SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

FINAL TITLE V APPLICATION REVIEW
COVANTA STANISLAUS, INC.
FACILITY N-2073

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TITLE V APPLICATION REVIEW

Project #: 970220
Deemed Complete: 4/30/97

Engineers: Kamaljit Sran,
Douglas Shaffer
Date: December 23, 2002

Facility Number: N-2073
Facility Name: Covanta Stanislaus, Inc.
Mailing Address: P.O. Box 278
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Contact Name: Terry Coble/Jim Healey
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Responsible Official, Title: Leon Brasowski, Vice President – Environmental Permitting
Responsible Official, Title: Jim Healey, Facility Manager

I. PROPOSAL

Covanta Stanislaus, Inc. is proposing that an initial Title V permit be issued for its existing resource recovery facility in Crows Landing. The purpose of this evaluation is to identify all applicable requirements, determine if facility will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions.

II. FACILITY LOCATION

Covanta Stanislaus, Inc. is located at 4040 Fink Road, Crows Landing, California.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is shown in Attachment A.

A summary of the exempt equipment categories, which describe the insignificant activities or equipment at the facility not requiring a permit, is shown in Attachment B. This equipment is not exempt from facility-wide requirements.

IV. GENERAL PERMIT TEMPLATE USAGE

The applicant has chosen to not use any model general permit templates.

V. SCOPE OF EPA AND PUBLIC REVIEW

The applicant has not requested to utilize any model general permit templates. Therefore, the proposed permit in its entirety is subject to EPA and public review.

VI. APPLICABLE REQUIREMENTS ADDRESSED BY GENERAL PERMIT TEMPLATES

Since the applicant has not utilized any model general permit templates, there are no requirements addressed by general permit templates. All applicable requirements are explicitly addressed in the permit outside of the general permit templates.

VII. APPLICABLE REQUIREMENTS NOT ADDRESSED BY GENERAL PERMIT TEMPLATES

District New and Modified Stationary Source Review Rule

District Rule 1070, Inspections (as amended December 17,1992) - (Non SIP replacement for Stanislaus County Rule 107)

District Rule 1080, Stack Monitoring (as amended December 17,1992) - (Non SIP replacement for Stanislaus County Rule 108)

District Rule 1081, Source Sampling (as amended December 16,1993) - (Non SIP replacement for Stanislaus County Rule 108.1)

District Rule 1100, Equipment Breakdown (as amended December 17,1992)

District Rule 1130, Severability (as adopted November 18, 1992)

District Rule 1160, Emission Statements (adapted November 18, 1992)

District Rule 2010, Permits Required (as amended December 17, 1992)

District Rule 2020, Exemptions (as amended July 21, 1994)

District Rule 2031, Transfer of Permits (as amended December 17, 1992)

District Rule 2040, Applications (as amended December 17, 1992)

District Rule 2070, Standards for Granting Applications (as amended December 17, 1992)

District Rule 2080, Conditional Approval (as amended December 17, 1992)

District Rule 2520, Federally Mandated Operating Permits, (amended June 21, 2001)

District Rule 4101, Visible Emissions (as amended December 17, 1992) - (Non SIP replacement for Stanislaus County Rule 401)

District Rule 4201, Particulate Matter Concentration (as amended December 17, 1992) - (Non SIP replacement for Stanislaus County Rule 404)

District Rule 4203, Particulate matter emissions from incineration of combustible refuse (as amended December 17, 1992)

District Rule 4253, Solid Fuel Fired Boilers, Steam Generators and Process Heaters (as amended October 19, 1995)

District Rule 4601, Architectural Coatings (as amended December 17, 1992)

District Rule 4701 Internal Combustion Engines (as amended November 12, 1998)

District Rule 4801, Sulfur Compounds (as amended December 17, 1992) - (Non SIP replacement for Stanislaus County Rule 407)

District Rules 8021, 8031, 8051, 8061 and 8071, Fugitive Dust (PM_{10}) Emissions (as amended November 15, 2001)

40 CFR Part 52.21, Prevention of Significant Deterioration (PSD)

40 CFR Part 60, Subpart Cb, Emissions Guidelines and Compliance Schedules for Municipal Waste Combustors

40 CFR Part 60, Subpart Db, Standard of performance for Industrial-Commercial-Institutional Steam Generating Units

40 CFR Part 61, Subpart M, National Emission Standard for Asbestos

40 CFR Part 68, Chemical Accident Prevention Provisions

40 CFR Part 82, Subpart F, Stratospheric Ozone

VIII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as Federally Enforceable Through Title V Permit.

This facility is subject to the following rules that are not currently federally enforceable:

District Rule 4102 Nuisance (amended December 17, 1992)

For this facility, conditions 6, 13, 17, 19, 39-42, 44, 45, 48, 51, 54-57, 84 and 85 of the requirements for permit unit -1-3, condition 41 of facility wide requirements, are based on the rules listed above and are not Federally Enforceable through Title V.

IX. COMPLIANCE

A. Requirements Addressed by Model General Permit Templates

The applicant has chosen to not use any general permit templates; therefore, no requirements are addressed by model general permit templates.

B. Requirements Not Addressed by Model General Permit Templates

1. District New and Modified Stationary Source Review Rule

a. Power Generation System (N-2073-1-3)

This unit was subject to the District NSR Rule at the time the applicant applied for Authority to Construct. In accordance with the White Paper for Streamlined Development of Part 70 Permit Applications, dated July 10, 1995, conditions from the resulting PTO were addressed to define how NSR permit terms should be incorporated into the Title V permit.

- Condition 1 from the PTO is addressed in the facility-wide requirements (severability) and was not included in the permit unit requirements.
- Condition 2 from the PTO was included as condition 1 of the requirements for this permit unit.
- Condition 3 from the PTO was included as condition 19 of the requirements for this permit unit.
- Condition 4 from the PTO was included as condition 9 of the requirements for this permit unit.
- Condition 5 from the PTO was included as condition 5 of the requirements for this permit unit.
- Condition 6 from the PTO was included as condition 2 of the requirements for this permit unit.
- Condition 7 from the PTO was included as condition 3 of the requirements for this permit unit.
- Condition 8 from the PTO was included as condition 4 of the requirements for this permit unit.
- Condition 9 from the PTO was included as condition 6 of the requirements for this permit unit.
- Condition 10 from the PTO was included as condition 8 of the requirements for this permit unit.
- Condition 11 from the PTO was included as condition 13 of the requirements for this permit unit.
- Condition 12 from the PTO was deleted because it was obsolete.
- Condition 13 from the PTO was deleted because it was obsolete.
- Conditions 14 and 15 from the PTO were included as conditions 14 and 15.
- Condition 16 from the PTO was included as condition 16 of the requirements for this permit unit.
- Condition 17 from the PTO was included as condition 92 of the requirements for this permit unit.

- Condition 18 from the PTO was included as condition 93 of the requirements for this permit unit.
- Condition 19 from the PTO was included as condition 17 of the requirements for this permit unit.
- Condition 20 from the PTO was included as condition 18 of the requirements for this permit unit.
- Condition 21 from the PTO was included as condition 20 of the requirements for this permit unit.
- Condition 22 from the PTO was included as condition 21 of the requirements for this permit unit.
- Condition 23 from the PTO was included as condition 22 of the requirements for this permit unit.
- Conditions 24 from the PTO were included as condition 23 of the requirements for this permit unit.
- Condition 26 from the PTO was included as condition 24 of the requirements for this permit unit.
- Condition 27 from the PTO was included as condition 25 of the requirements for this permit unit.
- Condition 28 from the PTO was included as condition 26 of the requirements for this permit unit.
- Condition 29 from the PTO was included as condition 28 of the requirements for this permit unit.
- Condition 30 from the PTO was included as condition 29 of the requirements for this permit unit.
- Condition 31 from the PTO was included as condition 30 of the requirements for this permit unit.
- Condition 32 from the PTO was included as condition 31 of the requirements for this permit unit.
- Condition 33 from the PTO was included as condition 32 of the requirements for this permit unit.
- Condition 34 from the PTO was included as condition 33 of the requirements for this permit unit.
- Condition 35 from the PTO was included as condition 34 of the requirements for this permit unit.
- Condition 36 from the PTO was included as condition 35 of the requirements for this permit unit.
- Condition 37 from the PTO was included as condition 36 of the requirements for this permit unit.
- Condition 38 from the PTO was included as condition 37 of the requirements for this permit unit.
- Condition 39 from the PTO was included as condition 38 of the requirements for this permit unit.
- Condition 40 from the PTO was included as condition 39 of the requirements for this permit unit.
- Condition 41 from the PTO was included as condition 40 of the requirements for this permit unit.

- Condition 42 from the PTO was included as condition 41 of the requirements for this permit unit.
- Condition 43 from the PTO was included as condition 42 of the requirements for this permit unit.
- Condition 44 from the PTO was included as condition 43 of the requirements for this permit unit.
- Condition 45 from the PTO was included as condition 44 of the requirements for this permit unit.
- Condition 46 from the PTO was included as condition 45 of the requirements for this permit unit.
- Condition 47 from the PTO was included as condition 46 of the requirements for this permit unit.
- Condition 48 from the PTO was included as condition 47 of the requirements for this permit unit.
- Condition 49 from the PTO was included as condition 48 of the requirements for this permit unit.
- Condition 50 from the PTO was included as condition 49 of the requirements for this permit unit.
- Condition 51 from the PTO was included as condition 50 of the requirements for this permit unit.
- Condition 52 from the PTO was included as condition 51 of the requirements for this permit unit.
- Condition 53 from the PTO was included as condition 52 of the requirements for this permit unit.
- Condition 54 from the PTO was included as condition 53 of the requirements for this permit unit.
- Condition 55 from the PTO was included as condition 54 of the requirements for this permit unit.
- Condition 56 from the PTO was included as condition 55 of the requirements for this permit unit.
- Condition 57 from the PTO was included as condition 56 of the requirements for this permit unit.
- Condition 58 from the PTO was included as condition 57 of the requirements for this permit unit.
- Condition 59 from the PTO was included as condition 58 of the requirements for this permit unit.
- Condition 60 from the PTO was included as condition 27 of the requirements for this permit unit.
- Condition 61 from the PTO was included as condition 59 of the requirements for this permit unit.
- Condition 62 from the PTO was included as condition 60 of the requirements for this permit unit.
- Condition 63 from the PTO was included as condition 61 of the requirements for this permit unit.
- Condition 64 from the PTO was included as condition 89 of the requirements for this permit unit.

- Condition 65 from the PTO was included as condition 1 of the facility-wide requirements.
- Condition 66 from the PTO was included as condition 10 of the requirements for this permit unit.
- Condition 67 from the PTO was included as condition 11 of the requirements for this permit unit.
- Condition 68 from the PTO was included as condition 12 of the requirements for this permit unit.
- Condition 69 from the PTO was included as condition 62 of the requirements for this permit unit.
- Condition 70 from the PTO was included as condition 63 of the requirements for this permit unit.
- Condition 71 from the PTO was included as condition 64 of the requirements for this permit unit.
- Condition 72 from the PTO was included as condition 65 of the requirements for this permit unit.
- Condition 73 from the PTO was included as condition 66 of the requirements for this permit unit.
- Condition 74 from the PTO was included as condition 67 of the requirements for this permit unit.
- Condition 75 from the PTO was included as condition 68 of the requirements for this permit unit.
- Condition 76 from the PTO was included as condition 69 of the requirements for this permit unit.
- Condition 77 from the PTO was included as condition 70 of the requirements for this permit unit.
- Condition 78 from the PTO was included as condition 71 of the requirements for this permit unit.
- Condition 79 from the PTO was included as condition 72 of the requirements for this permit unit.
- Condition 80 from the PTO was included as condition 73 of the requirements for this permit unit.
- Condition 81 from the PTO was included as condition 74 of the requirements for this permit unit.
- Condition 82 from the PTO was included as condition 75 of the requirements for this permit unit.
- Condition 83 from the PTO was included as condition 76 of the requirements for this permit unit.
- Condition 84 from the PTO was included as condition 77 of the requirements for this permit unit.
- Condition 85 from the PTO was included as condition 78 of the requirements for this permit unit.
- Condition 86 from the PTO was included as condition 79 of the requirements for this permit unit.
- Condition 87 from the PTO was included as condition 80 of the requirements for this permit unit.

- Condition 88 from the PTO was included as condition 81 of the requirements for this permit unit.
- Condition 89 from the PTO was included as condition 82 of the requirements for this permit unit.
- Condition 90 from the PTO was included as condition 83 of the requirements for this permit unit.
- Condition 91 from the PTO was included as condition 84 of the requirements for this permit unit.
- Condition 92 from the PTO was included as condition 85 of the requirements for this permit unit.
- Condition 93 from the PTO was included as condition 86 of the requirements for this permit unit.
- Condition 94 from the PTO was included as condition 7 of the requirements for this permit unit.
- Conditions 95 and 96 from the PTO were included as condition 90 of the requirements for this permit unit.
- Condition 97 from the PTO was included as condition 91 of the requirements for this permit unit.
- Condition 98 from the PTO was included as condition 9 of the facility-wide requirements.
- Condition 99 from the PTO was included as condition 87 of the requirements for this permit unit.
- Condition 100 from the PTO was included as condition 88 of the requirements for this permit unit.
- Condition 101 from the PTO was not included in the requirements for this permit unit because it is deemed obsolete.
- Condition 102 from the PTO was not included in the requirements for this permit unit since federally enforceable conditions are specifically identified in the requirements of permit unit (N-2073-1-3).

b. Emergency I.C. Engine (N-2073-2-1)

This permit unit was not subject to NSR at the time this unit was installed. Permit N-2073-2-0 was issued by the SJVUAPCD on June 15, 1995.

- Condition 1 from the PTO was included as condition 1 of the requirements for this permit unit.

2. District Rule 1070 Inspections (as amended December 17, 1992)

a. Power Generation System (N-2073-1-3).

Section 4.0 of this rule states district's authority to require record keeping, to make inspections, and to conduct tests of air pollution sources. Conditions 89, through 93 of requirements for this permit unit assure compliance with this requirement.

3. District Rule 1080 Stack Monitoring (as amended December 17, 1992)

a. Power Generation System (N-2073-1-3)

Section 4.0 of this rule requires the installation, maintenance, operation and calibration of continuous emissions monitoring equipment as directed by the APCO. Conditions 63 through 68 of the requirements for this permit unit assure compliance with this requirement.

