



AIR OPERATING PERMIT

Puget Sound Clean Air Agency
110 Union Street, Suite 500
Seattle, Washington 98101

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

Pursuant to Puget Sound Clean Air Agency Regulation I, Article 7 and Chapter 173-401 WAC Premier Industries, Inc. is authorized to operate subject to the terms and conditions in this

PERMIT NO.: 16319	DATE OF ISSUANCE: September 23, 2002 Administrative Amendment: Nov. 12, 2004
ISSUED TO: Premier Industries Inc. – Insulfoam / Premier Packaging	
PERMIT EXPIRATION DATE: September 23, 2007	

NAICS Code	326140 (formerly SIC Code 3086)
Nature of Business:	Polystyrene Foam Product Manufacturing
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I. EMISSION LIMITS AND PERFORMANCE STANDARDS

The following tables list the citation for the “applicable requirement” in the second column. The third column (Date) contains the adoption or effective date of the requirement. In some cases, the effective dates of the Federally Enforceable Requirement and the State Only Requirement are different because only rules approved by EPA through Sections 110, 111, and 112 of the federal Clean Air Act are federally enforceable, and either the state has not submitted the regulation to the EPA or the EPA has not approved it. State only requirements are identified by a brief explanatory phrase, always including the “*STATE ONLY*” descriptor in the second column and by italicized adoption date in the third column.

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

The fifth column (Monitoring, Maintenance & Record Keeping Method) identifies the methods described in Section II of the permit. Following these methods is an enforceable requirement of this permit. The sixth (Emission Standard Period) column identifies the averaging time for the reference test method. The last column (Reference Test Method) identifies the reference method associated with an applicable emission limit that is to be used when a source test is required. In some cases where the applicable requirement does not cite a test method, one has been added.

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

A. FACILITY-WIDE APPLICABLE REQUIREMENTS

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

Table 1 Facility-Wide Applicable Requirements (Federally Enforceable)

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.1	WAC 173-400-040	8/20/93	Emissions from a common stack must meet the most restrictive standard of any of the connected emissions units. All emission units are required to use RACT	N/A	N/A	N/A
I.A.2	<p>Puget Sound Clean Air Agency Reg I: 9.03 <i>This requirement shall be superseded by the 3/11/99 (STATE ONLY) version of Reg. I: 9.03 upon its adoption into the SIP</i></p> <p>WAC 173-400-040(1) <i>This requirement shall be superseded by the 12/23/00 state only version of WAC 173-400-040(1) upon its adoption into the SIP</i></p>	<p>9/08/94</p> <p>8/20/93</p>	Shall not emit air contaminants in excess of 20% opacity for more than 3 minutes per hour	II.A.1(a) Opacity Monitoring	More than 3 min in any 1 hr	Ecology Method 9A (See Section X)

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.3	Puget Sound Clean Air Agency Reg I: 9.07 WAC 173-400-040(6) first paragraph only. <i>This requirement shall be superseded by the 10/23/98 state only version of WAC 173-400-040(6) upon its adoption into the SIP</i>	4/14/94 8/20/93	Shall not emit SO ₂ in excess of 1,000 ppmv on a dry basis (corrected to 7% O ₂ for fuel burning equipment)	N/A	At least 1-hr per run	EPA Method 6C (See 40 CFR Part 60, Appendix A, July 1, 2000)
I.A.4	Puget Sound Clean Air Agency Reg I: 9.09 <i>This requirement shall be superseded by the 4/9/98 state only version of Reg. I: 9.09 upon its adoption into the SIP</i>	2/10/94	Shall not emit particulate matter in excess of 0.05 gr/dscf corrected to 7% O ₂ from fuel burning equipment and combustion sources (applies to equipment that produces hot air, hot water, steam, or other heated fluids by external combustion of fuel)	II.A.1(a) Opacity Monitoring	At least 1-hr per run	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution dated 8/11/1983 (See Section X)

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.5	WAC 173-400-050(1) <i>This requirement shall be superseded by the 10/23/98 state only version of WAC 173-400-050(1) upon its adoption into the SIP</i>	8/20/93	Shall not emit particulate matter in excess of 0.10 gr/dscf corrected to 7% O ₂ from fuel burning equipment and combustion sources (applies to equipment that produces hot air, hot water, steam, or other heated fluids by external combustion of fuel)	II.A.1(a) Opacity Monitoring	At least 1-hr per run	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution dated 8/11/1983 (See Section X)
I.A.6	Puget Sound Clean Air Agency Reg I: 9.11(a) <i>This requirement shall be superseded by the 3/11/99 state only version of Reg. I: 9.11(a) upon its adoption into the SIP</i> WAC 173-400-040(5) <i>This requirement shall be superseded by the 10/23/98 state only version of WAC 173-400-040(5) upon its adoption into the SIP</i>	6/09/83 8/20/93	Shall not emit air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.7	Puget Sound Clean Air Agency Reg I: 9.15 <i>This requirement shall be superseded by the 3/11/99 state only version of Reg. I: 9.15(a) upon its adoption into the SIP</i>	8/10/89	<ul style="list-style-type: none"> (a) Shall not emit visible dust unless BACT is employed to control the emissions (b) Unlawful to operate a vehicle on paved public roads unless: <ul style="list-style-type: none"> (1) The vehicle is constructed or loaded to prevent load from escaping or spilling; (2) The vehicle is covered to prevent load from escaping or spilling if loaded with gravel or dirt; and (3) Mud, dirt, and other debris is cleaned from the chassis and tires of the vehicle. (c) Unlawful to allow emission of fugitive dust from any refuse or fuel burning, manufacturing, or emissions control equipment (d) Unlawful to allow emission of fugitive dust in such quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or which unreasonably interferes with enjoyment of life and property 	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.8	Puget Sound Clean Air Agency Reg I: 9.15(a) <i>(STATE ONLY)</i> <i>This requirement shall become federally enforceable upon adoption of this 3/11/1999 state only version of Reg I: 9.15 into the SIP</i>	3/11/99	It shall be unlawful for any person to cause or allow visible emissions of fugitive dust unless reasonable precautions are employed to minimize the emissions. Reasonable precautions include, but are not limited to, the following: (1) The use of control equipment, enclosures, and wet (or chemical) suppression techniques, as practical, and curtailment during high winds; (2) Surfacing roadways and parking areas with asphalt, concrete, or gravel; (3) Treating temporary, low-traffic areas (e.g., construction sites) with water or chemical stabilizers, reducing vehicle speeds, constructing pavement or rip rap exit aprons, and cleaning vehicle undercarriages before they exit to prevent the track-out of mud or dirt onto paved public roadways; or (4) Covering or wetting truck loads or allowing adequate freeboard to prevent the escape of dust-bearing materials	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.9	WAC 173-400-040(3) WAC 173-400-040(8) <i>These requirements shall be superseded by the 10/23/98 state only versions of WAC 173-400-040(3)&(8) upon their adoption into the SIP</i>	8/20/93 8/20/93	Shall not emit visible dust unless reasonable precautions are employed to minimize the emissions	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A
I.A.10	Puget Sound Clean Air Agency Reg I: 9.20(b)	6/09/88	Must maintain equipment not subject to Puget Sound Clean Air Agency Regulation I, Section 9.20(a) in good working order	II.A Minimum Monitoring and Maintenance Requirements	N/A	N/A
I.A.11	Puget Sound Clean Air Agency Reg I: 7.09(b) <i>This requirement shall be superseded by the 9/10/98 state only version of Reg. I: 7.09(b) upon its adoption into the SIP</i>	9/12/96	Must develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III	II.B Operation and Maintenance (O&M) Plan Requirements II.A.1(c) Facility-Wide Inspections II.A.1(d) Maintenance and Repair of Insignificant Emission Units	N/A	N/A
I.A.12	Puget Sound Clean Air Agency Reg I: 9.10(a) <i>(STATE ONLY)</i>	06/09/88	Shall not emit HCl in excess of 100 ppm (dry) corrected to 7% O ₂ for combustion sources	II.A.2.(b) Fuels that are permitted to be fired at the boilers	At least 1-hr per run	EPA Method 26A (See 40 CFR Part 60, Appendix A; July 1, 1998)

