



*Commonwealth of Virginia*

*VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY*

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Travis A. Voyles  
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus  
Director

DATE XX, 2024

Caitlin E. Moffitt  
Sr. Director On! Operations  
US Smokeless Tobacco Company  
2325 Bells Road  
Richmond, VA 23234

Location: Richmond City  
Registration No.: 52609

Dear Ms. Moffitt:

Attached is a renewal of your Title V permit to operate your facility pursuant to 9 VAC 5 Chapter 80 Article 1 of the Virginia Regulations for the Control and Abatement of Air Pollution. The attached permit renewal will be in effect beginning DATE XX, 2024.

In the course of evaluating the application and arriving at a final decision to issue the permit, the Department of Environmental Quality deemed the application complete on July 10, 2024 and solicited written public comments by placing a newspaper advertisement in the Richmond Times-Dispatch newspaper on DATE XX, 2024. The thirty-day required comment period, provided for in 9VAC5-80-270 expired on DATE XX, 2024.

This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all conditions carefully.

This approval to operate does not relieve US Smokeless Tobacco Company of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. Please consult the relevant regulations for additional requirements for such requests.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

Director  
Department of Environmental Quality  
P. O. Box 1105  
Richmond, VA 23218

If this permit was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit, please contact the regional office at (804) 527-5020.

Sincerely,

James E. Kyle, P.E., Air Permit Manager  
Virginia Department of Environmental Quality  
(804) 489-6241  
[James.Kyle@deq.virginia.gov](mailto:James.Kyle@deq.virginia.gov)  
Piedmont Regional Office  
4949-A Cox Road, Glen Allen, VA 23060

Attachments: Permit

cc: Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III  
Inspector, Air Compliance (electronic file submission)



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Federal Operating Permit  
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: US Smokeless Tobacco Company  
Facility Name: US Smokeless Tobacco Company  
Facility Location: 2303 Bells Road  
Richmond, Virginia 23234  
Registration Number: 52609  
Permit Number: PRO52609

This permit includes the following programs: Federally Enforceable Requirements – Clean Air Act

April 1, 2020  
Effective Date

DATE XX, 2024  
Expiration Date

\_\_\_\_\_  
James E. Kyle, P.E.  
Regional Air Permit Manager

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## Facility Information

### Permittee

US Smokeless Tobacco Company  
2325 Bells Road  
Richmond, VA 23234

### Responsible Official

Caitlin E. Moffitt  
Sr. Director On! Operations

### Facility

US Smokeless Tobacco Company  
2303 Bells Road  
Richmond, VA 23234

### Contact Person

Mr. Maurice Chemweno  
Manager, Environmental Engineering, Altria Client Services  
(804) 335-2493

County Plant Identification Number: 51-760-52609

Facility Description: Tobacco Manufacturing -NAICS: 312230

US Smokeless Tobacco Company manufactures smokeless tobacco products. The permitted processes are the smokeless tobacco-leaf-free pouch packaging processes (STLFPPP and MSTLFPPP).

In the STLFPPP, dry product is placed in pouches and then sent to market. In the MSTLFPPP, moist product is placed into pouches and then sent to market.

The facility operates under a single minor NSR permit last issued on February 2, 2024 and is part of the Title V major source consisting of the following additional tobacco product manufacturing facilities: Philip Morris USA Manufacturing Center (#50076), and John Middleton Co. (#52608). Altria Compounds LLC (#52467) makes and distributes flavorings and manufactures smokeless tobacco-leaf-free components. All are owned by Altria Group Inc. and co-located along Bells Road/Commerce Road in Richmond, Virginia. Altria has requested that each company be permitted and registered separately, so each facility will be issued a separate Title V permit for the applicable requirements at their company.

## Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description (year of construction)	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
PK0301UST-I (STLFPPP)	AE-07UST and AE-08UST	Pouch Packaging (2021)	42.7 USTPU/hr	One of two baghouses	BH0701UST or BH0801UST	PM PM <sub>10</sub> PM <sub>2.5</sub>	February 2, 2024
PK0301UST-II (STLFPPP)	AE-09UST, AE-10UST, AE-11UST	Pouch Packaging (2022)	57.0 USTPU/hr	Two of three baghouses	BH0901UST, BH1001UST, BH1101UST	PM PM <sub>10</sub> PM <sub>2.5</sub>	February 2, 2024
PK0401UST (MSTLFPPP)	[AS-12UST, AS-13UST, AS-14UST, AS-15UST, AS-16UST, and AS-17UST]  AE-18UST	Pouch Packaging (2024)	17.47 USTMPU/hr	Twelve cartridge filters, six of which are being vented inside as indicated by brackets.	[BH1201UST, BH1301UST, BH1601UST, BH1701UST, BH2001UST, and BH2101UST]  BH1401UST, BH1501UST, BH1801UST, BH1901UST, BH2201UST, and BH2301UST	PM PM <sub>10</sub> PM <sub>2.5</sub>	February 2, 2024

\*The Size/Rated capacity is provided for informational purposes only and is not an applicable requirement.