Sections 6.5, 6.6, and 6.7 require that continuous monitors meet the performance specifications in 40 CFR Part 51 Appendix P, or Part 60 Appendix B, or equivalent specification. Conditions 63 through 68 of the requirements for this permit unit require that continuous emissions, monitors be calibrated, operated, tested, and maintained according to these EPA standards and assures compliance with this requirement.

Section 7.2 requires the reduction of continuous emissions data according to procedures outlined in 40 CFR 51 Appendix P. Condition 69 of the requirements for this permit unit assures that continuous emissions data will be reduced according to District-specific requirements as outlined in 40 CFR 51, Appendix P.

District Rule 1080 has been submitted to the EPA to replace Stanislaus County APCD Rule 108. The requirements of these rules are compared below in table 1, showing that the District rule is at least as stringent as the County rule.

Table 1 - Comparison of District Rule 1080 to Stanislaus County Rule 108

REQUIREMENT	District Rule 1080	Stanislaus County Rule 108
Continuous emissions monitors shall meet the applicable performance specifications of 40 CFR 51, App. P and 40 CFR 60, App. B, or equivalent as established by mutual agreement of the District, ARB, and EPA.	✓	✓
Breakdowns must be reported within 48 hours, unless the source can prove that a longer period was necessary.	✓ **(8 hrs)**	
The District must be notified within 24 hours prior to shutdown of monitoring equipment for maintenance.	✓	✓
Violations of any emissions standards of these rules, as shown by the stack monitoring equipment, must be reported within 48 hours.	✓	✓
Quarterly reports are required.	✓	✓
Records from the monitoring equipment shall be kept for at least two years.	✓	✓

4. District Rule 1081 Source Sampling (as amended December 16, 1993)

a. Power Generation System (N-2073-1-3)

Sections 3.0, 4.0, 5.0, 6.0, and 7.0 of District Rule 1081 set forth requirements for sampling facilities, collection of samples, test methods, test procedures, and administrative requirements, respectively. These requirements are covered by conditions 74 through 81 and 83 of the requirements for this permit unit. Annual source testing to demonstrate compliance with all applicable rules and regulations is required by condition 74.

District Rule 1081 has been submitted to the EPA to replace Stanislaus County APCD Rule 108.1. The requirements of these rules are compared below in table 2, showing that the District rule is at least as stringent as the County rule:

Table 2 - Comparison of District Rule 1081 to Stanislaus County Rule 108.1

REQUIREMENT	District Rule 1081	Stanislaus County Rule 108.1
Upon request of the APCO, the source shall provide information and records to enable the APCO to determine when a representative sample can be taken.		✓
The facility shall collect, have collected or allow the APCO to collect, a source sample.	✓	✓
The source shall have District personnel present at a source test.	✓	
The applicable test method, if not specified in the rule, shall be in accordance with 40 CFR 60, Appendix A.	✓	
Test procedures: 1) arithmetic mean of three runs 2) a scheduled source test may not be discontinued solely due to the nature to meet the applicable standard(s), an 3) arithmetic mean of two runs is acceptable if circumstances beyond the owner or operator control occurs.	✓	

5. District Rule 1100 Equipment Breakdown (as amended December 17,1992)

a. Facility Wide Requirements (N-2073-0-1)

Section 6.1 requires the owner or operator to notify the APCO of any occurrence which constitutes a breakdown condition; the notification should include time, location, and equipment involved and to the extent known the cause of the occurrence. Such notification should be a given as soon as reasonably possible, but no later than one hour after detection, unless the owner or operator demonstrates to the APCO that the longer reporting period was necessary. Condition 1 of facility wide requirements assures compliance with this requirement.

District Rule 1100 has been submitted to the EPA to replace the SIP approved Stanislaus County APCD Rule 111. District Rule 1100 is at least as stringent as the County rule addressing breakdowns, as is evident in the comparison on the next page in table 3:

Table 3 - Comparison of District Rule 1100 to Stanislaus County Rule 111

REQUIREMENT	District Rule 1100	Stanislaus County Rule 111
A breakdown occurrence must be reported as soon as reasonably possible but no later than 1 hour after detection.	✓	✓ **(2 hours)**
A variance must be obtained if the occurrence will last longer than a production run or 24 hours, whichever is shorter (96 hours for CEM systems)	✓	✓
A report must be submitted to the APCO within 10 days of correction of a breakdown occurrence which includes the following:	✓	✓
1) A statement that the breakdown condition has been corrected together with the date of correction and proof of compliance.	✓	✓
2) A specific statement of the reason(s) or cause(s) for the occurrence sufficient to enable the APCO to determine whether the occurrence was a breakdown condition.	✓	✓
3) A description of corrective measures undertaken and/or be undertaken to avoid such an occurrence in the future.	✓	✓
4) Pictures of the equipment or controls, which failed if available.	✓	✓

6. District Rule 1130 Severability (as amended December 17, 1992)

a. Facility Wide Requirements (N-2073-0-1)

Section 2.0 requires that if any provision, clause, sentence, paragraph, section or part of these conditions for any reason were judged invalid, such judgment shall not affect or invalidate the remainder of conditions. Condition 12 of facility wide requirements assures compliance with this requirement.

7. District Rule 1160 Emission Standards (adapted November 18, 1992)

a. Facility Wide Requirements (N-2073-0-1)

Section 5.0 requires the owner or operator of any stationary source to provide the District with a written emission statement showing actual emissions of reactive organic gases (ROGs) and nitrogen oxides (NO_x) from that source. The District waives this requirement for sources emitting less than 25 tons per year of these pollutants if the District provides the Air Resources Board (ARB) with an emission inventory of sources emitting greater than 10 tons per year of NO_x or ROGs based on the use of emission factors acceptable to the ARB. See condition 3 of the facility wide requirements.

8. District Rule 2010 Permits Required (as amended December 17, 1992)
District Rule 2020, Exemptions (as amended July 21, 1994)

a. Facility Wide Requirements (N-2073-0-1)

District Rule 2010 sections 3.0 and 4.0 require any person building, modifying or replacing any operation that may cause the issuance of air contaminants to apply for an Authority to Construct (ATC) from the District in advance. The ATC will remain in effect until the Permit to Operate (PTO) is granted. District Rule 2020 lists equipment, which is specifically exempt from obtaining permits and specifies recordkeeping requirements as stated in condition 4 of the facility wide requirements.

9. District Rule 2031, Transfer of Permits; District Rule 2070, Standards for Granting Applications; and District Rule 2080, Conditional Approval (as amended December 17, 1992)

a. Facility Wide Requirements (N-2073-0-1)

These rules set forth requirements to comply with all conditions of the Permit to Operate. Permits to Operate or Authorities to Construct are not transferable unless a new application is filed with, and approved by, the District. All source operations must be constructed and operated as specified in the Authority to Construct. See conditions 5 and 6 of the facility wide requirements.

10. District Rule 2040, Applications (as amended December 17, 1992)

a. Facility Wide Requirements (N-2073-0-1)

Section 3.0 requires that every application for a permit shall be filed in a manner and form prescribed by the District. See condition 7 of the facility wide requirements.

11. District Rule 2520, Federally Mandated Operating Permits (adopted June 15, 1995)

a. Facility Wide Requirements (N-2073-0-1)
b. Power Generation System (N2073-1-3)
c. Emergency IC Engine (N-2073-2-1)

Section 5.2 requires that permittee submit applications for Title V permit renewal at least six months prior to permit expiration. Condition 38 of the facility wide requirements (-0-1) assures compliance with this requirement.

Section 9.0 of District Rule 2520 requires certain elements to be contained in each Title V permit:

Section 9.3.2 states that periodic monitoring is required if none is associated with a given emission limit to assure compliance. Monitoring is required for the diesel fuel being fired in the IC engine. Conditions 94 and 95 of requirements for permit unit -1-3, and conditions 4 and 6 through 9 of requirements for permit unit -2-1 assure periodic monitoring.

Sections 9.4.1 and 9.4.2 contain requirements to incorporate all applicable record keeping requirements into the Title V permit, specific records of any required monitoring, and the retention of all required monitoring data and support information for five years. The requirements to keep specific monitoring records and retain records for five years are stated in condition 8 and 9 of the facility wide requirements (-0-1).

Section 9.5 contains requirements for the submittal of reports for monitoring results at least every six months and prompt recording of deviations from permitting

requirements, including those attributable to upset conditions. All required reports must be certified by the responsible official. These requirements are stated in conditions 10 and 11 of the facility wide requirements (-0-1).

Section 9.7 states that the Title V permit also must contain a severability clause in case of a court challenge; the severability clause is in condition 12 of the facility wide requirements (-0-1).

Section 9.8 contains following provisions for the Title V permit: 1) the permittee must comply with all permit conditions; 2) that the permitted activity would have to be reduced to comply with the permit conditions should not be a defense in an enforcement action, 3) that the permit may be revoked, modified, reissued, or reopened for cause, 4) that the Title V permit does not reflect any property rights, and 5) that the permittee will furnish the District with any requested information to determine compliance with this section of Rule 2520 will be assured by conditions 5 and 13 through 16 of the facility wide requirements (-0-1).

Section 9.9 requires the permittee to pay annual permit fees and applicable fees described in District Rules 3010, 3030, 3050, 3080, 3090, 3110, and 3120. This requirement is stated in condition 17 of the facility wide requirements (-0-1).

Section 9.12.1 states that all terms and conditions of a permit are required pursuant to the CAA, including provisions designed to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. This requirement is stated in condition 5 of the facility wide requirements (-0-1).

Section 9.13.1 requires that any report or document submitted under a permit requirement or following a request for information by the District or EPA to contain certification by a responsible official to its truth, accuracy, and completeness. Compliance with this section will be assured by condition 28 of the facility wide requirements (-0-1).

Section 9.13.2 presents inspection and entry requirements that allow an authorized representative of the District to enter a permittee's premises to inspect equipment, operations, work practices, permits on file, and to sample substances or monitor parameters for the purpose of assuring compliance with the permit requirements. Compliance with these requirements will be assured by conditions 18, 19, 20 and 21 of the facility wide requirements (-0-1).

Section 9.14 requires that, for sources in violation of an applicable requirement, a schedule of compliance be included in the Title V permit. This source has not been determined to be in violation of any applicable requirements.

Section 9.15 requires that for sources in violation of any applicable requirement, progress reports consistent with the applicable schedule of compliance shall be submitted to the District. Since this source has not been determined to be in violation of any applicable requirements, progress-reporting requirements are not required.

Section 9.16 requires the permittee to submit certification of compliance with the terms and standards of Title V permits to the EPA and the District annually (or more frequently as required by the applicable requirement of the District). Condition 37 of the facility wide requirements (-0-1) assures compliance with this requirement.

Section 10.0 requires that any application form, report or compliance certification submitted pursuant to these regulations to contain certification of truth, accuracy, and completeness by a responsible official. Compliance with this section will be assured by condition 28 of the facility wide requirements.

12. District Rule 4101 Visible Emissions (as amended December 17, 1992)

a. Facility Wide Requirements (N-2073-0-1)

Section 5.0 prohibits the discharge of any air contaminant for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker in shade as that designated as No.1 on the Ringlemann Chart; or is of such opacity as to obscure an observer's view to a degree equal to or greater than 20% opacity. This requirement is stated in condition 22 of the facility wide requirements.

13. District Rule 4201 Particulate Matter Concentrations (as amended December 17, 1992)

a. Power Generation System (N-2073-1-3)
b. Emergency IC Engine (N-2073-2-1)

Section 3.1 requires that a source not discharge dust, fumes, or total suspended particulate matter emission in excess of 0.1 gr/dscf. This requirement is assured by condition 25 of requirements for this permit unit which limits the particulate matter concentration to 0.011 gr/dscf and by condition 1 of the requirements for permit unit (N-2073-2-1).

14. District Rule 4202 Particulate Matter – Emission Rate (as amended December 17, 1992)

a. Power Generation System (N-2073-1-3)

Section 4.0 of this rule determines emission rate of particulate matter based on the process weight. For the process weight greater than 30 tons/Hr maximum allowable, emission rates can be calculated as shown below.

$$E_{max} = 17.31\,(P)^{0.16}$$ (Emission Rate Equation for P > 30 Tons/Hr)

Where

E_{max} = Maximum Allowable Emission Rate
P = Process Weight in Tons/Hr

Each boiler has capacity of 400 tons/day and assuming 24 hours operation.

$$E_{max} = 17.31 \left(\frac{800}{24}\right)^{0.16} = 30.34 \frac{lb}{Hr}$$

$$30.34 \frac{lb}{Hr} \times 24 \frac{Hrs}{day} = 728.16 \frac{lb}{day}$$

Compliance is assured by condition 34 of requirements for this permit unit, which limits the PM emissions to 475 pounds per day.

15. District Rule 4203 <u>Particulate Matter Emissions From Incineration Of Combustible Refuse</u> (as amended December 17, 1992)

a. <u>Power Generation Facility (N-2073-1-3)</u>

Section 4.0 requires particulate matter limit for equipment used to dispose of combustible refuse by burning to 0.1 lbs per 100 lbs of combustible refuse charged.

$$\text{Maximum Emissions} = \left(\frac{0.1\,\text{lb PM}}{100\,\text{lb Refuse}}\right) \times \left(800 \frac{\text{tons Refuse}}{\text{day}}\right) \times \left(\frac{2000\,\text{lb}}{\text{ton}}\right) = 1600 \frac{\text{lb PM}}{\text{day}}$$

Compliance is assured by condition 34 of the requirements for the permit unit, which limits PM emissions to 475 lbs/day.

16. District Rule 4352 <u>Solid Fuel Fired Boilers, Steam Generators And Process Heaters</u> (as amended October 19, 1995)

a. <u>Power Generation Facility (N-2073-1-3)</u>

Section 5.1 limits the NOx emissions from the municipal solid waste to 200 ppmv @ 12% CO_2 based on 24 hour rolling period. Condition 21 of requirements for this permit unit assures compliance with shorter 8-hour rolling period.

Section 5.3 limits CO emissions to 310 ppmv @ 12% CO_2. Condition 20 of requirements for this permit unit states CO emission limit to 100 ppmv @ 12% CO_2 assures compliance with this requirement.

17. District Rule 4601 <u>Architectural Coatings</u> (as amended September 17, 1997)

a. <u>Facility Wide Requirements (N-2073-0-1)</u>

This rule limits emissions of VOCs from architectural coatings. It requires the use of coatings, which have no more than 250 grams of VOC/liter of coating (less water and exempt compounds). It forbids the use of coating from the list in Table of Standards (section 5.2) and limits the use of Specialty Coatings to a VOC content not to exceed the specified limits in Table 1 of Rule 4601.