Reqmt. No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Reference Test Method
I.A.13	Puget Sound Clean Air Agency Reg I: 9.11(a) <i>(STATE ONLY)</i> WAC 173-400-040(5) <i>(STATE ONLY)</i>	03/11/99 10/23/98	Shall not emit air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A
I.A.14	WAC 173-400-040(2) <i>(STATE ONLY)</i>	8/20/93	Shall not deposit particulate matter beyond property boundary in sufficient quantity to interfere unreasonably with the use and enjoyment of the property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A
I.A.15	WAC 173-400-040(4) <i>(STATE ONLY)</i>	08/20/93	Must use recognized good practice and procedures to reduce odors which may unreasonably interfere with any other property owners' use and enjoyment of their property	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A
I.A.16	RCW 70.94.040 <i>(STATE ONLY)</i>	1996	Shall not emit air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property or cause a violation of RCW 70.94 or any regulation adopted hereunder	II.A.1(b) Complaint Response II.A.1(c) Facility-Wide Inspections	N/A	N/A

N/A = Not Applicable

B. EMISSION UNIT SPECIFIC APPLICABLE REQUIREMENTS

The requirements in Section I.B only apply to the specific emission units cited; however, the requirements in Section I.A. also apply to the specific emission units or activities described in Section I.B. If the monitoring, maintenance, and record keeping method for any requirement in Section I.A is more extensive for specific emission units, the requirement is repeated in this section with the additional monitoring, maintenance and record keeping requirements.

1. Emission Activity #1 (EA-1): Expanded Polystyrene (EPS) Operations

This facility processes expanded polystyrene (EPS) foam products. The two production lines share the common facility.

1. Insulfoam is a block molder. The EPS Block Processing Line (Insulfoam) produces products used in the construction and building materials industry for insulation and specialty applications such as columns and decorative facades. This modern unit uses steam as well as vacuum assist for the expansion of current high (6.5% by weight pentane) and mid (4.5% by weight pentane) expandable beads. The ability of the block molder to use assist vacuum will allow greater use of low (3.5% by weight) pentane expandable beads as the technology to make stronger parts using this bead improves.
2. The EPS Shape Molding Process Line (Premier Packaging) is used for custom shape molding. It produces packaging material used for computers, electronics, and food shipping. The line's eleven Press/Molds use steam to expand high pentane containing expandable beads (6.5% by weight pentane).

Table 2 Emission Activity 1 (EA-1): Expanded Polystyrene (EPS) Operations

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Emission Standard Reference Test Method
Insulfoam						
Where high, mid, and low pentane containing expandable beads are defined as 6.5%, 4.5%, and 3.5% pentane by weight in the bead:						
EA 1.1	Puget Sound Clean Air Agency – Order of Approval No. 7953 Condition No. 3	6/10/02	During calendar year 2002 Use of high pentane beads shall not exceed 40% of foam output, and annual calendar year emission of pentane from Premier Insulfoam production shall not exceed 198 tons.	II.A.2.(a) Pentane use monitoring	N/A	N/A
EA 1.2	Puget Sound Clean Air Agency – Order of Approval No. 7953 Condition No. 3	6/10/02	During calendar years 2003 and 2004 use of high pentane beads shall not exceed 30% of foam output, and annual calendar year emission of pentane from Premier Insulfoam production shall not exceed 186 tons.	II.A.2.(a) Pentane use monitoring	N/A	N/A
EA 1.3	Puget Sound Clean Air Agency – Order of Approval No. 7953 Condition No. 3	6/10/02	During calendar years 2005 and 2006 use of high pentane beads shall not exceed 20% of foam output, and annual calendar year emission of pentane from Premier Insulfoam production shall not exceed 173 tons.	II.A.2.(a) Pentane use monitoring	N/A	N/A

