

Air Pollution Control Board of Jefferson County Board Order

This Board Order is issued by the Air Pollution Control Board of Jefferson County pursuant to the authority granted in Kentucky Revised Statutes Chapter 77 Air Pollution Control.

Company: E. I. du Pont de Nemours & Company (DuPont)
4200 Camp Ground Road
Louisville, Kentucky 40216

Background and Discussion

Regulation 6.42 *Reasonably Available Control Technology Requirements for Major Volatile Organic Compound- and Nitrogen Oxides-Emitting Facilities* requires the establishment and implementation of reasonably available control technology (RACT) for certain affected facilities that emit oxides of nitrogen (NO_x) and that are located at a major stationary source for NO_x. Section 4.4 requires that each determination of RACT approved by the Air Pollution Control District of Jefferson County (District) be submitted to the U.S. Environmental Protection Agency (EPA) as a site-specific revision of the Kentucky State Implementation Plan (SIP).

A Public Hearing on this Board Order was held before the Board on November 8, 1999. Based upon the evidence presented at that hearing, the Board determined that approval of this Board Order and submittal as a site-specific revision of the Kentucky SIP were appropriate.

Now therefore be it ordered that:

1. The attached NO_x RACT Plan applicable to DuPont is approved by the District. DuPont shall comply with this plan.
2. Compliance with the attached NO_x RACT Plan shall be deemed compliance with the requirements of Regulation 6.42 section 1.2, section 1.3, Section 2 to the extent that this Section applies to section 4.3, section 4.3, and Section 5 to the extent that this Section applies to verification of compliance with the requirements pursuant to section 4.3.
3. This Board Order shall not be deemed or construed to be the result of any violation of any federal, state, or local statute, regulation, or ordinance for any purpose whatsoever.
4. DuPont has reviewed this Board Order and consents to all its requirements and terms.

5. The effective date of this Board Order is January 1, 2000.

Dated this 8th day of November, 1999.

Air Pollution Control Board
of Jefferson County

E. I. du Pont de Nemours & Company

By: _____
Robert W. Powell, M.D.
Chairman

By: _____
Michael Sanchez
Plant Manager

Air Pollution Control District
of Jefferson County

Approved as to form and legality:
Air Pollution Control District
of Jefferson County

By: _____
Arthur L. Williams
Acting Air Pollution
Control Officer

By: _____
Gaylord B. Ballard
Attorney

NO_x RACT Plan

1. The oxides of nitrogen (NO_x, expressed as NO₂) emission from each of Boiler #4 and Boiler #5 shall not exceed 0.20 pounds per million Btu of heat input, based upon a 30-day rolling average. This limit applies at all times, including periods of startup, shutdown, or malfunction.
2. E. I. du Pont de Nemours & Company (DuPont) shall install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS), and record the output of the system, for measuring NO_x emissions from each boiler. The following requirements apply to each CEMS:
 - A. A CEMS shall be operated and data recorded during all periods of operation of each boiler except for CEMS breakdowns and repairs. Data shall be recorded during calibration checks and zero and span adjustments,
 - B. The 1-hour average NO_x emission rates measured by a CEMS shall be expressed in pounds per million Btu heat input and shall be used to calculate the average emission rates under NO_x RACT Plan Element (Element) No. 1,
 - C. The 1-hour averages shall be calculated using the data points required under 40 CFR §60.13(b). At least 2 data points shall be used to calculate each 1-hour average,
 - D. The procedures under 40 CFR §60.13 shall be followed for installation, evaluation, and operation of a CEMS,
 - E. The span value for NO_x is 500, and
 - F. When NO_x emission data are not obtained because of CEMS breakdowns, repairs, calibration checks and zero and span adjustments, emission data shall be obtained by using standby monitoring systems, Method 7, Method 7a, or other reference methods approved by the District to provide emission data for a minimum of 75 % of the operating hours in each boiler operating day, in at least 22 out of 30 successive boiler operating days.
3. By January 1, 2000, DuPont shall submit to the District the performance evaluation of the CEMS using the applicable performance specifications in 40 CFR Part 60 Appendix B.
4. DuPont shall maintain the records listed in 40 CFR §60.49b (g) with the following clarifications:
 - A. The NO_x emission rates shall be expressed in pounds per million Btu heat input measured, and
 - B. The applicable NO_x emission limit is contained in Element No. 1.Each record shall be maintained for a minimum of 5 years and made available to the District upon request.
5. DuPont shall submit to the District the following reports:
 - A. Excess emission reports for any excess emissions that occurred during the reporting period. "Excess emissions" means any calculated 30-day rolling average NO_x emission rate, as determined under Element No. 2, that exceeds the emission limit contained in Element No. 1, and
 - B. Reports containing the information required to be recorded by Element No. 4.

E. I. du Pont de Nemours & Company

6. The reports required to be submitted by Element No. 5 shall reflect the preceding semi-annual period. Semi-annual periods shall run from January 1 to June 30 and July 1 to December 31. If no deviation occurred during the semi-annual period, the report shall contain a negative declaration. Each report shall be submitted within 60 days following the end of the semi-annual period.

7. In lieu of the requirements in this NO_x RACT Plan, DuPont may comply with alternative requirements regarding emission limitations, equipment operation, test methods, monitoring, recordkeeping, or reporting, provided the following conditions are met:
 - A. The alternative requirements are established and incorporated into an operating permit pursuant to a Title V Operating Permit issuance, renewal, or significant permit revision process as established in Regulation 2.16,
 - B. The alternative requirements are consistent with the streamlining procedures and guidelines set forth in section II.A. of *White Paper Number 2 for Improved Implementation of the Part 70 Operating Permits Program*, March 5, 1996, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards. The overall effect of compliance with alternative requirements shall consider the effect on an intrinsic basis, such as pounds per million Btu,
 - C. The EPA has not objected to the issuance, renewal, or revision of the Title V Operating Permit, and either
 - D. If the public comment period preceded the EPA review period, then the District had transmitted any public comments concerning the alternative requirements to EPA with the proposed permit, or
 - E. If the EPA and public comment periods ran concurrently, then the District had transmitted any public comments concerning the alternative requirements to EPA no later than 5 working days after the end of the public comment period.

The District's determination of approval of any alternative requirements is not binding on EPA. Noncompliance with any alternative requirement established pursuant to the Title V Operating Permit process constitutes a violation of the NO_x RACT Plan.