## **Process Equipment Requirements – STLFPPP PK0301UST-I, PK0301UST-II**

### **Limitations**

1. Emission Controls – PM, PM-10, and PM-2.5 emissions from the Pouch Packaging (PK0301UST-I) shall be controlled by one of two baghouses (BH0701UST or BH0801UST - two baghouses will be installed for redundancy but only one will operate at any given time). Each baghouse shall be provided with adequate access for inspection.  
(9 VAC 5-80-110 and Condition 3 of the 02/02/2024 permit)
2. Emission Controls – PM, PM-10, and PM-2.5 emissions from the Pouch Packaging (PK0301UST-II) shall be controlled by two of three baghouses (BH0901UST, BH1001UST, or BH1101UST - three baghouses will be installed for redundancy but only two will operate at any given time). Each baghouse shall be provided with adequate access for inspection.  
(9 VAC 5-80-110 and Condition 4 of the 02/02/2024 permit)
3. Process Equipment Requirements - (PK0301UST-I) - The throughput of dry product through the smokeless tobacco-leaf-free pouch packaging process (STLFPPP) shall not exceed 374,568 USTPU units per year. Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.  
(9 VAC 5-80-110 and Condition 13 of the 02/02/2024 permit)
4. Process Equipment Requirements - (PK0301UST-II) - The throughput of dry product through the smokeless tobacco-leaf-free pouch packaging process (STLFPPP) shall not exceed 499,514 USTPU units per year. Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.  
(9 VAC 5-80-110 Condition 14 of the 02/02/2024 permit)
5. Process Equipment Requirements – (STLFPPP) – Particulate matter emissions from the STLFPPP process (PK0301UST-I) as exhausted from each baghouse (BH0701UST, BH0801UST) shall not exceed the limits specified below:

PM	0.0025 gr/dscf (9 VAC 5-50-260)
PM <sub>10</sub>	0.0025 gr/dscf (9 VAC 5-50-260)
PM <sub>2.5</sub>	0.0025 gr/dscf (9 VAC 5-50-260)

Compliance with these emission limits may be determined as stated in Conditions 1 and 10.  
(9 VAC 5-80-110 and Condition 17 of the 02/02/2024 permit)

6. Process Equipment Requirements – (STLFPPP) – Combined particulate matter emissions from the STLFPPP process (PK0301UST-I) as exhausted from the baghouses (BH0701UST and BH0801UST) shall not exceed the limits specified below:

PM	2.3	tons/yr (9 VAC 5-50-260)
PM <sub>10</sub>	2.3	tons/yr (9 VAC 5-50-260)
PM <sub>2.5</sub>	2.3	tons/yr (9 VAC 5-50-260)

Compliance with these emission limits may be determined as stated in Conditions 1, 3, and 10.

(9 VAC 5-80-110 and Condition 18 of the 02/02/2024 permit)

7. Process Equipment Requirements – (STLFPPP) – Particulate matter emissions from the STLFPPP process (PK0301UST-II) as exhausted from each baghouse (BH0901UST, BH1001UST, or BH1101UST) shall not exceed the limits specified below:

PM	0.0025	gr/scf
PM <sub>10</sub>	0.0025	gr/scf
PM <sub>2.5</sub>	0.0025	gr/scf

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 2 and 10.

(9 VAC 5-80-110 and Condition 19 of the 02/02/2024 permit)

8. Process Emission Limits – Combined particulate matter emissions from the STLFPPP process (PK0301UST-II) as exhausted from baghouses (BH0901UST, BH1001UST, and BH1101UST) shall not exceed the limits specified below:

PM	3.0	tons/yr
PM <sub>10</sub>	3.0	tons/yr
PM <sub>2.5</sub>	3.0	tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 2, 4, and 10.