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Emission Standard Reference Test Method
EA 1.4	Puget Sound Clean Air Agency – Order of Approval No. 7953 Condition No. 3	6/10/02	During and after calendar year 2007 use of high pentane beads shall not exceed 5% of foam output, and annual calendar year emission of pentane from Premier Insulfoam production shall not exceed 153 tons.	II.A.2.(a) Pentane use monitoring	N/A	N/A
EA 1.5	Puget Sound Clean Air Agency Reg I: 9.09	2/10/94	Shall not emit particulate matter in excess of 0.05 gr/dscf from equipment used in manufacturing processes.	II.A.1(b) Complaint Response II.A.1. (a) Opacity Monitoring	N/A	N/A
EA 1.6	Puget Sound Clean Air Agency Reg I: 9.20(a) RCW 70.94.152(7) (STATE ONLY)	6/09/88 1996	Must maintain sources approved under Puget Sound Clean Air Agency Regulation I, Article 6, in good working order	II.A Minimum Monitoring and Maintenance Requirements	N/A	N/A
Premier Packaging						
EA 1.7	Puget Sound Clean Air Agency Reg I: 9.20(b)	6/09/88	Must maintain equipment not subject to Puget Sound Clean Air Agency Regulation I, Section 9.20(a) in good working order	II.A Minimum Monitoring and Maintenance Requirements	N/A	N/A

N/A = Not Applicable

2. Emission Activity #2 (EA-2): Boiler Operations

This emission activity covers two natural gas/distillate fuel oil boilers. The first is a 2.5 million btu/hr Cleaver Brooks boiler installed in 1976. The second is a larger 8.4 million btu/hr Cleaver Brooks boiler installed in 1989. Both boilers primarily run on natural gas but have the capability to run on distillate fuel oil as a backup fuel.

Table 3 Emission Activity 2 (EA-2): Boiler Operations

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Emission Standard Reference Test Method
EA 2. 1	Puget Sound Clean Air Agency Reg I: 9.08(a)	4/14/94	<p>It shall be unlawful for any person to cause or allow combustion of oil that exceeds any of the following maximum limits unless allowed by a Puget Sound Clean Air Agency Order of Approval issued under Reg I: 6.07:</p> <ul style="list-style-type: none"> • Ash 0.1% • Sulfur, fuel oil 2.00% • Lead 100 ppm • Arsenic 5 ppm • Cadmium 2 ppm • Chromium 10 ppm • Total halogens 1,000 ppm • PCBs 2 ppm • Flash point 100 °F 	II.A.2.(b) Fuels that are permitted to be fired at the boilers	N/A	<p>Ash ASTM D482-00A</p> <p>Sulfur ASTM D3120-96</p> <p>Halogens EPA SW846, 9076</p> <p>PCB EPA SW846, 8080</p> <p>Lead EPA 600/4-81-045, 200.7</p>

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method (See Section II)	Emission Standard Period	Emission Standard Reference Test Method
EA 2. 2	Puget Sound Clean Air Agency Reg I: 9.20(a) RCW 70.94.152(7) (STATE ONLY)	6/09/88 1996	Must maintain sources approved under Puget Sound Clean Air Agency Regulation I, Article 6, in good working order	II.A Minimum Monitoring and Maintenance Requirements	N/A	N/A

N/A = Not Applicable

II. MONITORING, MAINTENANCE AND RECORDKEEPING PROCEDURES

A. Minimum Monitoring and Maintenance Requirements

1. Facility-Wide Monitoring

(a) Opacity Monitoring

Premier Industries Inc. shall conduct inspections of the facility at least once per calendar month for visible emissions. Inspections are to be performed while the equipment is in operation during daylight hours. If, during the scheduled inspection, or at any other time, visible emissions other than uncombined water are observed, Premier Industries Inc. shall, as soon as possible, but no later than within 24 hours of the initial observation, take corrective action until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity until it can be repaired.

[WAC 173-401-615(1)(b), 11/4/1993]

(b) Complaint Response

Premier Industries, Inc. shall record and investigate air pollution complaints as soon as possible, but no later than three days after receipt. Premier Industries, Inc. shall identify the cause(s) of complaints based upon the following types of air pollutant emission circumstances:

- 1) Any emissions that are, or likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property; or
- 2) Any fugitive dust emissions, or
- 3) Any track-out onto paved roads open to the public, or
- 4) Any emissions of odor-bearing air contaminants, or
- 5) Complaints regarding other applicable requirements.

Premier Industries, Inc. shall investigate the complaint and determine if there was noncompliance with an applicable requirement of this permit. Premier Industries Inc. shall correct any such compliance problems as soon as possible. Premier Industries, Inc. shall shut down the unit or activity if the unit or activity is not returned to a compliant status within 24 hours of identification

[WAC 173-401-615(1)(b), 11/4/1993].

(c) Facility-Wide Inspections

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

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

Premier Industries Inc. shall also conduct inspections at least once per calendar month for fugitive dust and track-out and shall conduct daily fugitive dust/track-out inspections while conducting activities, such as construction projects, that are likely to generate fugitive dust or track-out.

Premier Industries Inc. shall correct any problems with significant emission units or activities identified during the course of these inspections as soon as possible, but not later than within 24 hours. Premier Industries Inc. shall shut down the unit or activity if the problem cannot be corrected within 24 hours of identification.

[WAC 173-401-615(1)(b), 11/4/1993].

(d) Maintenance and Repair of Insignificant Emission Units

Premier Industries Inc. shall use good industrial practices to maintain insignificant emission units and equipment¹ not listed in this permit. For such equipment, Premier Industries Inc. shall also promptly repair defective equipment. Good industrial practices may include, but are not limited to, following the manufacturer's operations manual or an equipment operations schedule, minimizing emissions until the repairs can be completed, and taking measures to prevent recurrence of the problem.

[WAC 173-401-530(2)(a), 6/17/1994] [Puget Sound Clean Air Agency Regulation I, Section 9.20 (b), 6/9/1988].

¹ Puget Sound Clean Air Agency Regulation I, Section 1.07(s) states, "EQUIPMENT means any stationary or portable device or any part thereof that emits or may emit any air contaminant into the atmosphere."