This rule further specifies labeling requirements, thinning recommendations, storage requirements and cleanup requirements. See conditions 23 through 27 of the facility wide requirements.

18. District Rule 4701 Internal Combustion Engines (as amended November 12, 1998)

a. Emergency I.C. Engine (N-2073-2-1)

This engine is permitted as an emergency standby unit operating no more than 200 hrs per year for maintenance and testing purposes. Therefore this unit is exempt from requirements of this rule according to section 4.2.1 of this rule. However permittee is required to keep annual operating records as per section 6.5 of this rule. Condition 3 and 4 of the requirements for permit unit N-2073-2-1 assures compliance with this requirement.

19. District Rule 4801 Sulfur Compounds (as amended December 17, 1992)

a. Power Generation System (N-2073-1-3)

Section 3.1 requires that sulfur compounds, existing as a liquid or gas at standard conditions, shall not be discharged into the atmosphere in concentration at the point of discharge which exceeds (0.2) percent by volume calculated as sulfur dioxide (SO_2) on a dry basis averaged over 15 consecutive minutes.

$$0.2\%\text{ by Volume} = \left(\frac{0.2}{100}\right) = \left(\frac{2000}{1000000}\right) = 2000\text{ ppmv based on 15 minute average}$$

Compliance is assured by the condition 23 of requirements of permit unit (N-2073-1-3), which limits sulfur dioxide (SO_2) to 29 ppmv.

b. Emergency I.C. Engine (N-2073-2-1)

The maximum fuel sulfur content that can be combusted in a diesel-fired IC engine to comply with the sulfur emission limit of 2000 ppmv is calculated as follows:

$$\frac{\left(137{,}000\ \frac{\text{Btu}}{\text{gal}}\right) \text{x} \left(\frac{9190\text{ dscf}}{10^6\text{Btu}}\right) \text{x} \left(32.06\ \frac{\text{g S}}{\text{mol}}\right) \text{x} \left(0.002\ \frac{\text{mol S}}{\text{mol exhaust}}\right) \text{x} \left(28.317\ \frac{\text{L}}{\text{cf}}\right)}{\left(23.6\ \frac{\text{L}}{\text{mol}}\right) \text{x} \left(7.05\ \frac{\text{lb}}{\text{gal}}\right) \text{x} \left(453.59\ \frac{\text{g}}{\text{lb}}\right)} = 0.030\ \frac{\text{lb S}}{\text{lb Diesel}}$$

where:

$\left(\frac{9190\text{ dscf}}{10^6\text{Btu}}\right)$ = F Factor for Diesel (40 CFR App. A Table 19-1)

137,000 = Heat content of diesel (AP-42, Appendix A)
7.05 = density of diesel (AP-42, Appendix A)
23.6 = Volume 1 mole of gas occupies at standard conditions
32.06 = Molecular weight of sulfur

Diesel fuel with a sulfur content of less than 3.0% by weight will satisfy the conditions of District Rule 4801. Condition 5 of the requirements for permit units (N-2073-2-1) assures compliance with District Rule 4801. Monitoring and recordkeeping to demonstrate compliance is required by conditions 6, 7 and 8 of the requirement for permit unit (N2073-2-1).

District Rule 4801 has been submitted to the EPA to replace Stanislaus County APCD Rule 407. This District rule is as least as stringent as the County rule, as evident in the comparison below in table 4:

Table 4 - Comparison of District Rule 4801 and Stanislaus County Rule 407

REQUIREMENT	District Rule 4801	Stanislaus County Rule 407
A person shall not discharge into the atmosphere sulfur compounds exceeding in concentration at the point of discharge 0.2 percent by volume calculated as sulfur dioxide on a dry basis averaged over 15 consecutive minutes.	✓	✓
EPA Method 8 and ARB Method 1-100 shall be used to determine such emissions.	✓	

19. SJVUAPCD Regulation VIII (District Rules 8021, 8031, 8051, 8061 and 8071) - Fugitive Dust (PM_{10})

a. Facility Wide Requirements (N-2073-0-1)

These regulations contain requirements for the control of fugitive dust. These requirements apply to various sources: construction (including road construction), demolition, excavation, extraction, and water mining activities; outdoor storage piles; paved and unpaved roads. Compliance with these regulations is assured by facility wide permit conditions 31 through 35.

20. 40 CFR Part 60, Subpart Cb, Emissions Guidelines and Compliance Schedules for Municipal Waste Combustors

a. Power Generation System (N-2073-1-3)

Construction of this unit commenced prior to December 20, 1989; therefore, it is subject to this Subpart.

Section 60.33(b) provides emission limits for metals (cadmium, lead and mercury), acid gases (sulfur dioxide and hydrogen chloride), organics (total mass dioxins/furans), particulate matter, opacity and nitrogen oxides. The requirements of this Section are addressed in conditions 19, 21, 23, 25, 43, 46, 49, 50, and 52 of the requirements for this permit unit.

Condition 21 is derived from NSR requirements, and is more stringent in emission limit and averaging time. It therefore demonstrates compliance with this federal requirement.

Compliance with all limits will be assured by a combination of parameter monitoring and source test requirements. Source test requirements not listed in this Subpart were identified in Subpart Eb and applied accordingly. Subpart Eb also allows a facility to correlate 7% O2 to 12% CO2 via an annual Method 5 test performed at the facility.

Section 60.34(b) provides guidelines for municipal waste combustor operating practices. The requirements of this Section are addressed in conditions 20, 59, 60 and 61 of requirements for this permit unit. Subpart Eb allows a facility to correlate 7% O2 to 12% CO2 via an annual Method 5 test performed at the facility.

Section 60.35(b) provides emission guidelines for municipal waste combustor operator training and certification. The requirements of this Section are addressed in conditions 14 through 16 of requirements for this permit unit.

Section 60.36(b) provides emission guidelines for municipal waste combustor fugitive ash emissions. Compliance is assured with condition 9 of requirements for this permit unit.

Section 60.38(b) provides standards of performance for continuous emissions monitoring systems. Records of calibration, readings and maintenance will be maintained at the facility. Conditions 63 through 68 of the requirements for this permit unit require the continuous emissions monitoring system be operated in accordance with 40 CFR Part 60.

Section 60.39(b) provides guidelines for reporting and recordkeeping. Compliance is assured with conditions 87 and 88 of the requirements for this permit unit.

21. 40 CFR Part 60, Subpart Db, Standard of performance for Industrial-Commercial-Institutional Steam Generating Units

a. Power Generation System (N-2073-1-3)

Section 40 CFR 60.44b(c) exempts unit from applicable NOx emission standard if unit is limited to fuel oil #2 use of 10% of maximum annual capacity of the unit. Condition 10 of the requirements for this permit unit limits use of fuel oil #2 to 1,108,321 gallons for each combustor which is equal to 10% of maximum annual capacity of each combustor.

Section 40 CFR 60.43b(d)(1) also requires that PM emissions shall not exceed 0.1 lb/MMBtu from a MSW unit if the use of Fuel Oil #2 to be limited to 10% of the maximum annual heat input capacity pursuant to section 40 CFR 60.44b(c). PM emissions from each unit are limited pursuant to District NSR Rule and 40 CFR 60.33b to *0.011 gr/dscf* as condition 25 of the requirements for this permit unit.

The following calculation demonstrates that 0.1 lb/MMBtu is less stringent than NSR requirement of 0.011 gr/dscf.

$$\frac{0.1\ \frac{lb}{MMBtu} \times 7000\ \frac{gr}{lb} \times \frac{12\%\ CO_2}{100}}{1820\ \frac{dscf}{MMBtu}} = 0.046\ \frac{gr}{dscf} > 0.011\ \frac{gr}{dscf}$$

Where

$$7000\ \frac{gr}{lb} = \text{Conversion factor}$$

$$\frac{12\%\ CO_2}{100} = CO_2\ \text{correction factor}$$

$$1820\ \frac{dscf}{MMBtu} = \text{Carbon based F - factor}$$

Therefore compliance with requirement of 40 CFR 60.43b(d)(1) is demonstrated by assured by complying with NSR PM requirements of 0.011 gr/dscf.

22. 40 CFR 82 Subpart F - Stratospheric Ozone

a. Facility Wide Requirements (N-2073-0-1)

These are applicable requirements from Title VI of the CAA (Stratospheric Ozone), which apply to all sources. The requirements pertain to air conditioners, chillers, and refrigerators located at a Title V source and to disposal of air conditioners or maintenance/recharging/disposal of motor vehicle air conditioners. Conditions 29 and 30 of the facility wide requirements address these requirements.

23. 40 CFR 61, Subpart M - Asbestos

a. Facility Wide Requirements (N-2073-0-1)

These are applicable requirements from the National Emissions Standards for Hazardous Air Pollutants, which apply to all sources. The requirements pertain to asbestos removal and disposal from renovated or demolished structures. Compliance with these requirements is assured by condition 36 of the facility wide requirements.

24. 40 CFR Part 64 Compliance Assurance Monitoring

a. Power Generation System (N-2073-1-3)

This rule is intended to satisfy the requirements for monitoring and compliance certification in the Part 70 operating permits program and Title VII of the 1990 Clean Air Act amendments. The rule establishes the criteria that define monitoring, reporting, and record keeping that must be conducted by regulated emission sources to demonstrate ongoing compliance with emission limitations and standards. Condition 65, 66, 67, and 89 of permit unit (N-2073-1-3) assures compliance with this requirement.

25. 40 CFR 68 Risk Management Plans

a. Facility Wide Requirements (N-2073-0-1)

This rule sets forth planning and reporting requirements for preventing possible accidental release of regulated substances or other extremely hazardous substances. This includes the preparation and implementation of a Risk Management Plan by June 21, 1999, if the facility stores substances listed in 40 CFR 68.130 in quantities above threshold levels. Condition 40 of the facility wide requirements assures compliance with this requirement.

26. 40 CFR 52 PSD Permit SJ 83-07

EPA PSD permit SJ 86-03 was issued by EPA Region IX in 1986 and revised by EPA Region IX on 10/26/92 (see Attachment D).

- Conditions I and II of the PSD permit have not been included in the requirements for the Title V permit. These conditions refer to requirements that were applicable only during the construction phase, are now obsolete.
- Condition III of the PSD permit is addressed by condition 1 of the requirements permit unit N-2073-1-3.
- Condition IV of the PSD permit is addressed by conditions 1 and 2 of the facility wide requirements.
- Condition V of the PSD permit is addressed by conditions 18 through 21 of the facility wide requirements.
- Condition VI of the PSD permit has not been included in the requirements for the Title V permit. This condition refers to transfer of ownership requirements that are now obsolete, since PSD permit is now part of the Title V permit.
- Condition VII of the PSD permit is addressed by condition 12 of the facility wide requirements.
- Condition VIII of the PSD permit is addressed by condition 39 of the facility wide requirements.
- Condition IX.A of the PSD permit has not been included in the requirements for the Title V permit. This condition, which refers to requirements that were applicable only during the construction phase, is now obsolete.
- Condition IX.B of the PSD permit has been included in the requirements for the Title V permit unit N-2073-1-3 as condition 1 and included in the equipment description.
- Condition IX.C.1 of the PSD permit has not been included in the requirements for the Title V permit. This condition, which refers to requirements that were applicable only during the construction phase, is now obsolete.
- Condition IX.C.2 of the PSD permit specifies the performance test methods for SOx, NOx, CO, and mercury. The more accurate test methods are specified in the various requirements of permit unit N-2073-1-3.
- Condition IX.C.3 of the PSD permit is addressed by condition 74 of the requirements permit unit N-2073-1-3.
- Condition IX.C.4 of the PSD permit is included in Title V permit as condition 58 of the requirements for permit unit N-2073-1-3. Covanta has applied to EPA to modify

this condition to use published F-factor value of 1820 dscf/MMBtu instead of an averaged value. A phone conversation with Bob Baker of US EPA has conformed that EPA is modifying this condition.

- Condition IX.D.1 of the PSD permit is addressed in the condition 10 of the requirements for permit unit N-2073-1-3.
- Condition IX.D.2 of the PSD permit is subsumed by more stringent fuel sulfur content in the condition 10 of the requirements for permit unit N-2073-1-3.
- Condition IX.D.3 of the PSD permit was deleted by EPA in October 26, 1992 modification letter.
- Condition IX.D.4 of the PSD permit addressed in the condition 90 of the requirements for permit unit N-2073-1-3.
- Conditions IX.E.1 and IX.E.2 of the PSD permit have been included in the requirements for the Title V permit as condition 97 of the requirements for permit unit N-2073-1-3.
- Condition IX.F.1 and IX.F.2 of the PSD permit have been included in the requirements for the Title V permit as condition 98 of the requirements for permit unit N-2073-1-3.
- Condition IX.G of the PSD permit is included in Title V permit as condition 99 of the requirements for permit unit N-2073-1-3.
- Condition IX.H of the PSD permit is included in Title V permit as condition 100 of the requirements for permit unit N-2073-1-3.
- Condition IX.I.1 of the PSD permit is subsumed by condition 63 through 68 of the requirements for permit unit N-2073-1-3.
- Condition IX.I.2 of the PSD permit is included in Title V permit as condition 90 of the requirements for permit unit N-2073-1-3.
- Condition IX.1.3 of the PSD permit is included in Title V permit as conditions 101 and 102 of the requirements for permit unit N-2073-1-3.
- Condition IX.J of the PSD permit is included in Title V permit as condition 103 of the requirements for permit unit N-2073-1-3.
- Condition IX.K of the PSD permit is included in Title V permit as condition 106 of the requirements for permit unit N-2073-1-3.
- Conditions IX.L of the PSD permit is subsumed by more stringent annual emissions limits in the conditions 29, 31, and 33 of the requirements for permit unit N-2073-1-3.
- Condition X of the PSD permit is addressed by condition 40 of the facility wide requirements.