(9 VAC 5-80-110 and Condition 20 of the 02/02/2024 permit)



9. Visible Emission Limit – Visible emissions from each baghouse stack vented to ambient air shall not exceed 5 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction. Compliance with these emission limits may be determined as stated in Conditions 12 and 13.  
(9 VAC 5-80-110 and Condition 22 of the 02/02/2024 permit)

### **Monitoring and Testing**

10. Monitoring Devices - The baghouses (BH0701UST, BH0801UST, BH0901UST, BH1001UST, and BH1101UST) shall be equipped with devices to continuously measure the differential pressure drop across the fabric filter. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the baghouse is operating.  
(9 VAC 5-80-110 and Condition 7 of the 02/02/2024 permit)
11. Monitoring Device Observation - To ensure good performance, the devices used to continuously measure the pressure drop across the baghouses shall be observed by the permittee with a frequency of not less than once per week. The permittee shall keep a log of the observations or continuously record measurements from the pressure measuring device.  
(9 VAC 5-80-110 and Condition 8 of the 02/02/2024 permit)
12. Visible Emission Monitoring - The permittee shall perform inspections of the (PK0301UST-I) baghouse stack's, based on whichever baghouses (BH0701UST or BH0801UST) are in use, to determine the presence of visible emissions. Visible emissions checks shall be conducted at least monthly during normal facility operation for a sufficient time interval to determine if there are any visible emissions. If visible emissions are observed, a visible emissions evaluation (VEE), in accordance with 40 CFR Part 60, Appendix A, Method 9 shall be conducted. The VEE shall be conducted for a minimum period of six (6) minutes. If any of the observations exceed the applicable opacity limit, the observation period shall continue until a total of sixty (60) minutes of observation has been completed. A Method 9 evaluation shall not be required if the visible emissions condition is corrected in a timely manner such that no visible emissions are present; the emissions unit is operating at normal operating conditions; and the cause and corrective measures taken are recorded.  
(9 VAC 5-80-110 and Condition Condition 9 of the 02/02/2024 permit)
13. Visible Emission Monitoring - The permittee shall perform inspections of the (PK0301UST-II) baghouse stacks, based on whichever two baghouses (BH0901UST, BH1001UST, or BH1101UST) are in use, to determine the presence of visible emissions. Visible emissions checks shall be conducted at least monthly during normal facility operation for a sufficient time interval to determine if there are any visible emissions. If visible emissions are observed, a visible emissions evaluation (VEE), in accordance with 40 CFR Part 60, Appendix A, Method 9 shall be conducted. The VEE shall be conducted for a minimum period of six (6) minutes. If any of the observations exceed the applicable opacity limit, the observation period shall continue until a total of sixty (60) minutes of observation has been completed. A Method 9 evaluation shall not be required if the visible emissions condition is

corrected in a timely manner such that no visible emissions are present; the emissions unit is operating at normal operating conditions; and the cause and corrective measures taken are recorded.

(9 VAC 5-80-110 and Condition 10 of the 02/02/2024 permit)

### **Recordkeeping**

14. Recordkeeping Requirements - The permittee shall maintain records of emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Piedmont Regional Office. These records shall include, but are not limited to:

- a. Annual throughput of dry product through the STLFPPP process (PK0301UST-I), in USTPU units, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- b. Annual throughput of dry product through the STLFPPP process (PK0301UST-II) in USTPU units, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- c. Visible emission monitoring records for the baghouse stacks, as applicable.
- d. Control device monitoring records for the baghouses as indicated in Condition 11

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 23 of the 02/02/2024 permit)

### **Reporting**

15. Reporting Requirements – (PK0301UST-I and PK0301UST-II)- The permittee shall submit semi-annual reports to the Piedmont Regional Office documenting any instances of deviations of throughput of dry product to PK0301UST-I or PK0301UST-II or excess emissions from the STLFPPP (based on visible emission monitoring or control device monitoring).

(9 VAC 5-80-110)

## **Process Equipment Requirements – MSTLFPPP PK0401UST**

### **Limitations**

16. Emission Controls - VOC emissions from the moist pouch packaging (PK0401UST) shall be controlled by limiting annual production of moist smokeless tobacco-leaf-free product.

(9 VAC 5-80-110 and Condition 5 of the 02/02/2024 permit)

17. Emission Controls – PM, PM-10, and PM-2.5 emissions from the moist pouch packaging (PK0401UST) shall be controlled by 12 cartridge filters (BH1201UST to BH2301UST), of which six vent indoors and six vent to the ambient air through a common stack (AE-18UST). Each cartridge filter shall be provided with adequate access for inspection. (9 VAC 5-80-110 and Condition 6 of the 02/02/2024 permit)
  
18. VOC Work Practice Standards – At all times the disposal of VOC shall be accomplished by taking measures, to the extent practicable, consistent with air pollution control practices for minimizing emissions. Volatile organic compounds shall not be intentionally spilled, discarded in sewers which are not connected to a treatment plant, or stored in open containers, or handled in any other manner that would result in evaporation beyond that consistent with air pollution practices for minimizing emissions. (9 VAC 5-80-110 and Condition 2 of the 02/02/2024 permit)
  