2. Specific Monitoring

(a) *Pentane Use Monitoring*

Premier Industries Inc. shall maintain monthly records of pentane containing expandable bead usage, with annual summaries, onsite. These records shall be made available by mail when requested by the Puget Sound Clean Air Agency or on site when requested by Agency personnel conducting inspections. [Puget Sound Clean Air Agency – Order of Approval No. 7953 Condition No. 4 dated: 6/10/02]

(b) *Fuels that are permitted to be fired at the boilers*

Premier Industries Inc. shall fire, in the Plant boilers, only natural gas, or distillate oils.

Premier Industries Inc. shall receive, for use in the boilers, only new (unused) fuel oil, and shall maintain records of the type of all fuel oil received by the facility. Premier Industries Inc. shall obtain and maintain fuel oil specifications from each fuel oil supplier, who shall certify that the fuel oil delivered contains no used oil.

For distillate oil, the fuel certification shall include the following:

- The name of the fuel oil supplier; and
- A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c².

[WAC 173-401-615(1)(b), 11/4/1993].

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

Premier Industries Inc.'s O&M Plan shall include procedures specifying how Premier Industries Inc. will assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III, and how Premier Industries Inc. will carry out the Minimum Monitoring and Maintenance provisions specified in Section II.A of this permit. For insignificant emission units, refer to the requirements stated in Section II.A.1(d), "Maintenance and Repair of Insignificant Emission Units" of this permit. The plan shall reflect good industrial practice. In most instances, following the manufacturer's operations manual or equipment operational schedule, minimizing emissions until the repairs can be completed and taking measures to prevent recurrence of the problem may be considered good industrial practice. Determination of whether good industrial practice is being used will be based on available information such as, but not limited to, monitoring results, opacity observations, review of operations and maintenance procedures, and

² *Distillate oil means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in D396-78, 89, 90, 92, 96, or 98, "Standard Specification for Fuel Oils"*

inspections of the emission unit or equipment. Premier Industries Inc. shall use the results of the inspections required by this permit in its annual review of the O&M Plan. The specific provisions of the O&M Plan, other than those required by Condition Section II.A, shall not be deemed part of this permit.

III. PROHIBITED ACTIVITIES

Premier Industries Inc. is prohibited from conducting, causing, or allowing the following activities:

A. Adjustment for Atmospheric Conditions

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

B. Open Burning

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

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

[Puget Sound Clean Air Agency Regulation I, Sections 8.02(a) and 8.06, 10/8/98] [WAC 173-425-020(1), 1/1/93; WAC 173-425-050(1), 1/1/93; RCW 70.94.743, 1998 c68 p1 and RCW 70.94.775(2), 1995 c 362p2 State/Puget Sound Clean Air Agency only]

C. Refuse Burning

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

D. Concealment

Premier Industries Inc. shall not cause or allow the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of an air contaminant that would otherwise violate Puget Sound Clean Air Agency Regulation I, Article 9 or Chapter 173-400 WAC. [Puget Sound Clean Air Agency Regulation I, Section 9.13(a), 6/9/88; WAC 173-400-040(7), 8/20/93; and 40 CFR 60.12]

E. Masking

Premier Industries Inc. shall not cause or allow the installation or use of any device or use of any means designed to mask the emission of an air contaminant that causes detriment to health, safety or welfare of any person or conceals or masks an emission of an air contaminant that would otherwise violate Regulation I, Article 9 or Chapter 173-400 WAC. [Puget Sound Clean Air Agency Regulation I, Section 9.13(b), 6/9/88; and WAC 173-400-040(7), 8/20/93]

F. Ambient Standards

Premier Industries Inc. shall not cause or allow the emission of air contaminants in sufficient quantity as to exceed any ambient air quality standard in Puget Sound Clean Air Agency Regulation I Section 11.01. [Puget Sound Clean Air Agency Regulation I, Section 11.01(b), 4/14/94]

IV. ACTIVITIES REQUIRING ADDITIONAL APPROVAL

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

A. New Source Review

Premier Industries Inc. shall not construct, install, establish, or modify an air contaminant source, except those sources that are excluded by Puget Sound Clean Air Agency Regulation I, Section 6.03(b), unless a "Notice of Construction and Application for Approval" has been filed with and approved by the Puget Sound Clean Air Agency. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 7/8/99; 40 CFR 60.7(a), 40 CFR 60.14, 40 CFR 60.15, 40 CFR 61.07] [WAC 173-460-040, 1/14/94; RCW 70.94.152, 1996 c 67p1, 1996 c 29p1 State/Puget Sound Clean Air Agency only]

(a) When calculating emissions for PSD purposes, Premier Industries Inc. shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels using AP-42 or other approved measurement procedures. [40 CFR 60 754(c)]

(b) Premier Industries Inc. shall, within 30 days of completion of installation or modification of an air contaminant source required to go through new source review, file a Notice of Completion with the Puget Sound Clean Air Agency. Each notice of completion shall be submitted on a form provided by the Puget Sound Clean Air Agency and shall specify the date upon which the operation of the source has commenced or will commence [Puget Sound Clean Air Agency Regulation I, Section 6.09, 4/14/1994].

B. Replacement or Substantial Alteration of Emission Control Technology

Premier Industries Inc. shall file a Notice of Construction and Application for Approval according to WAC 173-400-114 with the Puget Sound Clean Air Agency before replacing or substantially altering any emission control technology installed at the facility. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 7/8/99] [WAC 173-400-114, RCW 70.94.153, 1991 c 199p303 State/Puget Sound Clean Air Agency only]

C. Asbestos

(a) Premier Industries Inc. shall comply with 40 CFR 61.145 and 61.150 when conducting renovation or demolition activities at the facility. [40 CFR 61.145 and 61.150]

(b) Premier Industries Inc. shall comply with Puget Sound Clean Air Agency Regulation III, Article 4 when conducting any asbestos project, renovation or demolition activities at the facility. [Puget Sound Clean Air Agency Regulation III, Article 4, 2/12/98]

D. Spray Coating

Premier Industries Inc. shall comply with Puget Sound Clean Air Agency Regulation I, Section 9.16 as follows:

(a) **Applicability.** This section applies to spray-coating operations at facilities subject to Article 5 (Registration), Article 6 (New Source Review), or Article 7 (Operating Permits) of this regulation, where a coating that protects or beautifies a surface is applied with spray-coating equipment.