C. Streamlining of Multiple Applicable Requirements

1. Reporting a breakdown

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	District Rule 1080 Item 10.0	Permit Unit (N-2073-1-7) Condition 65	District Rue 1100 Item 6.1	Proposed Requirement District Rule 1100 Item 6.1
Emission Limit	None	None	None	None
Work Practice Standards	None	None	None	None
Monitoring	None	None	None	None
Record Keeping	None	None	None	None
Reporting	Notify the APCO of breakdown of any monitoring equipment as soon as possible, but no latter than eight (8) hours after its detection, unless the owner or operator demonstrates to APCO's satisfaction that a longer reporting period was necessary. Notify the APCO of the intent to shut down any monitoring equipment at least 24 hours prior to the event.	Facility shall immediately notify the District of any breakdown condition, as defined in District rule 1100 – Equipment Breakdown.	Notify the APCO of an occurrence which constitutes a breakdown as soon as possible, but no later than one (1) hour after it's detection, unless the owner or operator demonstrates to APCO's satisfaction that a longer reporting period was necessary.	Notify the APCO of an occurrence which constitutes a breakdown as soon as possible, but no later than one (1) hour after it's detection, unless the owner or operator demonstrates to APCO's satisfaction that a longer reporting period was necessary.
Test Methods	None	None	None	None

Step 2. Select Most Stringent Performance Standard:

District Rule 1100 Item 6.1 is a clearer and more stringent reference to the time limit (1hour) for notifying the District of a breakdown condition.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 1 of facility-wide requirements of (N-2073-0-1) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit condition addressing the requirements of District rule 1100 Item 6.1.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

2. Continuous Monitoring Requirements

Step 1. Side-by-Side Comparison of Applicable Requirement:

Requirement	Conditions 70– 75 of N-2073-1-9	District Rule 1080 Item 4.0 and 6.0	Proposed Requirement Conditions 70– 75 of N-2073-1-9
Emission Limit	None	None	None
Work Practice Standards	None	None	None
Monitoring	**Conditions 70– 75:** The facility shall install, calibrate, maintain, and operate the following CEMS: CO_2, opacity, SO_2, NO_x, CO, temp, and steam flow in accordance with 40 CFR Subpart A, Cb, Appendices B and F.	**Item 4.0:** The owner shall provide, install, and operate continuous monitoring equipment on such operations as directed. The owner shall maintain, calibrate, and repair the equipment and shall keep the equipment operating at design capabilities. **Item 6.0:** System shall be installed, calibrated, maintained, and operated in accordance with the sections of 40 CFR 51 and 60.	**Conditions 70– 75:** The facility shall install, calibrate, maintain, and operate the following CEMS: CO_2, opacity, SO_2, NO_x, CO, temp, and steam flow in accordance with 40 CFR Subpart A, Cb, Appendices B and F.
Record Keeping	None	None	None
Reporting	None	None	None
Test Methods	None	None	None

Step 2. Select Most Stringent Performance Standard:

The sections of District Rule 1080 are equivalent to the more specific Permit Unit N-2073-1-9 conditions 70 – 75.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed conditions 63 – 68 of requirements of permit unit (N-2073-1-3) ensure the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

3. Continuous Monitoring Recordkeeping Requirements

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Condition 64 of N-2073-1-9**	**District Rule 1080 Item s 7.1 and 7.2**	**Proposed Requirement Conditions 64 of N-2073-1-9**
Emission Limit	None	None	None
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	**Condition 64:** A monthly report summarizing the quantity of pollutant emissions of SO_2, NO_x, and CO based on data from the CEM system required by conditions 72, 73, and 74 shall be included in the information required by condition 95. Copies of the monthly report prepared pursuant to this condition shall be sent to district office by the 15th day of following month.	**Item 7.1:** Upon written notice from the APCO, provide a summary of obtained from such systems. This summary of data shall be in the form and manner prescribed by the APCO. **Item 7.2:** Data shall be reduced according to the procedure established in 40 CFR Part 52, Appendix P.	**Condition 64:** A monthly report summarizing the quantity of pollutant emissions of SO_2, NO_x, and CO based on data from the CEM system required by conditions 72, 73, and 74 shall be included in the information required by condition 95. Copies of the monthly report prepared pursuant to this condition shall be sent to district office by the 15th day of following month.
Test Methods	None	None	None

Step 2. Select Most Stringent Performance Standard:

The sections of District Rule 1080 are equivalent to the more specific Permit Unit N-2073-1-9 conditions 64.

Step 3 Conditions ensuring compliance with applicable requirement:

Proposed condition 89 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

4. Emission Violation Notification

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Condition 80 of N-2073-1-7**	**District Rule 1080 Item 9.0**	**Proposed Requirement Conditions 80 of N-2073-1-7**
Emission Limit	None	None	None
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	**Condition 80:** Permittee shall notify the district of any violation by the next working day after such violation has occurred.	**Item 9.0:** A violation of emission standards of these rules, as shown by the stack-monitoring system, shall be reported by such person to the APCO within 96 hours.	**Condition 80:** Permittee shall notify the district of any violation by the next working day after such violation has occurred.
Test Methods	None	None	None

Step 2. Select Most Stringent Performance Standard:

Permit N-2073-1-9 has a more stringent time period of 24 hours verses 96 hours cited in district rule 1080 to notify the district in the event of an emission violation.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 73 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

5. Source Test Requirements

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Conditions 81, 82, and 83 of N-2073-1-9**	**District Rule 1081 Item 7.1** **District Rule 1081 Item 7.3** **District Rule 4352 Item 6.3**	**Proposed Requirement Conditions 81, 82, and 83 of N-2073-1-9**
Emission Limit	None	None	None
Work Practice Standards	**Condition 81:** Source testing to demonstrate compliance with permit conditions shall be conducted on annual basis.	**District Rule 4352 Item 6.3:** Each unit subject to the requirements of this rule shall be compliance source tested at least every one year.	**Condition 81:** Source testing to demonstrate compliance with permit conditions shall be conducted on annual basis.
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	**Condition 82:** Source testing shall be conducted using methods and procedures approved by district. The district must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. **Condition 83:** Results of each source test shall be submitted to the district within 60 days thereafter.	**District Rule 1080 Item 7.1:** The district shall be notified 30 days prior to any compliance source testing and the owner shall submit a source test plan for district approval 15 days prior to testing. **District Rule 1080 Item 7.3:** Source tests must be submitted to the district within 60 days of completion of field testing.	**Condition 82:** Source testing shall be conducted using methods and procedures approved by district. The district must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. **Condition 83:** Results of each source test shall be submitted to the district within 60 days thereafter.
Test Methods	None	None	None

Step 2. Select Most Stringent Performance Standard:

The sections of District Rules are equivalent to Conditions 81, 82, and 83 of requirements for Permit Unit (N-2073-1-9).

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed conditions 74, 75, and 76 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

6. Particulate Matter Emission Limit

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**40 CFR 60.52(a) [Subpart E] 40 CFR 60.54 (a) and (b) [Subpart E]**	**District Rule 4201 Items 3.1 and 4.1 District Rule 4301 Items 5.1 and 6.1**	**Condition 27 of N-2073-1-9**	**Proposed Requirement Condition 27 of N-2073-1-9**
Emission Limit	**40 CFR 60.52(a) [Subpart E]** :0.08 gr/dscf corrected to 12% CO_2	**District Rule 4201 Item 3.1**: 0.1 gr/dscf corrected to 12% CO_2 **District Rule 4301 Item 5.1**: 0.1 gr/dscf corrected to 12% CO_2	0.011 gr/dscf corrected to 12% CO_2	0.011 gr/dscf corrected to 12% CO_2
Work Practice Standards	None	None	None	None
Monitoring	None	None	None	None
Record Keeping	None	None	None	None
Reporting	None	None	None	None
Test Methods	**40 CFR 60.54 (a) and (b) [Subpart E]**: EPA test methods 3B and 5	**District Rule 4201 Item 4.1**: EPA test methods 2,4, and 5 **District Rule 4301 Item 6.1**: EPA test method 5	EPA test methods 1-5	EPA test methods 1-5

Step 2. Select Most Stringent Emission Limit:

Condition 27 of requirements for permit unit N-2073-1-9 is more stringent than district rules 4201 and 4301 and 40 CFR 60.53(a) [Subpart E] because an emission limit of 0.011gr/dscf is smaller than 0.1 or 0.08 gr/dscf.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 25 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

7. Particulate Matter Emission Rate

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	Condition 34 of N- 2073-1-9	District Rule 4202 Item 4.1	Proposed Requirement Condition 35 of N-2073-1-9
Emission Limit	The following pollutant emission levels shall not be exceeded: 475 pounds in any one day.	A person shall not discharge into the atmosphere from any source operation, particulate matter in excess of: $E_{max} = 17.31(P)^{0.16}$ For P greater than 30 tons/hr Where E_{max} = Maximum Allowable Emission Rate P = Process Weight in Tons/Hr	The following pollutant emission levels shall not be exceeded: 475 pounds in any one day.
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	None	None	None
Test Methods	None	None	None

Step 2. Select Most Stringent Emission Limit:

Converting District Rule 4202 Item 4.1 PM emission rate into daily rate:

$$E_{max} = 17.31(P)^{0.16}$$

Where

E_{max}= Maximum Allowable Emission Rate
P = Process Weight in Tons/Hr

Each boiler has capacity of 400 tons/day and assuming 24 hours operation.

$$E_{max} = 17.31\left(\frac{800}{24}\right)^{0.16} = 30.34\,\frac{lb}{Hr}$$

$$30.34\,\frac{lb}{Hr} \times 24\,\frac{Hrs}{day} = 728.16\,\frac{lb}{day}$$

The resulting PM limit of 728 lb/day is less stringent than permit condition PM limit of 475 lb/day.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 35 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

8. Particulate Matter Emission Rate

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Condition 34 of N- 2073-1-9**	**District Rule 4203 Items 4.1 and 5.0**	**Proposed Requirement Condition 35 of N-2073-1-9**
Emission Limit	The following pollutant emission levels shall not be exceeded: 475 pounds in any one day.	Particulate matter limit for equipment used to dispose of combustible refuse by burning: 0.1lbs/100lbs of combustible refuse charged.	The following pollutant emission levels shall not be exceeded: 475 pounds in any one day.
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	None	None	None
Test Methods	EPA Methods 1-5 including back half cPTOh.	PM: EPA Method 5; Stack Gas Velocity: EPA Method 2; Stack Gas Moisture: EPA Method 4	EPA Methods 1-5 including back half cPTOh.

Step 2. Select Most Stringent Emission Limit:

Converting District Rule 4203 Item 4.3 PM emission rate into daily rate:

Maximum design amount of refuse burned at facility = 800 tons/day

$$\text{Maximum Emissions} = \frac{0.1\,\text{lb PM}}{100\,\text{lb Refuse}} \times 800\,\frac{\text{tons Refuse}}{\text{day}} \times \frac{2000\,\text{lb}}{\text{ton}} = 1600\,\frac{\text{lb PM}}{\text{day}}$$

The resulting PM limit of 1600 lb/day is less stringent than permit condition PM limit of 475 lb/day.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 35 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

9. NOx Emission Limit

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Condition 22 of N- 2073-1-9**	**District Rule 4352 Items 5.1 and 5.2**	**Proposed Requirement Condition 22 of N-2073-1-9**
Emission Limit	200 ppmv NO_x @ 12 % CO_2, 8 hour rolling averaging period.	200 ppmv NO_x @ 12 % CO_2, 24 hour averaging period.	200 ppmv NO_x @ 12 % CO_2, 8 hour rolling averaging period.
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	None	None	None
Test Methods	None	None	None

Step 2. Select Most Stringent Emission Limit:

Condition 22 of requirements for permit unit (N-2073-1-9) is more stringent because for the same emission limit of 200 ppmv NO_x @ 12 % CO_2, it has shorter averaging period than District Rule 4352 Item 4.1.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 21 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

10. SOx Emission Limit

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	Condition 23 of N- 2073-1-9	District Rule 4801 Items 3.1 and 3.2	Proposed Requirement Condition 23 of N-2073-1-9
Emission Limit	Either the SO_2 emissions from each combustion unit shall not exceed 30 ppmv, dry, corrected to 12% of CO_2, based on an eight hour rolling average, or the SO_2 removal efficiency shall be at least 80%.	**District Rule 4801 Item 3.1:** A person shall not discharge into the atmosphere sulfur compounds, which would exist as a liquid or gas at standard conditions, exceeding in concentrations at the point of discharge: two-tenth (0.2) percent by volume calculated as sulfur dioxide, on a dry basis averaged over 15 consecutive minutes.	Either the SO_2 emissions from each combustion unit shall not exceed 30 ppmv, dry, corrected to 12% of CO_2, based on an eight hour rolling average, or the SO_2 removal efficiency shall be at least 80%.
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	None	None	None
Reporting	None	None	None
Test Methods	As measured by EPA Methods 1-4 and 6C.	**District Rule 4801 Item 3.2**: EPA Method 8 and ARB Method 1-100	As measured by EPA Methods 1-4 and 6C.

Step 2. Select Most Stringent Emission Limit:

District Rule 4801 Item 3.1 Emission Limit:

$$0.2\% \text{ by Volume} = \left(\frac{0.2}{100}\right) = \left(\frac{2000}{1000000}\right) = 2000 \text{ ppmv based on 15 minute average}$$

Worse case scenario: If one 15 minute average equaled 2,000 ppm and rest of the 15 minute averages in an eight hour period were 0 ppm, the eight hour average would be 62.5 ppm. Therefore, the current emission limit in the permit is more stringent than District Rule 4801.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 22 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

11. Recordkeeping

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Condition 97 of N- 2073-1-9**	**40 CFR 60.7(b) [Subpart A]**	**Proposed Requirement Condition 97 of N-2073-1-9**
Emission Limit	None	None	None
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	Record shall be kept for each unit with the following: (a) Specific time of operation of each combustion unit; (b) Specific time of operation of the auxiliary burners; (c) Equipment breakdown or Malfunctions; (d) Exceedances of emission standards.	Any owner or operator subject to provisions of this part shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in operation of affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is operative.	Record shall be kept for each unit with the following: (a) Specific time of operation of each combustion unit; (b) Specific time of operation of the auxiliary burners; (c) Equipment breakdown or Malfunctions; (d) Exceedances of emission standards.
Reporting	None	None	None
Test Methods	None	None	None

Step 2. Select Most Stringent Performance Standard:

The requirements of 40 CFR 60.7(b) [Subpart A] are equivalent to condition 97 of requirements for permit unit N-2073-1-9.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed condition 91 of requirements of permit unit (N-2073-1-3) ensures the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

13. Charging Rates Recordkeeping

Step 1. Side-by-Side Comparison of Applicable Requirements:

Requirement	**Conditions 96 and 97 of N- 2073-1-9**	**40 CFR 60.53(a) [Subpart E]**	**Proposed Requirement Conditions 96 and 97 of N-2073-1-9**
Emission Limit	None	None	None
Work Practice Standards	None	None	None
Monitoring	None	None	None
Record Keeping	**Condition 96**: This file shall include, but not limited to: (a) Data collected from in-stack monitoring instruments; (b) Fuel inputs records for all fuels burned; (c) Purchase records that indicate the sulfur content by weight, of all fuel oil #2 purchased; (d) Results of all source tests. **Condition 97**: Record shall be kept for each unit with the following: (a) Specific time of operation of each combustion unit; (b) Specific time of operation of the auxiliary burners; (c) Equipment breakdown or Malfunctions; (d) Exceedances of emission standards.	Facility shall record daily charging rates and hours of operation.	**Condition 96**: This file shall include, but not limited to: (a) Data collected from in-stack monitoring instruments; (b) Fuel inputs records for all fuels burned; (c) Purchase records that indicate the sulfur content by weight, of all fuel oil #2 purchased; (d) Results of all source tests. **Condition 97**: Record shall be kept for each unit with the following: (a) Specific time of operation of each combustion unit; (b) Specific time of operation of the auxiliary burners; (c) Equipment breakdown or Malfunctions; (d) Exceedances of emission standards.
Reporting	None	None	None
Test Methods	None	None	None

Step 2. Select Most Stringent Performance Standard:

The requirements of 40 CFR 60.53(a) [Subpart E] are equivalent to conditions 96 and 97 of requirements for permit unit N-2073-1-9. But permit conditions are more specific.