19. Processing - The throughput of moist product through moist pouch packaging (PK0401UST) shall not exceed 25,447 USTMP units per year. Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. (9 VAC 5-80-110 and Condition 15 of the 02/02/2024 permit)
  
20. Process Emission Limits – Combined emissions from the MSTLFPPP (PK0401UST) shall not exceed the limits specified below:

PM	1.3 lb/hr	0.9 tons/yr
PM <sub>10</sub>	1.3 lb/hr	0.9 tons/yr
PM <sub>2.5</sub>	1.3 lb/hr	0.9 tons/yr
Volatile Organic Compounds	9.2 lb/hr	6.7 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Conditions 16, 17, and 19.

(9 VAC 5-80-110 and Condition 21 of the 02/02/2024 permit)

21. Visible Emission Limit – Visible emissions from each baghouse stack and combined cartridge filter stack vented to ambient air shall not exceed 5 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction. Compliance with these emission limits may be determined as stated in Condition 22 as applicable. (9 VAC 5-80-110 and Condition 22 of the 02/02/2024 permit)

**Monitoring and Testing**

22. Visible Emission Monitoring - The permittee shall perform inspections of the combined exhaust stack (AE-18UST) of the moist pouch packaging (PK0401UST) when the MSTLFPPP is operating, to determine the presence of visible emissions. Visible emissions checks shall be conducted at least monthly during normal facility operation for a sufficient time interval to determine if there are any visible emissions. If visible emissions are observed, a visible emissions evaluation (VEE), in accordance with 40 CFR Part 60, Appendix A, Method 9 shall be conducted. The VEE shall be conducted for a minimum period of six (6) minutes. If any of the observations exceed the applicable opacity limit, the observation period shall continue until a total of sixty (60) minutes of observation has been completed. A Method 9 evaluation shall not be required if the visible emissions condition is corrected in a timely manner such that no visible emissions are present; the emissions unit is operating at normal operating conditions; and the cause and corrective measures taken are recorded.

(9 VAC 5-80-110 and Condition 11 of the 02/02/2024 permit)

**Recordkeeping**

23. On Site Records - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Piedmont Regional Office. These records shall include, but are not limited to:

- a. Annual throughput of moist product through the MSTLFPPP (PK0401UST) in USTMP units, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- b. Monthly emissions calculations for VOC from the moist pouch packaging (PK0401UST) using calculation methods approved by the Piedmont Regional Office to verify compliance with the annual emissions limitations in Condition 20.
- c. Visible emission monitoring records for the combined exhaust stack of the MSTLFPPP (AE-18UST), as indicated in Condition 22.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-110 and Condition 23 of the 02/02/2024 permit)

**Reporting**

24. Reporting Requirements – (PK0401UST)- The permittee shall submit semi-annual reports to the Piedmont Regional Office documenting any instances of deviations of throughput of moist product to PK0401UST or excess emissions from the MSTLFPPP (based on visible emission monitoring, VOC emission calculations, or control device monitoring).

(9 VAC 5-80-110)

25. Initial Notifications - The permittee shall furnish written notification to the Piedmont Regional Office of:

- a. The actual start-up date of the moist smokeless tobacco-leaf-free pouch packaging process (MSTLFPPP) within 15 days after such date.  
(9 VAC 5-50-50 and 9 VAC 5-80-1180)

**Insignificant Emission Units**

- 26. Insignificant Emission Units - The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
None	None	None	None	None

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.  
(9 VAC 5-80-110)

**Permit Shield & Inapplicable Requirements**

- 27. Permit Shield & Inapplicable Requirements - Compliance with the provisions of this permit shall be deemed in compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
None	None	None

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, or (ii) the DEQ pursuant to §10.1-1307.3 or §10.1-1315 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140)

**General Conditions**

- 28. General Conditions - Federal Enforceability -All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-110)
- 29. General Conditions - Permit Expiration –
  - a. This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

- b. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
- c. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the DEQ takes final action on the application under 9 VAC 5-80-150.
- d. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
- e. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the DEQ fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
- f. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the DEQ any additional information identified as being needed to process the application.