(b) **Exemptions.** The following activities are exempt from the provisions of Sections 9.16(c) and (d) of this regulation. Persons claiming any of the following spray-coating exemptions shall have the burden of demonstrating compliance with the claimed exemption.

- 1) Application of architectural or maintenance coatings to stationary structures (e.g., bridges, water towers, buildings, stationary machinery, or similar structures);
- 2) Aerospace coating operations subject to 40 CFR Part 63, Subpart GG. This includes all activities and materials listed in 40 CFR 63.741(f);
- 3) Use of high-volume, low-pressure (HVLP) spray guns when:
 - (A) spray-coating operations do not involve motor vehicles or motor vehicle components;
 - (B) the gun cup capacity is 8 fluid ounces or less;
 - (C) the spray gun is used to spray-coat less than 9 square feet per day per facility;
 - (D) coatings are purchased in containers of 1 quart or less; and
 - (E) spray-coating is allowed by fire department, fire marshal, or other government agency requirements.
- 4) Use of air-brush spray equipment with 0.5 to 2.0 CFM airflow and a maximum cup capacity of 2 fluid ounces;
- 5) Use of hand-held aerosol spray cans with a capacity of 1 quart or less; or
- 6) Indoor application of automotive undercoating materials using organic solvents having a flash point in excess of 100°F.

(c) **General Requirements for Indoor Spray-Coating Operations.** It shall be unlawful for any person subject to the provisions of this section to cause or allow spray-coating inside a structure or spray-coating of any motor vehicles or motor vehicle components, unless the spray-coating is conducted inside an enclosed spray area. The enclosed spray area shall employ either properly seated paint arresters, or water-wash curtains with a continuous water curtain to control the overspray. All emissions from the spray-coating operation shall be vented to the atmosphere through an unobstructed vertical exhaust vent.

(d) General Requirements for Outdoor Spray-Coating Operations. It shall be unlawful for any person subject to the provisions of this section to cause or allow spray-coating outside an enclosed structure unless reasonable precautions are employed to minimize the overspray. Reasonable precautions include, but are not limited to the use of:

- 1) Enclosures and curtailment during high winds; and
- 2) High-volume low-pressure (HVLP), low-volume low-pressure (LVLP), electrostatic, or air-assisted airless spray equipment. Airless spray equipment may be used where low viscosity and high solid coatings preclude the use of higher-transfer efficiency spray equipment.

[Puget Sound Clean Air Agency Regulation I, Section 9.16, 6/13/91]

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

V. STANDARD TERMS AND CONDITIONS

A. Duty to comply

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

B. Permit actions

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

C. Property rights

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

D. Duty to provide information

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

E. Permit fees

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

F. Emissions trading

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

G. Severability

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

H. Permit appeals

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

I. Permit continuation

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

J. Federal enforceability

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

K. Inspection and entry

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

- 1) Enter Premier Industries Inc.'s premises or where records must be kept under the conditions of this permit;
- 2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

- 3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit; and
- 4) As authorized by WAC 173-400-105 and the FCAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [WAC 173-401-630(2), 11/4/93] [RCW 70.94.200 State/Puget Sound Clean Air Agency only]

L. Compliance requirements

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

M. Compliance certifications

Premier Industries Inc. shall submit a certification of compliance with permit terms and conditions once per year. The first such certification shall cover a one-year period commencing upon the date of issuance of this permit. Each certification shall include:

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

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

Puget Sound Clean Air Agency
Attn.: Operating Permit Certification
110 Union Street, Suite 500
Seattle, Washington 98101-2038

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

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

N. Compliance determination

1. Emission Testing

- a) For the purpose of determining compliance with an emission standard, the Puget Sound Clean Air Agency or Ecology may conduct testing of an emission unit or require Premier Industries Inc. to have it tested. In the event, the Puget Sound Clean Air Agency or Ecology conducts the test, Premier Industries Inc. shall be given an opportunity to observe the sampling and to obtain a sample at the same time. [Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94; WAC 173-400-105(4), 8/20/93, 10/23/98 State/Puget Sound Clean Air Agency only]
- b) Testing of sources for compliance with emissions standards shall be performed in accordance with the Reference Test Methods identified in Section I of this permit, except where this permit indicates that a specific Reference Test Method is not needed or appropriate. [Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94]
- c) Premier Industries Inc. shall notify the Puget Sound Clean Air Agency in writing at least 2 weeks (14 days) prior to any compliance test and provide the Puget Sound Clean Air Agency an opportunity to review the test plan and to observe the test. [Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94 and 40 CFR 60.8]
- d) Unless otherwise specified, each test for pollutants other than opacity shall consist of three separate runs and compliance shall be determined from the arithmetic average of the three runs. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of circumstances beyond the operator's control, compliance may, upon Puget Sound Clean Air Agency approval, be determined from the arithmetic average of the two other runs. [Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94]
- e) Premier Industries Inc., if required by the Puget Sound Clean Air Agency to perform a compliance test, shall submit a report to the Puget Sound Clean Air Agency no later than 60 days after the test. The report shall include:
 - (1) A description of the source and the sampling location;
 - (2) The time and date of the test;
 - (3) A summary of results, reported in units and for averaging periods consistent with the applicable emission standard;
 - (4) A description of the test methods and quality assurance procedures employed;
 - (5) The amount of fuel burned or raw material processed by the source during the test;
 - (6) The operating parameters of the source and control equipment during the test;

- (7) Field data and example calculations; and
- (8) A statement signed by the senior management official of the testing firm certifying the validity of the source test report.