Step 3. Conditions ensuring compliance with applicable requirement:

Proposed conditions 90 and 91 of requirements of permit unit (N-2073-1-3) ensure the compliance with streamlined requirement.

Step 4. Compliance Certification:

The signed Title V Permit Application form (TVFORM-005) submitted for this facility contains proposed permit conditions.

Step 5. Compliance Schedule:

Not applicable.

Step 6. Permit Shield:

Not applicable.

X. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

A. Requirements Addressed by Model General Permit Templates

The applicant has not requested to utilize any model general permit templates.

B. Requirements not Addressed by Model General Permit Templates

The applicant is requesting a permit shield for each of the requirements:

1. 40 CFR 82, Subparts A, B, C, D, E, and F

   The applicant has certified in the Title V application that facility is not subject to requirements of any of these subparts. Therefore, a permit shield is being granted in condition 43 of the facility wide requirements.

2. District Rule 1100, 6.1 and 7.0

   Compliance with these requirements was demonstrated in Section IX of this document, and is assured by conditions 1, 2, and 11 of the facility wide requirements. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility wide requirements.

3. District Rule 2010, 3.0 and 4.0

   Compliance with these requirements was demonstrated in Section IX of this document, and is assured by condition 4 of the facility wide requirements. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility wide requirements.

4. District Rule 2031; 2070, 7.0 and 2080

   Compliance with these requirements was demonstrated in Section IX of this document, and is assured by conditions 5 and 6 of the facility wide requirements. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility wide requirements.

5. District Rule 2040

   Compliance with these requirements was demonstrated in Section IX of this document, and is assured by condition 7 of the facility wide requirements.

Therefore, a permit shield is being granted for these requirements in condition 43 of the facility wide requirements.

7. District Rule 4101

Compliance with these requirements was demonstrated in Section IX of this document, and is assured by condition 22 of the facility wide requirements. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility wide requirements.

9. District Rule 4601, 5.1, 5.2, 5.4, 5.5, 6.1, and 6.2

Compliance with these requirements was demonstrated in Section IX of this document, and is assured by conditions 23, 24, 25, 26 and 27 of the facility wide requirements. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility wide requirements.

10. District Rule 8021, 8031, and 8061

Compliance with these requirements was demonstrated in Section IX of this document, and is assured by conditions 31 through 35 of the facility wide requirements. Therefore, a permit shield is being granted for these requirements in condition 42 of the facility wide requirements.

11. District Rule 4801

Compliance with these requirements was demonstrated in Section IX of this document, and is assured by condition 5 of the requirements for permit unit (N-2073-2-1). Therefore, a permit shield is being granted for these requirements in condition 10 of the requirements for permit unit (N-2073-2-1).

The District does not grant permit shields for requirements that an emission unit is exempt from. Also no permit shield for broad federal requirements (such as 40 CFR 60) as requested by applicant.

XI. PERMIT CONDITIONS

See initial Title V permits on the following pages.

Attachment A

EQUIPMENT LISTING

Attachment B

INSIGNIFICANT ACTIVITIES

Title V Application - INSIGNIFICANT ACTIVITIES

COMPANY NAME: Covanta Stanislaus, Inc.	FACILITY ID: **N-2073**

Check the box next to the exemption category from Rule 2020 which describes any insignificant activity or equipment at your facility not requiring a permit.

Exemption Category	Rule 2020 Citation	√
Structure or incinerator assoc. with a structure designed as a dwelling for 4 families or less	4.1	
Locomotives, airplanes, and watercraft used to transport passengers or freight	4.4	
Natural gas or LPG-fired boilers or other indirect heat transfer units of 5 MMBtu/hr or less	6.1.1	
Piston-type i.c. engine with maximum continuous rating of 50 braking horsepower (bhp) or less	6.1.2	√
Gas turbine engines with maximum heat input rating of 3 MMBtu/hr or less	6.1.3	
Space heating equipment other than boilers	6.1.4	√
Cooling towers with a circulation rate less than 10,000 gal/min, and that are not used for cooling of process water, or water from barometric jets or condensers++	6.2	
Use of less than 2 gal/day of graphic arts materials	6.3	
Equipment at retail establishments used to prepare food for human consumption	6.4.1	
Ovens at bakeries with total daily production less than 1,000 pounds and exempt by sec. 6.1.1	6.4.3	
Equipment used exclusively for extruding or compression molding of rubber or plastics, where no plastisizer or blowing agent is used	6.5	
Containers used to store clean produced water	6.6.1	
Containers ≤100 bbl used to store oil with specific gravity ≥ 0.8762	6.6.2	
Containers ≤ 100 bbl installed prior to 6/1/89 used to store oil with specific gravity ≥ 0.8762	6.6.3	√
Containers with a capacity ≤ 250 gallons used to store organic material where the actual storage temperature <150 F	6.6.4	
Containers used to store unheated organic material with an initial boiling point ≥ 302 F*	6.6.5	
Containers used to store fuel oils or non-air-blown asphalt with specific gravity ≥0.9042	6.6.6	
Containers used to store petroleum distillates used as motor fuel with specific gravity ≥ 0.8251	6.6.7	√

Exemption Category	Rule 2020 Citation	√
Containers used to store refined lubricating oils	6.6.8	√
Unvented pressure vessels used exclusively to store liquified gases or assoc with exempt equipment	6.6.9 or 6.13	√
Portable tanks used exclusively to store produced fluids for ≤ six months	6.6.10	
Mobile transport tanks on delivery vehicles of VOCs	6.6.11	
Loading racks used for the transfer of less than 4,000 gal/day of unheated organic material with initial boiling point ≥ 302 F or of fuel oil with specific gravity ≥0.8251	6.7.1.1	
Loading racks used for the transfer of asphalt, crude or residual oil stored in exempt tanks, or crude oil with specific gravity ≥ 0.8762	6.7.1.2	
Equipment used exclusively for the transfer of refined lubricating oil	6.7.2	
Equipment used to apply architectural coatings	6.8.1	
Unheated, non-conveyorized cleaning equipment with < 10 ft^2 open area; using solvents with initial boiling point ≥ 248 F; and < 25 gal/yr. evaporative losses	6.9	√
Brazing, soldering, or welding equipment	6.10	√
Equipment used to compress natural gas	6.11	
Fugitive emissions sources assoc. with exempt equipment	6.12	
Pits and Ponds as defined in Rule 1020	6.15	
On-site roadmix manufacturing and the application of roadmix as a road base material	6.17	
Emissions less than 2 lb/day from units not included above	6.19	√
Venting PUC quality natural gas from for sole purpose of pipeline and compressor repair and or maintenance	7.2	
Non-structural repairs and maintenance to permitted equipment	7.3	√
Detonation of explosives ≤ 100 lb/day and 1,000 lb/year	7.4	

☐ No insignificant activities (Check this box if no equipment in the above categories exist at your facility.)

Attachment C

PREVIOUS DISTRICT PERMITS

Attachment D

EPA PSD PERMIT

Attachment E

EPA COMMENTS / DISTRICT RESPONSE

EPA COMMENTS /DISTRICT RESPONSE

The following EPA comments were received regarding the proposed Title V Operating Permit for Covanta Stanislaus, Inc (District facility N-2073). These comments are encapsulated below followed by the District's response. A copy of the EPA 10/25/02 comment letter is available at the District.

EPA Comment:
The proposed permit contains an exemption that states that "The facility shall be exempt from all emission limitations specified in this permit for periods of start-up, shutdown, and malfunction, as defined in 40 CFR 60.58b(a)." [N-2073-1, condition 18] Any final permit must be revised to eliminate this broad exemption because it would apply to all applicable requirements regardless of whether they conflict with those requirements. If the District demonstrates that the underlying applicable requirement provides and exemption, and the District includes all criteria and restrictions for proposed exemptions, the District may include more limited exemptions.

District Response:
The District will revise the language of condition 18 from the following:

> "The facility shall be exempt from all emission limitations specified in this permit for periods of start-up, shutdown, and malfunction, as defined in 40 CFR 60.58b(a)."

to read as follows:

> "During any 3-hour periods of startup, shutdown, and malfunction, the facility shall be exempt from emission limits identified in this permit which are based upon 40 CFR 60 Subpart Cb or Subpart Eb. This exemption shall not apply to CO emission limits of 40 CFR 60.53b(a) if the malfunction is a loss of boiler water level control."

EPA Comment:
The Engineering Evaluation must also provide a justification for the exemption in condition 12 of the proposed permit.

District Response:
As noted in the evaluation, this condition is based upon existing NSR requirements, as specified in the facility's current operating permit. It is intended to ensure good combustion practices during normal operation of the unit.

EPA Comment:
The part 60 " waiver" for inlet-gas temperature listed in condition 12 may be allowed under very limited circumstances that are not included in the proposed condition. Therefore, any waiver opportunity must include all of the Part 60 criteria for the waiver, as well as the purposes and time period for which it may be granted.

District Response:
Condition 12 is based upon the District's NSR rule and not on 40 CFR Part 60.

EPA Comment:
Please add a specific evaluation of the part 60 air toxics requirements listed in the permit. We believe that additional information is necessary to identify the applicable emissions limits, how the requirements were included in the permit, and how the permit assures compliance with those limits.

District Response:
The District has revised the compliance discussion of 40 CFR Subpart Cb. Compliance with these emission limits is verified by continuously monitoring operation (parametric and emission) and annual source testing requirements.

The District will revise the language of condition 20 from the following:

> "The carbon monoxide (CO) emissions from each combustion unit shall not exceed 100 ppmv, dry, corrected to 12% CO2, as measured utilizing EPA Methods 1-4 and 10. Compliance with this limit shall be determined based on a four hour block arithmetic average as defined in 40 CFR 60.51b."

to read as follows:

> "The carbon monoxide (CO) emissions from each combustion unit shall not exceed 100 ppmv, dry, corrected to 7% O2, as measured utilizing EPA Methods 1-4 and 10. Compliance with this limit shall be determined based on a four hour block arithmetic average as defined in 40 CFR 60.51b."

The District will revise the language of condition 25 from the following:

> "Filterable particulate matter (i.e. Front half) emissions from each combustion unit shall not exceed 0.011 gr/dscf, corrected to 12% CO2, as measured by EPA Methods 1-5."

to read as follows:

> "Filterable particulate matter (i.e. Front half) emissions from each combustion unit shall not exceed any of the following emission factors: 0.011 gr/dscf, corrected to 12% CO2; 27 milligrams/dscf, corrected to 7% O2; 0.10 lb/MMBtu heat input; each as measured by EPA Methods 1 through 5."

The District will revise the language of condition 43 from the following:

> "The Cadmium emissions from each combustion unit shall not exceed 0.0013 g/s as measured by EPA Methods 1, 3, and 29."

to read as follows:

> "The Cadmium emissions from each combustion unit shall not exceed either of the following: 0.0013 g/s; 0.040 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29."

The District will revise the language of condition 46 from the following:

> "The Dioxin/Furan emissions from each combustion unit shall not exceed 30 ng/dscm (total mass), corrected to 12% CO2, as measured by EPA Method 23."

to read as follows:

> "The Dioxin/Furan emissions from each combustion unit shall not exceed 30 ng/dscm (total mass), corrected to 7% O2, as measured by EPA Method 23."

The test method listed is directly referenced in 40 CFR 60.58b(g).

The District will revise the language of condition 49 from the following:

> "The Hydrogen Chloride (HCl) emissions from each combustion unit shall not exceed 1.4 g/s as measured by EPA Method 26."

to read as follows:

> "The Hydrogen Chloride (HCl) emissions from each combustion unit shall not exceed either of the following: 1.4 g/s; 29 ppmv or the HCl removal efficiency shall be at least 95% (by weight or volume), whichever is less stringent, corrected to 7% O2; each as measured by EPA Method 26."

The District will revise the language of condition 50 from the following:

> "The Lead emissions from each combustion unit shall not exceed 0.014 g/s as measured by EPA Methods 1, 3, and 29."

to read as follows:

> "The Lead emissions from each combustion unit shall not exceed either of the following: 0.014 g/s; 0.44 milligrams/dscf, corrected to 7% O2; each as measured by EPA Methods 1, 3, and 29."

The District will revise the language of condition 52 from the following:

> "The Mercury emissions from each combustion unit shall not exceed 0.080 mg/dscm (35 gr/million dscf), corrected to 12% CO2, or the mercury removal efficiency shall be at least 85% by weight, whichever is less stringent, as measured by EPA Methods 1, 3, and 29."

to read as follows:

> "The Mercury emissions from each combustion unit shall not exceed 0.080 mg/dscm, corrected to 7% O2, or the mercury removal efficiency shall be at least 85% by weight, whichever is less stringent, as measured by EPA Methods 1, 3, and 29."

EPA Comment:
Title V permits must contain an evaluation of whether any compliance schedule is required under District Rule 2520 Federally Mandated Operating Permits (Amended June 21, 2001) Sections 9.14 and 9.15 and 40 CFR Part 70.6(c)(3) and 70.5(c)(8)(iii)(A)(, (B), and (C). The District's evaluation didn't include and evaluation of the source's current compliance status and whether a compliabnce schedule is necessary. We recommend adding a section in the evaluation as required by Rule 2520 and 40 CFR 70.

