “imminent and substantial danger,” within 24 hours of the time when emission limitations were exceeded due to the emergency; 4:30 p.m. the next business day for all other emergency exceedances). *See OAC 252:100-8-6(a)(3)(C)(iii)(I) and (II)*. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken; and
- (5) the permittee submitted a follow up written report within 10 working days of first becoming aware of the exceedance.

[OAC 252:100-8-6 (e)(2), (a)(3)(C)(iii)(I) and (IV)]

E. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6 (e)(3)]

#### **SECTION XV. RISK MANAGEMENT PLAN**

The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency a risk management plan by June 20, 1999, or the applicable effective date. [OAC 252:100-8-6 (a)(4)]

#### **SECTION XVI. INSIGNIFICANT ACTIVITIES**

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I to OAC Title 252, Chapter 100, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a State or federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list. [OAC 252:100-8-2]

- (1) 5 tons per year of any one criteria pollutant.
- (2) 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.
- (3) 0.6 tons per year for any one category A substance, 1.2 tons per year for any one category B substance or 6 tons per year for any one category C substance as defined in 252:100-41-40.

#### **SECTION XVII. TRIVIAL ACTIVITIES**

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered inconsequential and are on the list in Appendix J. Any activity to which a State or federal applicable requirement applies is not trivial even if included on the trivial activities list. [OAC 252:100-8-2]

**SECTION XVIII. OPERATIONAL FLEXIBILITY**

A. A facility may implement any operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the DEQ (unless specified otherwise in the permit). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating. [OAC 252:100-8-6 (a)(10) and (f)(1)]

B. The permittee may make changes within the facility that:

- (1) result in no net emissions increases,
- (2) are not modifications under any provision of Title I of the federal Clean Air Act, and
- (3) do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of 7 days, or 24 hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the permit. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield provided by this permit does not apply to any change made pursuant to this subsection. [OAC 252:100-8-6 (f)(2)]

**SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS**

A. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

- (1) No person shall cause or permit the discharge of emissions such that National Ambient Air Quality Standards (NAAQS) are exceeded on land outside the permitted facility. [OAC 252:100-3]
- (2) Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning Subchapter. [OAC 252:100-13]
- (3) No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU. [OAC 252:100-19]
- (4) For all emissions units not subject to an opacity limit promulgated under 40 CFR, Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. [OAC 252:100-25]
- (5) No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]

- (6) No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31]
- (7) Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with a vapor-recovery system. [OAC 252:100-37-15(b)]
- (8) All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]
- (9) Except as otherwise provided, no person shall cause or permit the emissions of any toxic air contaminant in such concentration as to cause or to contribute to a violation of the MAAC. (State only) [OAC 252:100-41]

## SECTION XX. STRATOSPHERIC OZONE PROTECTION

- A. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances. [40 CFR 82, Subpart A]
  1. Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4.
  2. Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13.
  3. Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs.
- B. If the permittee performs a service on motor (fleet) vehicles when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]
- C. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B. [40 CFR 82, Subpart F]
  - (1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.
  - (2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.
  - (3) Persons performing maintenance, service, repair, or disposal of appliances must be



certified by an approved technician certification program pursuant to § 82.161.

- (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166.
- (5) Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158.
- (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

## **SECTION XXI. TITLE V APPROVAL LANGUAGE**

A. DEQ wishes to reduce the time and work associated with permit review and, wherever it is not inconsistent with Federal requirements, to provide for incorporation of requirements established through construction permitting into the Sources' Title V permit without causing redundant review. Requirements from construction permits may be incorporated into the Title V permit through the administrative amendment process set forth in Oklahoma Administrative Code 252:100-8-7.2(a) only if the following procedures are followed:

- (1) The construction permit goes out for a 30-day public notice and comment using the procedures set forth in 40 Code of Federal Regulations (CFR) § 70.7 (h)(1). This public notice shall include notice to the public that this permit is subject to Environmental Protection Agency (EPA) review, EPA objection, and petition to EPA, as provided by 40 CFR § 70.8; that the requirements of the construction permit will be incorporated into the Title V permit through the administrative amendment process; that the public will not receive another opportunity to provide comments when the requirements are incorporated into the Title V permit; and that EPA review, EPA objection, and petitions to EPA will not be available to the public when requirements from the construction permit are incorporated into the Title V permit.
- (2) A copy of the construction permit application is sent to EPA, as provided by 40 CFR § 70.8(a)(1).
- (3) A copy of the draft construction permit is sent to any affected State, as provided by 40 CFR § 70.8(b).
- (4) A copy of the proposed construction permit is sent to EPA for a 45-day review period as provided by 40 CFR § 70.8(a) and (c).
- (5) The DEQ complies with 40 CFR § 70.8 (c) upon the written receipt within the 45-day comment period of any EPA objection to the construction permit. The DEQ shall not issue the permit until EPA's objections are resolved to the satisfaction of EPA.
- (6) The DEQ complies with 40 CFR § 70.8 (d).
- (7) A copy of the final construction permit is sent to EPA as provided by 40 CFR § 70.8 (a).
- (8) The DEQ shall not issue the proposed construction permit until any affected State and EPA have had an opportunity to review the proposed permit, as provided by these permit conditions.
- (9) Any requirements of the construction permit may be reopened for cause after incorporation into the Title V permit by the administrative amendment process, by DEQ

as provided in OAC 252:100-8-7.3 (a), (b), and (c), and by EPA as provided in 40 CFR § 70.7 (f) and (g).

- (10) The DEQ shall not issue the administrative permit amendment if performance tests fail to demonstrate that the source is operating in substantial compliance with all permit requirements.

- B. To the extent that these conditions are not followed, the Title V permit must go through the Title V review process.

## **SECTION XXII. CREDIBLE EVIDENCE**

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any provision of the Oklahoma implementation plan, 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.

[OAC 252:100-43-6]

Mr. Chad Allen  
Weyerhaeuser Company  
P. O. Box 890  
Valliant, OK 74764

Re: Construction Permit No. **96-043-C (M-5) (PSD)**  
Lime Kiln Petroleum Coke Project  
Weyerhaeuser Company  
Kraft Process Paper Mill  
Valliant, McCurtain County, Oklahoma

Dear Mr. Allen:

Enclosed is the permit authorizing construction of the referenced equipment. Please note that this permit is issued subject to standard and specific conditions, which are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed on approved AQD forms and submitted (hardcopy or electronically) by March 1st of every year. Any questions concerning the form or submittal process should be referred to the Emissions Inventory Staff at 405-702-4100.

Thank you for your cooperation in this matter. If I may be of further service, please contact me at (405) 702-4199.

Sincerely,

Phillip Martin, P.E.  
New Source Permits Section  
**AIR QUALITY DIVISION**

Enclosure

cc: McCurtain County DEQ Office