(9 VAC 5-80-80, 9 VAC 5-80-110 and 9 VAC 5-80-170)

30. General Conditions - Recordkeeping and Reporting - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

- a. The date, place as defined in the permit, and time of sampling or measurements.
- b. The date(s) analyses were performed.
- c. The company or entity that performed the analyses.
- d. The analytical techniques or methods used.
- e. The results of such analyses.
- f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110)

31. General Conditions - Recordkeeping and Reporting -Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110)

32. General Conditions - Recordkeeping and Reporting -The permittee shall submit the results of monitoring contained in any applicable requirement to the DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
  - b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:
    - i. Exceedance of emissions limitations or operational restrictions;
    - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,
    - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
  - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110)

33. General Conditions - Annual Compliance Certification -Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and the DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the certification. The time period to be addressed is January 1 to December 31.
  - b. The identification of each term or condition of the permit that is the basis of the certification.
  - c. The compliance status.
  - d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
  - e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
  - f. Such other facts as the permit may require to determine the compliance status of the source.

- g. One copy of the annual compliance certification shall be sent to EPA in electronic format only. The certification document should be sent to the following electronic mailing address: R3\_APD\_Permits@epa.gov

(9 VAC 5-80-110 K.5)

34. General Conditions - Permit Deviation Reporting - The permittee shall notify the Piedmont Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition 32 of this permit.  
(9 VAC 5-80-110 F.2)
35. General Conditions - Failure/Malfunction Reporting -In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, no later than four daytime business hours after the malfunction is discovered, notify the Piedmont Regional Office of such failure or malfunction and shall, within 14 days of discovery, provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Piedmont Regional Office.  
(9 VAC 5-80-110 and 9 VAC 5-20-180)
36. General Conditions - Severability - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110)
37. General Conditions - Duty to Comply -The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110)
38. General Conditions - Need to Halt or Reduce Activity not a Defense - 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 this permit.  
(9 VAC 5-80-110)



39. General Conditions - Permit Modification - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-110, 9 VAC 5-80-190 and 9 VAC 5-80-260)
40. General Conditions - Property Rights - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9VAC 5-80-110)
41. General Conditions - Duty to Submit Information - The permittee shall furnish to the DEQ, within a reasonable time, any information that the DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
42. General Conditions - Duty to Submit - Information - Any document (including reports) required in a permit condition to be submitted to the DEQ shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110)
43. General Conditions - Duty to Pay Permit Fees - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 and annual maintenance fees, as applicable, consistent with the requirements of 9VAC 5-80-2310 through 9VAC 5-80-2350  
(9 VAC 5-80-110, 9 VAC 5-80-310 et seq., and 9 VAC 5-80-2310 et seq.)
44. General Conditions - Fugitive Dust Emission Standards - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
  - a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;

- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-80-110 and 9 VAC 5-40-90)

45. General Conditions - Startup, Shutdown, and Malfunction - At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the DEQ, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-80-110 and 9 VAC 5-50-20 E)

46. General Conditions - Record of Malfunctions – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.

(9 VAC 5-80-110, 9 VAC 5-20-180 J, and Condition 29 of the 02/02/2024 permit)

47. General Conditions - Alternative Operating Scenarios -Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110)

48. General Conditions - Inspection and Entry Requirements -The permittee shall allow the DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.

- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110)

49. General Conditions - Reopening For Cause - The permit shall be reopened by the DEQ if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

- a. The permit shall be reopened if the DEQ or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the DEQ determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the DEQ if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110)

50. General Conditions - Permit Availability - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to the DEQ upon request.

(9 VAC 5-80-110 and 9 VAC 5-80-150)

51. General Conditions - Transfer of Permits –

- a. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
- b. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the DEQ of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
- c. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the DEQ of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-110 and 9 VAC 5-80-160)

52. General Conditions - Permit Revocation or Termination for Cause - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The DEQ may suspend, under such conditions and for such period of time as the DEQ may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-110, 9 VAC 5-80-190 C and 9 VAC 5-80-260)
53. General Conditions - Violation of Ambient Air Quality Standard - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.  
(9 VAC 5-80-110, 9 VAC 5-20-180 I, and Condition 31 of the 02/02/2024 permit)
54. General Conditions - Duty to Supplement or Correct Application - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-110 and 9 VAC 5-80-80 E)
55. General Conditions - Stratospheric Ozone Protection - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(9 VAC 5-80-110 and 40 CFR Part 82, Subparts A-F)
56. General Conditions - Asbestos Requirements - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).  
(9 VAC 5-60-70 and 9 VAC 5-80-110)
57. General Conditions - Accidental Release Prevention -If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.  
(9 VAC 5-80-110 and 40 CFR Part 68)
58. General Conditions - Changes to Permits for Emissions Trading - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-110)

59. General Conditions - Emissions Trading - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
- (9 VAC 5-80-110)