District Response:
This facility is currently within compliance of all requirements on the active Permit To Operate. A compliance schedule is not required. The District has revised the Compliance discussion as requested.

EPA Comment:
The permit needs to be updated to include the current Regulation 8 requirements.

District Response:
The District has revised the Facility Wide Requirements to address the current fugitive dust rules.

EPA Comment:
The District has proposed streamlining District Rules 4202 and 4203 with NSR emission limits. At lower operations, the concentration limits of the prohibitory rules may be stricter than mass-based NSR limit. The District must include both rate-based and mass-based limits, unless the District includes a rate-based limit that assures compliance with all requirements.

District Response:
The District will revise the language of condition 34 from the following:

> "The PM emissions shall not exceed 475 pounds in any one day. [District NSR Rule]"

to read as follows:

> "The PM emissions shall not exceed 475 pounds in any one day. Particulate matter emissions shall not exceed the hourly rate as calculated in District Rule 4202 using the equation E=3.59xP^0.62 if P is less than or equal to 30 tons per hour, or E=17.37xP^0.16 if P is greater than 30 tons per hour. Particulate emissions shall be no more than 0.1 lbs per 100 lbs of combustible refuse charged. [District Rules NSR, 4202, and 4203, 4.3]"

EPA Comment:
We suggest revising each of the mass-based limits of conditions 29 through 37 to the same format as other conditions (40 through 57).

District Response:
The conditions follow the format of the PSD permit. The suggested change would make the emission limits more stringent without regulatory basis.

EPA Comment:
EPA recognizes that the District is including 40 CFR 60 Subpart Cb in a Title V permit for the first time. We would like to alert you to monitoring requirements that must be added to the permit in addition to the currently proposed requirements for the carbon injection system. The facility "must equal or exceed levels documented during the most recent source test for carbon injection, and document that they are maintaining the feed rate through specific equipment parameters.

The District must add equipment monitoring during the initial source test to the other requirements that are included in the permit. The District must also add the requirement that the facility must maintain the screw feeder setting or other carbon adsorption system operating parameters at the levels documented during the source test. We believe that including the specific values in the evaluation and, if feasible, in the permit will help demonstrate to the public that any permit the District considers issuing will require compliance with these limits.

The District has also proposed allowing the company to double the carbon injection rate from one injector if a carbon injection system is not operating. We believe that any such interpretation of this Federal requirement must be based on a technical basis that is explained in the permit evaluation after obtaining concurrence from appropriate EPA technical staff.

District Response:
Carbon mass feed rates are monitored both during the intial testing and during operation using load cells (not using screw feeder rates). To ensure that the monitoring of these feed rates is adequate during both testing and operation. The District will revise the language of condition 104 from the following:

> "Permittee shall comply with following activated carbon mass feed requirements: (1) During the initial performance test and each subsequent performance test for dioxins/furans and mercury, as applicable, the permittee shall estimate an average carbon mass feed rate in kilograms per hour being employed; (2) During operation of the facility, the carbon injection mass feed rate on an eight (8) hour block average basis must equal or exceed the level(s) documented during the most recent performance tests for dioxins/furans and mercury. When calculating the eight (8) hour block average, exclude the hours when the combustion unit is not operational and include the hours when the combustion unit is operating but the carbon feed system is not working properly; (3) In the event of a malfunction of one of the carbon injection systems, compliance with the required carbon mass feed

rate may be achieved by operating a single injection system at twice the mass feed rate and splitting the feed to both combustion units. [40 CFR 60.38b & 40 CFR 60.58b(m)]"

to read as follows:

"Permittee shall comply with following activated carbon mass feed requirements: (1) During the initial performance test and each subsequent performance test for dioxins/furans and mercury, as applicable, the permittee shall calculate and record an average carbon mass feed rate in pounds per hour being employed based on load cell measurements of carbon feed during the test; (2) During operation of the facility, the carbon injection mass feed rate must be measured using load cells, calculated and recorded on an eight (8) hour block average basis, and must equal or exceed the level(s) documented during the most recent performance tests for dioxins/furans and mercury. When calculating the eight (8) hour block average, exclude the hours when the combustion unit is not operational and include the hours when the combustion unit is operating but the carbon feed system is not working properly. [40 CFR 60.38b & 40 CFR 60.58b(m)(1), (2)]"

Annual source tests performed for mercury emissions in 2001showed that the carbon adsorption system can achieve complaince with the 0.080 mg/dscm emission limits in 40 CFR 60.33b(a)(3). Emissions from units 1 and 2 were determined to be 0.00159 mg/dscm and <0.00118 mg/dscm respectively. Dioxin/furan emissions were also determined to be far below permit limits. Therefore, compliance with the limits is expected.

Writing the feed rates into the permit is not required by Subpart Cb and is not necessary since the permit requires that records of all required montoring, including carbon feed rate established during intial and subsequent testing, be maintained.

Procedures for using one carbon injector for both units have been removed from the permit, but may be reevaluated and added through the Title V modification process with EPA review.

EPA Comment:
We recommend adding periodic monitoring requirements for particulate emission limit. While the unit has a 10% opacity limit, it is not clear whether the opacity limit is sufficient to ensure that the particulate limits for the facility will be met (i.e. whether data exist to demonstrate that meeting the opacity limit will ensure that the facility also meets their particulate limit between source tests).

District Response:
In addition to continuous opacity monitoring, periodic monitoring for particulates (annual source testing) is also included in condition 78.

EPA Comment:
The permit should be clarified regarding the ash and raw material handling at the facility. These operations are not explicitly listed in the description of the operations permitted at the facility. We believe that these operations need to be specifically identified in the permit and permit evaluation along with an evaluation of how the company will comply with the emission limits.

For instance, the facility must mitigate fugitive ash emission to the extent possible (condition 8) and shall not cause emissions greater than 5% opacity from fugitive as (condition 9). Therefore, the permit also needs monitoring requirements to specify the method used to assure compliance with these emission limits and the associated periodic monitoring.

The permit prohibits visible emissions from locations other than "designated vents" (condition 5). The permit needs to contain a method to ensure compliance with this condition, identify which vents are approved, and identify what emission controls are in place for those approved vents.

District Response:
The equipment description will be revised to include refuse receiving operation, storage silos, and ash conveying systems. All of this existing equipment is currently operating within compliance of District requirements. Visible emission checks will be added to condition 5 to ensure compliance with the permit requirement:

> "There shall be no visible emissions from any location other than designated vents on refuse receiving, processing or storage buildings at any time, except as provided in this permit to operate. Visible emissions shall be inspected quarterly under material and environmental conditions, such as dry and windy, where high emissions are expected. [District Rules 2520, 9.3.2 and NSR]"

The ash conveying system is totally enclosed and controlled by water spray bars. The District will add inspection requirements to condition 8 to verify compliance with this requirement:

> "The ash shall be handled in such a manner as to mitigate fugitive emissions to the maximum extent possible. Enclosure shall be completely inspected annually for evidence of particulate matter leaks and repaired as needed. [District Rules 2520, 9.3.2 and NSR]"

The District will revise the language of condition 9 from the following:

> "The facility shall not cause visible emissions from ash conveying systems, including transfer points, in excess of 5% of the observation period, as determined by EPA Method 22. Fugitive ash emissions do not include emissions within a building, an enclosed ash conveyor, or during periods of maintenance and repair of the ash conveyor systems. [40 CFR 60.36b]"

to read as follows:

> "The facility shall not cause visible emissions from ash conveying systems, including transfer points, in excess of 5% of the observation period, as determined by performing EPA Method 22 on a quarterly basis. Fugitive ash emissions do not include emissions within a building, an enclosed ash conveyor, or during periods of maintenance and repair of the ash conveyor systems. [40 CFR 60.36b]"

EPA Comment:
Please add the following requirements of PSD SJ 86-03: section IX.B; "CEM adjustment or maintenance" to condition 90; section IV; section V. Please update the mail code for reports under condition 101.

District Response:
The District will include the PSD requirements in permit N-2073-1-3, as requested. Section V is included as facility wide requirements 18 through 21.

EPA Comment:
We agree with the District's proposal to prohibit combustion of any hazardous waste at the facility to ensure that the facility is operated consistent with how it has been permitted by EPA and the District, and because the permit would need to be revised to include additional regulations. Therefore, we recommend marking this condition as federally enforceable and working with the EPA and state

hazardous waste permitting staff to help determine practically enforceable conditions for this requirement.

District Response:
Condition 13 is based upon District Rule 4102. This requirement is based upon state and not federal requirements. Therefore, the condition is not federally enforceable.

Attachment F

PUBLIC COMMENTS / DISTRICT RESPONSE

Response to Public Comments

On October 7, 2002 and December 3, 2002 the District performed public hearings to receive public comments regarding the issuance of the Initial Title V Operating Permit. Public comments were received from the public regarding the proposed Title V Operating Permit for a municipal solid waste combustor facility (District facility N-2073). These comments are encapsulated below followed by the District's response.

Public Comment 1:
Several commenters indicated that they thought the permitting process was deficient, as key documents were not translated into Spanish.

District Response:
Although all documents were not translated, the District did provide ample opportunity for comment on the proposed permitting action in both Spanish and English. Spanish-speaking members of District staff were available at the District offices and at both public hearings to answer any questions and take any public comment on the proposed permitting action in Spanish. In response to comments received at the first public hearing, the notice for the second public hearing was published in both languages in both English and Spanish language newspapers. Copies of the hearing notice were also placed in local city halls and libraries and on the World Wide Web in both English and Spanish. Other documents were also provided to interested parties on our mailing list in Spanish.

Public Comment 2:
The issuance of this permit will have a disproportionate and discriminatory impact on low-income people of color on the west side of Stanislaus County, in violation of Title VI of the United States Civil Rights Act of 1964.

District Response:
Because no modification or increase in emissions is proposed with this action, the issuance of the Title V permit would not have any adverse disproportionate or discriminatory impact on any resident.

Public Comment 3:
One commenter described foul odors, particularly Friday evenings and weekend evenings, which he indicated were coming from the Covanta facility.

District Response:
Foul odors from sources of air pollution may constitute a violation of District rule 4102 (Nuisance) and should be reported to the District so that they may be investigated. At the October public hearing, District staff provided the number of the District's Complaint line (1-800-281-7003) and described the District's procedures for investigating complaints. The District compliance officers are on call for response 24 hours per day, seven days a week to respond to such complaints. If a violation of District Rule 4102 can be established, enforcement action will be taken by the District.

Public Comment 4:
Emissions include poisonous substances such as dioxin that are contributing to medical problems in the area.

District Response:
The proposed operating permit includes limits on emissions of toxic air pollutants including dioxins that are more stringent than either State or federal law requires. These limits were established based

on health risk assessments performed in accordance with Health Risk Assessment guidelines provided by the California Office of Environmental Health Hazard Assessment and Air Quality Modeling Guidelines provided by U.S. EPA. These health risk assessments do not show a significant health risk to the public due to emissions from the Covanta facility.

Because requirements based on District health risk assessments are not based on Federal law, these permit conditions are not Federally enforceable through Title V, and they are not part of the Title V permit, but are enforced by the District. Information on facility risk was provided in at the hearings response to public questions and requests, but it is not a part of the basis for the Title V permit.

Public Comment 5:
At both meetings, commenters indicated that the health risk assessment failed to assess the true risks posed by dioxin and other emissions from Covanta's facility. They noted that the dioxin risk has not been evaluated in a cumulative or synergistic way, and indicated a new comprehensive and cumulative analysis must be done using data from the U.S. EPA's dioxin reassessment. They also noted that the District's statement that risk calculations include a great deal of uncertainty contradicts the conclusion that the facility does not pose a significant risk.

District Response:
As noted previously, health risk assessments prepared by the District are performed in accordance with Health Risk Assessment guidelines provided by the California Office of Environmental Health Hazard Assessment and Air Quality Modeling Guidelines provided by U.S. EPA. Consistent with those guidelines, the risk that was determined was the risk that is associated specifically with facility emissions, and not a "cumulative analysis" of the risk due to other atmospheric contaminants. However, the health risk assessment is a comprehensive analysis of the contribution of the facility's emissions to cumulative risk, and the facility's contribution to cumulative risk was determined not to be significant.

Also consistent with State Health Risk Assessment guidelines, District risk assessments include a multi-pathway analysis using the latest potency factors approved by the California Office of Environmental Health Hazard Assessment and State Scientific review panel. The risk assessments are very comprehensive and consider cardiovascular, central nervous system, immunilogical, kidney, gastrointestinal, reproductive, respiratory, and dermatological endpoints that may be impacted through inhalation, ingestion, dermal, and mother's milk pathways.

Although EPA documents from the draft reassessment referenced indicate that dioxin cancer potencies may be as much as ten times higher than previous estimates (Reference May 25, 2001 "Scientific Highlights from Draft Reassessment", U.S. EPA Office of Research and Development), we would still not expect this to result in a significant risk, since the maximum cancer risk due to dioxins in our analysis was far less than one in a million.

In the U.S. EPA draft reassessment, the proposed exposure assessment is also based on tissue burden and clearance time rather than integrated exposure as in the current approach. The effect of the changes is that risk can be higher for episodic exposures that may not last long as an applied dose, but which create a persistent body burden. However this change by itself would not significantly impact the risk values for routine emissions from facilities such as Covanta.

Although risk calculation does involve uncertainty, conservative assumptions are used to make the analyses health-protective. Examples of the conservative assumptions used in the health risk

assessment for this facility include the use of maximum allowable emissions and the assumption of a 24 hour per day, 365 day per year, 70 year lifetime of exposure at maximum permitted emission rate.

Public Comment 6:
The time of October 7th public hearing, at 5:00 PM, and the location in Crows Landing was bad for the community of Patterson. Many community members could not attend this meeting due to work and travel limitations.

District Response:
The first public hearing was held from 5:00 PM to approximately 7:00 PM near the facility in the community of Crow's Landing. To ensure that ample opportunity for local public input was provided, the District also scheduled and held a second public hearing on December 3, 2002 at 7:00 PM in the City of Patterson as requested.

Public Comment 7:
The permit review process is fatally flawed due to the bias shown and errors made by the District in announcing and convening public hearings. The errors include misrepresenting the true nature of this facility, not bilingually publicizing the proposed issuance of the Initial Title V permit in a newspaper in or around Patterson, and not delivering bilingual flyers to residents of Patterson.