[WAC 173-400-105(4), 10/14/96 State/Puget Sound Clean Air Agency only; Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94; and Puget Sound Clean Air Agency Regulation I, Section 3.07, 2/9/95]

2. Credible Evidence

- a) General - For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. [40 CFR 51.212, 40 CFR 52.12, 40 CFR 52.33, 40 CFR 60.11, and 40 CFR 61.12]

O. Recordkeeping

Premier Industries Inc. shall maintain the following:

- 1) Records of required monitoring information that include the following if applicable:
 - i) The date, place as defined in the permit, and time of sampling or measurements;
 - ii) The date(s) analyses were performed;
 - iii) The company or entity that performed the analyses;
 - iv) The analytical techniques or methods used;
 - v) The results of such analyses; and
 - vi) The operating conditions existing at the time of sampling or measurement.
- 2) Records describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes. [WAC 173-401-615(2), 11/4/93]
- 3) Records of all monitoring data and support information required by this permit shall be retained by Premier Industries Inc. for a period of five years from the date of the monitoring, sample, measurement, record or application. Support information includes equipment operating parameters, all calibration and maintenance records and all original strip-chart recordings for any continuous monitoring instrumentation, records for periods of operation during which the parameter boundaries established during the most recent performance test

are exceeded, and copies of all reports required by the permit. [WAC 173-401-615(2), 11/4/93]

- 4) Premier Industries Inc. shall document all inspections, tests and other actions required by the O&M Plan and Section II.A of this permit, including who conducted the inspection, tests or other actions; and the date and the results of the inspection, tests or other actions including corrective actions. All such records shall be signed and dated. Premier Industries Inc. shall maintain records of all inspections, tests, and other actions required by the O&M Plan on site and available for the Puget Sound Clean Air Agency review. [Puget Sound Clean Air Agency Regulation I, Section 7.09(b), 9/10/98]
- 5) Records for all complaints received concerning odor, fugitive emissions or nuisance relating to Section II of this permit must also contain the following information:
 - i) The date and time of the complaint,
 - ii) The name of the person complaining, if known,
 - iii) The nature of the complaint, and
 - iv) The date, time and nature of any corrective action taken.
[WAC 173-401-615(2)(b), 11/4/93]
- 6) Data Recovery - The specific monitoring and record keeping requirements identified in Section II of this permit may contain data recovery requirements. However, if such requirements are silent on data recovery provisions, data recovery is assumed to be 100%.

The monitoring reports required by Section V.P shall include an explanation for any instance in which Premier Industries Inc. failed to meet the data recovery requirements for any monitored process or parameter. The explanation shall include the reason that the data was not collected and any actions that Premier Industries Inc. will take to insure collection of such data in the future. [WAC 173-401-615(1)(b), 11/4/93]

P. Reporting

- 1) Any monitoring reports required by this permit to be submitted to the Puget Sound Clean Air Agency shall be submitted at least once every six months or more frequently where required by an applicable requirement. The first required monitoring report shall be submitted six months after the date of issuance of this permit. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with WAC 173-401-520. Where an applicable requirement requires reporting more frequently than once every six months, the responsible official's certification needs only to be submitted once every six months, covering all required reporting since the date of the last certification, provided that the certification specifically identifies all documents subject to the certification. [WAC 173-401-615(3)(a), 11/4/93]

- 2) Premier Industries Inc. shall report in writing to Puget Sound Clean Air Agency Operating Permit Certification all instances of deviations from the permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of the deviations, and any corrective actions or preventive measures taken. Premier Industries Inc. shall maintain a contemporaneous record of all deviations. Premier Industries Inc. shall report any deviations to the Puget Sound Clean Air Agency that represent a potential threat to human health or safety by FAX (206-343-7522) as soon as possible but no later than 12 hours after such a deviation is discovered. Premier Industries Inc. shall report other deviations in writing to Puget Sound Clean Air Agency Operating Permit Certification no later than 30 days after the end of the month during which the deviation is discovered. [WAC 173-401-615(3)(b), 11/4/93]
- 3) Conversion to Mid and Low Pentane Containing Expandable Beads: Premier Industries Inc. shall submit notification in the form of a report to the Puget Sound Clean Air Agency with every Annual Compliance Certification on the status of the conversion from High Pentane Containing Beads as required in EA 1.1 through 1.4.
- 4) Any application form, report, or compliance certification submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. [WAC 173-401-520, 11/4/93]

Q. Emission reporting

Premier Industries Inc. shall report annually to the Puget Sound Clean Air Agency for those air contaminants during the previous calendar year that equal or exceed the following (tons per year):

Carbon monoxide (CO) emissions	25
Facility combined total of all toxic air contaminants (TAC) emissions	6
Any single toxic air contaminant (TAC) emissions	2
Nitrogen oxide (NO _x) emissions	25
Particulate matter (PM ₁₀) emissions	25
Particulate matter (PM _{2.5}) emissions	25
Sulfur oxide (SO _x) emissions	25
Volatile organic compounds (VOC) emissions	25

Annual emissions rates shall be reported to the nearest whole ton per year for only those contaminants that equal or exceed the thresholds above. Premier Industries Inc. shall submit to the Puget Sound Clean Air Agency any additional information required by WAC 173-400-105(1) or Puget Sound Clean Air Agency Regulation III, Section 1.11. [Puget Sound Clean Air Agency Regulation I, Section 7.09(a), 9/10/98]

R. Emergencies

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

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

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

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

S. Unavoidable excess emissions

Excess emissions due to startup or shutdown conditions, scheduled maintenance or upsets that are determined to be unavoidable under the procedures and criteria in WAC 173-400-107 shall be excused and not subject to penalty. For any excess emission that Premier Industries Inc. wants the Puget Sound Clean Air Agency to consider unavoidable and excusable under WAC 173-400-107, Premier Industries Inc. shall report as required by Section V.P.2) of this permit the following:

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

[WAC 173-400-107(2); 9/20/93]

T. Need to halt or reduce activity not a defense

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

U. Stratospheric ozone and climate protection

- 1) Premier Industries Inc. shall comply with the following standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
 - i) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156;
 - ii) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158;

- iii) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- 2) Premier Industries Inc. may switch from any ozone-depleting substance to any alternative approved pursuant to the Significant New Alternatives Program (SNAP), 40 CFR Part 82, Subpart G, without a permit revision but shall not switch to a substitute listed as unacceptable pursuant to such program. [40 CFR 82.174]
- 3) Any certified technician employed by Premier Industries Inc. shall keep a copy of their certification at their place of employment. [40 CFR §82.166(1)]
- 4) Premier Industries Inc. shall not willfully release any regulated refrigerant and shall use refrigerant extraction equipment to recover regulated refrigerant when servicing, repairing or disposing of commercial air conditioning, heating, or refrigeration systems. [RCW 70.94.970(2) and (4), 11/12/97 State/Puget Sound Clean Air Agency only]