District Response:
The preliminary decision was noticed in a newspaper of general circulation as required by District Rule 2520. In the notice, the facility was properly described the facility as the Covanta Stanislaus, Inc. resource recovery facility at 4040 Fink Road in Crows Landing, California. The notice also described how to obtain the legal and factual basis for the proposed action as required by District Rule 2520, and whom to contact for additional information.

The outreach for the December 3, 2002 hearing was much more extensive than required by Rule 2520. Outreach efforts included:

Publishing hearing notice in newspaper of general circulation (Modesto Bee) in both English (as required by District Rules) and in Spanish

Publishing hearing notice in El Sol newspaper in both English and in Spanish

Publishing hearing notice in Westside Index newspaper in both English and in Spanish

Publishing hearing notice in Patterson Irrigator newspaper in both English and in Spanish

Provided copies of hearing notice in both English and Spanish to Stanislaus Co. Libraries for posting

Published hearing notice in both English and Spanish on the District's Website

Provided copies of hearing notice in both English and Spanish to City Halls in both Patterson and Newman for posting

Mailed meeting notice and materials in both English and Spanish to interested parties, including those who provided a mailing address at the September hearing.

Therefore the District does not agree that the process was flawed. In fact, to ensure that opportunity for public participation was provided, the notice and review process went beyond the requirements of District rules and federal regulations.

Public Comment 8:
The District made it difficult for citizens to obtain background information (such as facility compliance information) regarding the proposed action.

District Response: As part of this permitting action, the District provided public notices, copies of the proposed permit, and copies of the District's legal and factual basis for the proposed permit as required by District Rule 2520. Other information including the facility compliance history was available for review at the District's Modesto office in accordance with District rule 1031 (Inspection of Public Records) free of charge. The other proposed charges that you mention were for copying the materials for you in accordance with District Rule 3070 (Other Charges). The facility compliance history was also provided free of charge in response to a request at the second public hearing prior to the close of the comment period.

Public Comment 9:
Misinformation, provided by the facility to the District, regarding compliance, is the basis of the proposed permit.

District Response:
The compliance determination for the facility is described in the "Compliance" section of the engineering evaluation for his permitting action. In this section, the District identified each applicable requirement and described how the proposed permit would assure compliance with that requirement. The District did not base the preliminary or final decision on information provided in Covanta brochures. The brochures are not relevant to the permitting action.

Public Comment 10:
Our community should increase recycling efforts in an attempt to get rid of this facility.

District Response:
Comment noted.

Public Comment 11:
A facility representative confirmed that continuous emission monitors are installed and used at this facility.

District Response:
Comment noted. The requirement for continuous emission monitors was included in the proposed permit.

Public Comment 13:
A facility representative indicated that the public relations document identified by other commenters was specifically describing a food destruction project, and is not a broad statement of the entire operation of the incinerators.

District Response:
Comment noted. However, the public relations document was not part of the basis for the permitting action and was not considered in the District's decision.

Public Comment 14:
City of Modesto and the Waste to Energy project supports issuance of Title V permit. This facility slows the expansion needs of current landfills and our agency receives a 10% recycling credit, meeting the 1999 50% diversion goal.

District Response:
Comment noted. However, the decisions regarding this permitting action were based on the requirements of District approved Title V permitting program as described in District Rule 2520.

Public Comment 15:
Condition 18 of the proposed permit for the power generation system includes a broad exemption from all emission limitations for periods of shut-up, shutdown, and malfunction, as defined in 40 CFR 60.58b(a). This could prevent enforcement action from being taken.

District Response:
The District has revised the language of this condition to be consistent with the Federal regulations in 40 CFR 60.58b(a), which allows exemption from certain emission limits.

Public Comment 15:
The application for the Title V permit for the Covanta facility was submitted in 1997. The District delayed issuance of the permit.

District Response:
The application for Covanta was one of over 125 Title V permit applications received by the District. Title V permits are very large and complex documents – One single permit with documentation was over 1700 pages long. Completing the initial permitting process has been a multi-year project requiring tens of thousands of staff-hours to complete. During the time characterized as a “delay”, over one hundred other Title V applications were being reviewed.

The following Public comments were received from Greenaction regarding the proposed Title V Operating Permit for Covanta Stanislaus, Inc (District facility N-2073). These comments are encapsulated below followed by the District's response. A copy of the Greenaction 12/16/02 comment letter is available at the District.

Greenaction Comment:
The permit review process was fatally flawed due to the extreme bias shown and errors made by the Air District in announcing and convening the public review process:

The San Joaquin Valley Air Pollution Control District has made numerous significant errors and demonstrated bias in favor of Covanta throughout the notice and convening of the permit review process, impacting the legitimacy of the permit review process.

The notice the Air District issued was misleading, stating it was for a "preliminary decision for the proposed issuance of federally mandated operating permits". This wording gives ordinary citizens the impression that issuance of the permit is mandated by federal law, when in fact a permit issuance is not mandated. The District must approve or deny the permit application based on the facts.

District Response:

District Rule 2520 (Federally Mandated Operating Permits) requires that written notice of the proposed permit be published in a newspaper of general circulation in the District. The notice for the proposed Covanta Title V permit was published in August of 2002 in the Modesto Bee. The wording used in the notice is consistent with the language of District Rule 2520. Under Rule 2520, which is a key component of the District's EPA approved program, "Federally Mandated Operating Permits" is the term used for operating permits issued pursuant to EPA's 40 CFR part 70 regulations. The term "Federally Mandated" simply indicates, consistent with 40 CFR part 70.1 that "all sources subject to these regulations (40 CFR part 70) shall have a permit to operate that assures compliance with all applicable requirements".

The use of the term "federally mandated" did not infer that issuance of the proposed permit was mandated. Furthermore, the use of the terms "preliminary decision" and "proposed action" in the notice further clarified that the permitting action was not final, and that public input was requested.

Greenaction Comment:
The title of the notice states that the review is of a "resource recovery facility." Nowhere does the notice inform the public that the emissions being evaluated under this Title V permit review are from a garbage incineration facility burning large amounts of waste and emitting a broad range of highly toxic chemicals and metals into the air of an area with poor air quality. The Air District's failure to properly describe the facility seeking the permit may have resulted in minimizing public awareness and interest in the permit process.

District Response:
The notice of the preliminary decision properly described the facility as the Covanta Stanislaus, Inc. resource recovery facility at 4040 Fink Road in Crows Landing, California. For interested parties, the notice described how to obtain the legal and factual basis for the proposed action as required by District Rule 2520, and whom to contact for additional information.

It should also be noted that the outreach for the December 3, 2002 hearing was much more extensive than required by Rule 2520. Outreach efforts included:

- Publishing hearing notice in newspaper of general circulation (Modesto Bee) in both English (as required by District Rules) and in Spanish

- Publishing hearing notice in El Sol newspaper in both English and in Spanish
- Publishing hearing notice in Westside Index newspaper in both English and in Spanish
- Publishing hearing notice in Patterson Irrigator newspaper in both English and in Spanish
- Provided copies of hearing notice in both English and Spanish to Stanislaus Co. Libraries for posting
- Published hearing notice in both English and Spanish on District Website
- Provided copies of hearing notice in both English and Spanish to City Halls in both Patterson and Newman for posting
- Mailed meeting notice and materials in both English and Spanish to interested parties, including those who provided a mailing address at the September hearing.

Greenaction Comment:
The agenda distributed by the Air District at the October 7th and December 3rd hearings stated it was a "Public Hearing on the ***Issuance of a Federally Mandated Operating Permit****…" This should not have been advertised as a hearing on the issuance, but instead should have been a hearing to evaluate the permit application and/or to receive comment on the proposed issuance of a Title V permit application. The wording in your notice may have resulted in concerned residents believing a decision to issue the permit was a foregone conclusion and thus a waste of their time. As the Clean Air Act has a strong public participation component in permit decisions, proper and unbiased notice should have been given. A new permit review with accurate and unbiased notice must be held.*

District Response:
The title of the agenda correctly identified the subject under consideration, which was the issuance of a Federally Mandated Operating Permit. Proposal of the permit had already occurred and was therefore not the subject of the hearing. Furthermore, the agendas for both the October 7, 2002 and December 3, 2002 public hearings included "Public Comments on Permitting Proposal" as one of four agenda items. This was consistent with the purpose of the hearings, which was to receive oral comments on the proposed permit. We do not agree that the wording discouraged public participation.

Greenaction Comment:
The permit review process was fatally flawed due to the extreme bias and defects in the environmental and health risk assessments for the project:

The Air District wrote and distributed a document entitled "About the Facility" as part of the permit review process. This document was very biased toward Covanta, the permit applicant, and was factually incorrect in extremely important and relevant ways. The document states that "Facility's maximum allowable and actual emissions are summarized below," yet this statement in part lacks a basis in fact. The Air District relies exclusively on Covanta's own data – and lacks any independently verifiable data – to back up the statement that what Covanta claims their actual emissions to be is accurate.

District Response:
No increase in emissions is being considered in this permitting action. Information on facility emissions in the handout entitled "about the facility" was provided to respond to requests at the first public hearing.

In evaluating emissions, the District does not rely "exclusively on Covanta's own data" as you indicated in your comments. The actual emissions information that was provided was collected in accordance with the requirements of District rules and permits. Data was based on source testing performed by independent contractors in accordance with approved protocols, and on readings from continuous emission monitors. District compliance staff routinely observe and review source tests. Raw data from the tests is available for independent verification of results. Emissions monitors are subject to EPA calibration and data quality control requirements, and data is also verified through the District's on-line data acquisition system.

Greenaction Comment:
Covanta has failed to accurately portray their emissions from the incinerator, yet the Air District repeats their claims as "fact". For example, a brochure issued by Covanta Stanislaus, Inc. states: "Waste is combusted at furnace temperatures exceeding 1800 degrees Fahrenheit and reduced to an inert ash residue." It is a known fact that the combustion process does not completely destroy the waste being burned and the material is not just "reduced to an inert ash residue" as Covanta claims. Covanta and the Air District know that dioxin and a wide range of toxic metals and chemicals are emitted as a result of the combustion process, in addition to ash. The Air District errs by considering emissions data submitted by Covanta as "actual emissions" when it is clear that Covanta's description of their emissions in public relations material is not an accurate description.

District Response:
The District did not base the preliminary or final decision on information provided in Covanta brochures. The brochures are not relevant to the permitting action.

Greenaction Comment:
The "Fact Sheet" prepared by the Air District and distributed to the public as part of the so-called public review process was biased and inaccurate. This "fact sheet" claims that "District analysis shows no significant risk to public health," and claims that there was a detailed toxic emission inventory plan. In fact, the Air District failed to do a comprehensive scientific analysis, as cumulative impacts were not considered.

District Response:
The proposed operating permit includes limits on Toxic emissions based on risk analysis that are more stringent than either State or federal law requires. Because these requirements are not based on Federal law, these permit conditions are not Federally enforceable through Title V, and they are not part of the Title V permit. Information on facility risk was provided in at the hearings response to public questions and requests, but it is not a part of the basis for the Title V permit.

Health risk assessments prepared by the District are performed in accordance with Health Risk Assessment guidelines provided by the California Office of Environmental Health Hazard Assessment, and Air Quality Modeling Guidelines provided by U.S. EPA. Consistent with those guidelines, the risk that was determined was the risk that is associated specifically with facility emissions. Although the risk assessment is not a "cumulative analysis" of the risk due to all atmospheric contaminants, it is a comprehensive analysis of the contribution of the facility's

emissions to cumulative risk, and the facilities contribution's to cumulative risk was determined not to be significant.

Greenaction Comment:
The "Health Risk Assessment Summary" and Health Risk Assessment prepared by the District are misleading and inaccurate. Your Summary document states that "Health risk assessments are used to estimate whether current or future emissions could pose health risks to a broad population. The health risk assessment evaluates the acute and chronic non-cancer, and cancer risk." These statements are totally incorrect, as your health risk assessment failed completely to assess the true and accurate risks posed by chemicals known to be emitted by Covanta. As the Air District knows very well, some of the chemicals such as dioxin emitted by the facility are persistent, bioaccumulative toxics. These chemicals act in cumulative and synergistic ways in the bodies of people exposed either directly or through contamination of the food chain. By failing to evaluate the cumulative and synergistic effects of Covanta's emissions, a realistic and accurate assessment of cancer and non-cancer risks was not done—contrary to your written claim. The fact that your claim is inaccurate and the fact that an incomplete study was done that fails to confirm your conclusions must require that a new, comprehensive and cumulative analysis be done.

Residents on the west side of Stanislaus County are exposed to numerous pollution impacts that can impact their health and environment. Toxic pollutants emitted from other nearby sources should have been evaluated by the Air District to assess the real life impacts of the toxic emissions from the Covanta incinerator, as Covanta's emissions do not exist in a vacuum. West side residents are also exposed to and potentially are impacted by pollution from the Fink Road landfill (including the proposed expansion), pesticides, nitrates in groundwater, diesel and dioxin emissions from the massive truck traffic on Interstate 5, contamination from the Westley tire fire, and the possible resumption of tire incineration in Westley.

The Health Risk Assessment also failed to evaluate the findings of the United States Environmental Protection Agency's massive dioxin study (the Dioxin Reassessment) in evaluating Covanta's dioxin emissions. EPA's study found that the general population already has so much dioxin in our bodies that any additional exposures could trigger ill health effects including cancer, reproductive, developmental, immunological and other illnesses even at minute levels of exposure. A new study must be done that considers all the latest science on exposure to dioxin and other persistent, bioaccumulative toxics.

The Health Risk Assessment incorrectly claims that the assumptions used in the study are "designed to be conservative." At the December 3rd hearing the Air District confirmed that the Risk Assessment did not assess risks from accidents, explosions, uncontrolled bypasses of the pollution control equipment or other problems that can and do occur at incineration facilities. Based only on "maximum allowable emissions", the Health Risk Assessment thus lacks an accurate, real-life evaluation of what happens during violations, accidents, uncontrolled bypasses of the pollution control equipment and other breakdowns. It lacks a realistic worst-case scenario. This omission is a huge defect in the Health Risk Assessment and is a fatal flaw in the permit review and approval process. A permit must not and cannot be approved based on this inaccurate and flawed Health Risk Assessment.

District Response:
The district does not agree that statements in the health risk assessment summary are misleading or inaccurate. As noted previously, health risk assessments prepared by the District are performed in accordance with Health Risk Assessment guidelines provided by the California Office of

Environmental Health Hazard Assessment and Air Quality Modeling Guidelines provided by U.S. EPA. Consistent with those guidelines, the risk that was determined was the risk that is associated specifically with facility emissions, and not a "cumulative analysis" of the risk due to other atmospheric contaminants such as those from the Westley tire fire. However, the health risk assessment is a comprehensive analysis of the contribution of the facility's emissions to cumulative risk, and the facilities contribution to cumulative risk was determined not to be significant.