V. RACT satisfied

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

W. Risk management programs

In accordance with 40 CFR part 68, if Premier Industries Inc. has or receives more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, Premier Industries Inc. shall comply with the requirements of the Chemical Accident Prevention Provisions of 40 CFR part 68 no later than the following dates:

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

[40 CFR 68.10]

X. Definitions

Unless otherwise defined in this permit, the terms used in this permit shall have the same meaning ascribed to them in the referenced regulation. [WAC 173-401-200, 11/4/93]

Y. Duty to supplement or correct application

Upon becoming aware that it has failed to submit any relevant facts in a permit application or that it has submitted incorrect information in a permit application, Premier Industries Inc. shall promptly submit such supplementary facts or corrected information to the Puget Sound Clean Air Agency. [WAC 173-401-500(6), 11/4/93]

Z. Insignificant emission units and activities

- 1) Insignificant emission units and activities at Premier Industries Inc. are subject to all applicable requirements set forth in Sections I.A, III and IV. This permit shall not require testing, monitoring, reporting or record keeping for insignificant emission units or activities except as required by Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20. Compliance with Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 shall be deemed to satisfy the requirements of WAC 173-401-615 and 173-401-630(1). [WAC 173-401-530(2)(c), 11/4/93]
- 2) For insignificant emission units and activities, Premier Industries Inc. does not need to certify compliance under WAC 173-401-630(5). [WAC 173-401-530(2)(d), 11/4/93]
- 3) An emission unit or activity that qualifies as insignificant solely on the basis of WAC 173-401-530(1)(a) shall not exceed the emission thresholds specified in WAC 173-401-530(4) until this permit is modified pursuant to Section VI.E of this permit and WAC 173-401-725. [WAC 173-401-530(6), 11/4/93]

VI. PERMIT ACTIONS

A. Permit Renewal, Revocation And Expiration

- 1) **Renewal application.** Premier Industries Inc. shall submit a complete permit renewal application to the Puget Sound Clean Air Agency no later than 12 months prior to the expiration of this permit. The Puget Sound Clean Air Agency will send Premier Industries Inc. a renewal application no later than 18 months prior to the expiration of this permit. Failure of the Puget Sound Clean Air Agency to send Premier Industries Inc. a renewal application shall not relieve Premier Industries Inc. from the obligation to file a timely and complete renewal application. [WAC 173-401-710(1), WAC 173-401-500(2), 11/4/93]
- 2) **Expired permits.** Permit expiration terminates Premier Industries Inc.'s right to operate unless a timely and complete renewal application has been submitted consistent with WAC 173-401-710(1) and WAC 173-401-500. All terms and conditions of the permit shall remain in effect after this permit expires if a timely and complete permit application has been submitted. [WAC 173-401-710(3), 11/4/93]
- 3) **Revocation of permits.** The Puget Sound Clean Air Agency may revoke a permit only upon the request of Premier Industries Inc. or for cause. The Puget Sound Clean Air Agency shall provide at least thirty days written notice to Premier Industries Inc. prior to revocation of the permit or denial of a permit renewal application. Such notice shall include an explanation of the basis for the proposed action and afford Premier Industries Inc. an opportunity to meet with the Puget Sound Clean Air Agency prior to Puget Sound Clean Air Agency's final decision. A revocation issued under this condition may be issued conditionally with a future effective date and may specify that the revocation will not take effect if Premier Industries Inc. satisfies the specified conditions before the effective date. Nothing in this subsection shall limit Puget Sound Clean Air Agency's authority to issue emergency orders. [WAC 173-401-710(4), 11/4/93]

B. Administrative Permit Amendments

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

responsibility, coverage, and liability between the current and new permittee has been submitted to the Puget Sound Clean Air Agency;

- e) Incorporates into the permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of WAC 173-401-700, 173-401-725, and 173-401-800 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in WAC 173-401-600 through 173-401-650.

[WAC 173-401-720(1), 11/4/93]

- 2) **Administrative permit amendment procedures.** An administrative permit amendment may be made by the Puget Sound Clean Air Agency consistent with the following:
 - a) The Puget Sound Clean Air Agency shall take no more than sixty days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected states provided that it designates any such permit revisions as having been made pursuant to this paragraph.
 - b) The Puget Sound Clean Air Agency shall submit a copy of the revised permit to EPA.
 - c) Premier Industries Inc. may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. [WAC 173-401-720(3), 11/4/93]
- 3) **Permit shield.** The Puget Sound Clean Air Agency shall, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield in WAC 173-401-640 for administrative permit amendments made pursuant to part (1)(e) of this condition. [WAC 173-401-720(4), 11/4/93]

C. Changes not Requiring Permit Revisions

- 1) **General.**
 - a) Premier Industries Inc. is authorized to make the changes described in this section without a permit revision, providing the following conditions are met:

- i) The proposed changes are not Title I modifications as defined in WAC 173-401-200(33);
 - ii) The proposed changes do not result in emissions which exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;
 - iii) The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and
 - iv) Premier Industries Inc. provides EPA and the Puget Sound Clean Air Agency with written notification at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.
- b) Permit attachments. Premier Industries Inc. and the Puget Sound Clean Air Agency shall attach each notice to their copy of the relevant permit.
- 2) **Section 502(b)(10) changes.** Pursuant to the conditions in subsection (1) of this section, Premier Industries Inc. is authorized to make section 502(b)(10) changes (as defined in WAC 173-401-200(28)) without a permit revision.
- a) For each such change, the written notification required under subsection (1)(a)(iv) of this condition shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
 - b) The permit shield authorized under WAC 173-401-640 shall not apply to any change made pursuant to this paragraph.
- 3) **SIP authorized emissions trading.** Pursuant to the conditions in subsection (1) of this condition, Premier Industries Inc. is authorized to trade increases and decreases in emissions in the permitted facility, where the Washington state implementation plan provides for such emissions trades without requiring a permit revision. This provision is available in those cases where the permit does not already provide for such emissions trading.
- a) Under this subsection (3), the written notification required under subsection (1)(a)(iv) of this condition shall include such information as may be required by the provision in the Washington state implementation plan authorizing the emissions trade, including at a minimum, when the proposed change will occur, a description of each such change, any change in emissions, the permit requirements with which Premier Industries Inc. will comply using the emissions trading provisions of the Washington state implementation plan, and the pollutants emitted subject to the emissions trade. The notice shall also refer to the provisions with which Premier Industries Inc. will comply in the applicable implementation plan and that provide for the emissions trade.

- b) The permit shield described in WAC 173-401-640 shall not extend to any change made under this paragraph. Compliance with the permit requirements that Premier Industries Inc. will meet using the emissions trade shall be determined according to requirements of the applicable implementation plan authorizing the emissions trade. [WAC 173-401-722]

D. Off Permit Changes

- 1) Premier Industries Inc. shall be allowed to make changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of existing permit conditions. Any change that is a Title I modification or is a change subject to the acid rain requirements under Title IV of the FCAA must be submitted as a permit revision.
- 2) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.
- 3) Premier Industries Inc. must provide contemporaneous written notice to the Puget Sound Clean Air Agency and EPA of each such change, except for changes that qualify as insignificant under WAC 173-401-530. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- 4) The change shall not qualify for the permit shield under WAC 173-401-640.
- 5) Premier Industries Inc. shall keep a record describing changes made at Premier Industries Inc. that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.
- 6) When making a change under this section, Premier Industries Inc. shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152 and Puget Sound Clean Air Agency Regulation I, Article 6.

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

E. Permit Modification

1. **Definition.** A permit modification is any revision to this permit that cannot be accomplished under provisions for administrative permit amendments under WAC 173-401-720.

2. **Procedures.** Minor permit modification procedures.

a) Criteria.

i) Minor permit modification procedures shall be used for those permit modifications that:

(1) Do not violate any applicable requirement;

(2) Do not involve significant changes to existing monitoring, reporting, or record keeping requirements in the permit;

(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;

(4) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that Premier Industries Inc. has assumed to avoid an applicable requirement to which Premier Industries Inc. would otherwise be subject. Such terms and conditions include:

(a) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the FCAA; and

(b) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the FCAA;

(5) Are not modifications under any provision of Title I of the FCAA;

ii) Notwithstanding i) of this subsection, and subsection 3 of this section, the Puget Sound Clean Air Agency may allow the use of minor permit modification procedures for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that the use of such minor permit modification procedures is explicitly provided for in the Washington state implementation plan or in applicable requirements promulgated by EPA and in effect on April 7, 1993.

b) Application. An application requesting the use of minor permit modification procedures shall meet the requirements of WAC 173-401-510 and shall include the following:

i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

ii) Premier Industries Inc.'s suggested draft permit;

iii) Certification by a responsible official, consistent with WAC 173-401-520, of the truth, accuracy, and completeness of the application and that the proposed modification meets the criteria for use of minor permit modification procedures

- iv) and a request that such procedures be used; and
 - v) Completed forms for the Puget Sound Clean Air Agency to use to notify EPA and affected states as required under WAC 173-401-810 and 173-401-820.
- c) Premier Industries Inc.'s ability to make change. Premier Industries Inc. may make the change proposed in its minor permit modification application immediately after it files such application provided that those changes requiring the submissions of a notice of construction application have been reviewed and approved by the Puget Sound Clean Air Agency. After Premier Industries Inc. makes the change allowed by the preceding sentence, and until the Puget Sound Clean Air Agency takes any of the actions specified in WAC 173-401-725(2)(d), Premier Industries Inc. must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, Premier Industries Inc. does not need to comply with the existing permit terms and conditions it seeks to modify. However, if Premier Industries Inc. fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.
- d) Permit shield. The permit shield under WAC 173-401-640 shall not extend to minor permit modifications.
3. **Group processing of minor permit modifications.** Consistent with WAC 173-401-725(3), the Puget Sound Clean Air Agency may process groups of a source's applications for certain modifications eligible for minor permit modification processing.
4. **Significant modification procedures.**
- a) Criteria. Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative permit amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or record keeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude Premier Industries Inc. from making changes consistent with Chapter 173-401 WAC that would render existing permit compliance terms and conditions irrelevant.
 - b) Significant permit modifications shall meet all requirements of Chapter 173-401 WAC, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal. The Puget Sound Clean Air Agency shall complete review on the majority of significant permit modifications within nine months after receipt of a complete application.

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

F. Reopening for Cause

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

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

VII. PERMIT SHIELD

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

Nothing in this permit shall alter or affect the following:

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

[WAC 173-401-640(4)]

VIII. INSIGNIFICANT EMISSION UNITS

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

Table 4 Insignificant Emission Units

Unit	Basis for IEU Designation
Comfort Heating from Unit Heaters, and Water Heaters	WAC 173-401-533(2)(r) - Units or activities defined as insignificant on the basis of size or production rate. All burn Natural Gas < 5 million Btu/hr each, 6/17/94
Comfort air conditioning from HVAC units	WAC 173-401-532(46) - Comfort air conditioning or air cooling systems, not used to remove air contaminants from specific equipment, 6/17/94
Wastewater Treatment	WAC 173-401-530(4)(g) & (h) - Units or activities defined as insignificant where actual emissions are less than or equal to 0.15 tons per year of fluorides (as HF) and 0.5 tons per year of sulfuric acid mist, 6/17/94
Water-cooling tower	WAC 173-401-532(121) - Water-cooling tower processing exclusively non-contact cooling water, 6/17/94
Welding Equipment	WAC 173-401-532(12) - Brazing, soldering, and welding equipment and oxygen-hydrogen cutting torches for use in cutting metal wherein components of the metal do not generate HAPs or HAPs precursors, 6/17/94
Air Compressor Equipment	WAC 173-401-532(88) - Air compressors, pneumatically operated equipment systems and hand tools, 6/17/94

IX. APPENDICES

Non-EPA Test Methods

- Puget Sound Clean Air Agency Method 5
- Ecology Method 9A