Also consistent with State Health Risk Assessment guidelines, District risk assessments include a multi-pathway analysis using the latest potency factors approved by the California Office of Environmental Health Hazard Assessment and State Scientific review panel. The risk assessments are very comprehensive and consider cardiovascular, central nervous system, immunological, kidney, gastrointestinal, reproductive, respiratory, and dermatological endpoints that may be impacted through inhalation, ingestion, dermal, and mother's milk pathways.

Although EPA documents from the draft reassessment that you reference indicate that dioxin cancer potencies may be as much as ten times higher than previous estimates (Reference May 25, 2001 "Scientific Highlights from Draft Reassessment", U.S. EPA Office of Research and Development), we would still not expect this to result in a significant risk, since the maximum cancer risk due to dioxins in our analysis was far less than one in a million.

In the U.S. EPA draft reassessment, the proposed exposure assessment is also based on tissue burden and clearance time rather than integrated exposure as in the current approach. The effect of the changes is that risk can be higher for episodic exposures that may not last long as an applied dose, but which create a persistent body burden. However this change by itself would not significantly impact the risk values for routine emissions from facilities such as Covanta.

Examples of the conservative (health-protective) assumptions used in the health risk assessment for this facility include the use of maximum allowable emissions and the assumption of a 24 hour per day, 365 day per year, 70 year lifetime of exposure at maximum permitted emission rate.

In health risk assessments prepared for permitting actions, maximum permitted emissions, which are generally much higher than actual emissions, are used. Unpermitted actions such as accidents and uncontrolled breakdowns are not considered as part of permitting actions. (Although, in some cases they must be addressed under Section 112(r) of the 1990 Federal Clean Air Act Amendments.) Because maximum allowable emissions are still generally much higher than actual emissions, even when unforeseen events are included, the risk assessments based on maximum allowable emissions can still generally be characterized as "conservative". Also, please note that no modifications to operating emissions units are being proposed with this permitting action. Therefore, no increase in emissions (routine or unforeseen) will result from this particular permitting action.

Greenaction Comment:
The permit process was flawed as the Air District improperly withheld from Greenaction public information regarding Covanta's compliance and violation history, preventing Greenaction and the public from effectively participating in the public review process. The Air District also violated its own policy on providing copies of documents related to pending Title V permitting actions.

On July 23, 2002 Greenaction submitted a written public records release request via FAX to the San Joaquin Valley Air Pollution Control District requesting "Copies of compliance history, violations, and inspection reports from the past 5 years." We also requested a fee waiver as we are a small non-profit public interest organization that cannot afford to pay large amounts of money for copies of these

important documents. The Air District acknowledged our request on the following day, July 24, 2002. I was informed that the copies would cost us over $200, a prohibitive sum. On September 30, 2002 I received a letter from Seyed Sadredin, Director of Permit Services and Jim Swaney, Permit Services Manager regarding our public information request. In their September 30th letter they offer we can "Bring in our own copy machine thereby avoiding the copy charge." As a low-income non-profit organization, we do not own a portable copy machine.

The letter of September 30th did state the following: "Please note that we do not charge for providing copies of documents relating to pending Title V permitting actions…" As the Air District is well aware, and as we informed them repeatedly, documents pertaining to Covanta's compliance and violation history are directly related to the Title V permitting action. To qualify for a new Title V permit, Covanta must be able to assure compliance with a new permit. The public has a complete right to access compliance and violation history that can inform our comments and understanding of whether Covanta can comply. As the Air District withheld these documents and violated their own policy of providing documents related to Title V permitting free of charge, the permit process was defective and flawed. The requested documents must be provided to Greenaciton immediately and without charge, as the Air District policy provides, and the public comment period must then be reopened to allow for informed participation based on any relevant information contained in these documents.

District Response:
As part of this permitting action, the District provided public notices, copies of the proposed permit, and copies of the District's legal and factual basis for the proposed permit as required by District Rule 2520. Other information including the facility compliance history was available for review at the District's Modesto office in accordance with District rule 1031 (Inspection of Public Records) free of charge. The other proposed charges that you mention were for copying the materials for you in accordance with District Rule 3070 (Other Charges). The facility compliance history was also provided free of charge in response to a request at the second public hearing prior to the close of the comment period.

Greenaction Comment:
Despite the fact that the facility is located in an area near heavily Spanish speaking communities, the Air District failed to translate all key documents into Spanish—denying at least some residents the opportunity to fully participate in a permit review process. For example, the Health Risk Assessment, the chart discussing emissions from the plant, and the proposed permit were never translated. As the Air District had five years from the time of the application to the date of the hearing to translate documents, there is simply no excuse for lack of translation of key documents.

District Response:
The District provided significant outreach for this permitting action in Spanish. Public notices were provided in Spanish, and a Spanish-speaking member of District staff was available at the District offices and during both hearings to answer questions and take any public comment in Spanish.

Greenaction Comment:
San Joaquin Valley Air Pollution Control District has shown favoritism and bias in support of this facility for years, including failing to process this permit application for five years.

The Air District deemed the Title V permit Application review complete on April 30, 1997, more than five years ago. The proposed permit was not issued for public comment until late September, 2002. No legitimate reason for this incredible delay was ever offered to the public.

The five-year delay by the Air District in supposedly reviewing this permit application was inexcusable and prevented the public from commenting on this facility's operations for years. The delay helped Covanta avoid public scrutiny in a public permit review process, and had the effect of denying the public its right to know and have a say about a facility emitting toxic pollutants into the air.

District Response:
The application for Covanta was one of over 125 Title V permit applications received by the District. Title V permits are very large and complex documents – One single permit with documentation was over 1700 pages long. Completing the initial permitting process has been a multi-year project requiring tens of thousands of staff-hours to complete. During the time that you characterize as a "delay", over one hundred other Title V applications were processed.

Greenaction Comment:
Covanta has not shown they can assure compliance with a new permit as required by Title V of the Clean Air Act.

A company that fails to accurately describe its emissions to the public (see Covanta' public relations materials) cannot be assumed to be able to assure compliance with permit requirements. As compliance regarding emissions limits is a key to a Title V permit decision, Covanta's inaccurate statements raise serious doubts whether they can assure compliance with a new permit. Greenaction has submitted Covanta public relations material as an attachment to these comments, and we raised this issue in public comment at the hearings. Covanta never rebutted our allegation that their claim that combustion of the waste reduces it to an "inert ash residue" is misleading at best. We are also concerned that the Air District has refused to criticize Covanta for continuing to use this misleading information. It is a fact that Covanta's combustion process releases a wide range of toxic chemicals and metals into the air, and that the waste is not just reduced to "inert ash residue".

District Response:
The compliance determination for the facility is described in the "Compliance" section of the engineering evaluation for his permitting action. The District did not base the preliminary or final decision on information provided in Covanta brochures. The brochures are not relevant to this permitting action.

Greenaction Comment:
Issuance of a Title V permit to Covanta Stanislaus, Inc. would have a disproportionate and discriminatory impact on the low-income people of color residents on the west side of Stanislaus County, in violation of Title VI of the United States Civil Rights Act of 1964.

Title VI of the U.S. Civil Rights Act of 1964 and its implementing regulations prohibits agencies such as the San Joaquin Valley Air Pollution Control District that receive federal funding from taking actions that would have a discriminatory impact on communities of color and other low-income populations. The West Side communities nearest the Covanta incineration facility are predominately low-income, Spanish-speaking, communities of color.

The low-income, Spanish-speaking communities of color most impacted by Covanta's emissions are simultaneously exposed to numerous toxic and environmental health hazards (see above). It is a clear fact that the West Side of Stanislaus County is disproportionately impacted by environmental health hazards. These numerous and cumulative impacts which have real life effects on people were never evaluated by the Air District.

To determine if issuance of the proposed permit would have a disproportionate and discriminatory impact on the low-income and people of color residents nearest the Covanta plant, the Air District should have analyzed the numerous pollution sources and cumulative impacts affecting nearby residents on the West Side.

In addition, by conducting a biased and defective permit process the Air District in effect excluded the community from their legal right to participate in a meaningful permit process. The Air District's failure to conduct a proper review and permit process is an action that is having a discriminatory and disproportionate impact on the low-income people of color next to the plant. Spanish speaking residents were particularly impacted by the lack of a proper permit process, including the Air District's failure to translate key documents.

The failure by the San Joaquin Valley Air Pollution Control District to conduct a factual and unbiased public comment period, public review process and public hearing, combined with the failure to conduct an accurate health risk analysis that includes an assessment of potential disproportionate impacts, are actions that violate Title VI of the U.S. Civil Rights Act. In light of the violation of Title VI of the Civil Rights Act by the Air District, and due to the disproportionate and discriminatory impact a permit would have, a Title V permit cannot be approved.

District Response:
Because no modification or increase in emissions is proposed with this action, the issuance of the Title V permit would not have any adverse disproportionate or discriminatory impact on any resident.

In summary, we disagree that the permitting process was biased or defective. In fact, significant efforts were made above and beyond the requirements of District Rule 2520 or 40 CFR part 70 to obtain and consider public input in this process.

The following Public comments were received from a concerned citizen regarding the proposed Title V Operating Permit for Covanta Stanislaus, Inc (District facility N-2073). These comments are encapsulated below followed by the District's response. The original 12/16/02 comment letter is on file at the District.

Public Comment:
The SJVAPCD risk assessment method fails to assess real conditions in the Valley. The computer model used to estimate whether current or future emissions could pose health risks to a broad population has no basis in real conditions of real people in the Valley. The same summary admits the "lack of site-specific data." In order to establish a truly conservative design the District should use a bio-accumulative approach, in which the already-existing presence of toxins, and their already existing effects in residents are combined with the effects of emissions from the project under review. True identification of exposed populations would also include, for example, how many children in the area suffered low birth weight? Why? How many have asthma? Why? What about dioxin? What are other acute and chronic conditions in the area that a change in air quality might exacerbate?

The risk assessment practice used in your report has the look of science without the substance of science. Site-level data is absolutely essential. There are ways to gather evidence, including door-to-door surveys, which can and should involve community members.

District Response:
Health risk assessments prepared by the District are performed in accordance with Health Risk Assessment guidelines provided by the California Office of Environmental Health Hazard Assessment and Air Quality Modeling Guidelines provided by U.S. EPA. Consistent with those guidelines, the risk that was determined was the risk that is associated specifically with facility emissions. Although the risk assessment is not a "bio-accumulative approach" of the risk due to all atmospheric contaminants, it is a comprehensive analysis of the contribution of the facility's emissions to cumulative risk.
Also consistent with State Health Risk Assessment guidelines, District risk assessments include a multi-pathway analysis using the latest potency factors approved by the California Office of Environmental Health Hazard Assessment and State Scientific Review Panel. The risk assessments are very comprehensive and consider cardiovascular, central nervous system, immunological, kidney, gastrointestinal, reproductive, respiratory, and dermatological endpoints that may be impacted through inhalation, ingestion, dermal, and mother's milk pathways.

Specific data used in the modeling and risk assessment includes facility emissions and stack data, and local meteorological data. Because of the uncertainty in risk assessment, and because of the lack of specific health data for all exposed individuals, several conservative assumptions are used. To make results more health protective for more sensitive individuals, State approved potency factors are generally based on the 95% upper confidence limit on risk. Actual excess cancer risks from real populations are not likely to be higher than these levels. Other health-protective assumptions include the use of maximum allowable emissions and the assumption of a 24-hour per day, 365 day per year, 70-year lifetime of exposure at maximum permitted emission rate.

It should be noted that no "change in air quality" is proposed with this permitting action, and no facility modification is being authorized. It should also be noted that the proposed operating permit includes limits on toxic emissions based on risk analysis that are more stringent than either State or federal law requires. Because these requirements are not based on Federal law, the more stringent permit conditions are not federally enforceable through Title V, and they are not part of the Title V permit. Information on facility risk was provided in at the hearings response to public questions and requests, but the risk assessment is not a part of the basis for the Title V permit.

Public Comment:
The language in the newspaper notices hardly complies with the requirement of plain language written into federal law. The SJVAPCD uses specialized jargon that ordinary people are not familiar with. This is a problem compounded by the fact that not all documents have been made available in both English and Spanish.

District Response:
Notices for Title V permitting actions are prepared in accordance with District Rule 2520 (Federally Mandated Operating Permits). Rule 2520 requires that written notice of the proposed permit be published in a newspaper of general circulation in the District. The notice for the proposed Covanta Title V permit was published in August of 2002 in the Modesto Bee. The wording used in the notice is consistent with the language of District Rule 2520.

Although all documents were not translated, the District did provide ample opportunity for comment and questions on the proposed permitting action in both Spanish and English. Spanish-speaking members of District staff were available at the District offices and at both public hearings to answer any questions and take any public comment on the proposed permitting action in Spanish. In response to comments received at the first public hearing, the notice for the second public hearing was published in both languages in both English and Spanish language newspapers. Copies of the hearing notice were also placed in local city halls and libraries and on the worldwide web in both English and Spanish. Other documents were also provided to interested parties on our mailing list in Spanish.

The following Public comments were received from the City of Patterson regarding the proposed Title V Operating Permit for Covanta Stanislaus, Inc (District facility N-2073). These comments are encapsulated below followed by the District's response. A copy of the City of Patterson 10/16/02 comment letter is available at the District.

Public Comment:
The City Council requests that the District place an additional requirement in the permit that would also require notification of the City of Paterson each time the plant exceeds allowable emissions.

District Response:
The District understands the city's concern for its citizens. Although there is not a specific rule or regulation to legally justify a permit condition as you have requested, the District will furnish the City of Patterson with exceedance reports regarding this facility.

The following Public comments were received from Covanta Stanislaus, Inc. regarding the proposed Title V Operating Permit for Covanta Stanislaus, Inc (District facility N-2073). These comments are encapsulated below followed by the District's response. A copy of Covanta's 9/24/02 comment letter is available at the District.

Facility Comment:
Title V Application Review Page, Change contact name of Jim Healy to Jim Healy and change the name of Leon Brasowaski to Leon Browsowski. Jim Healey was originally requested and fulfills requirements of a responsible official.

District Response:
Names were revised as noted.

Facility Comment:
Page 4, Section VIII – District Rule 4102, conditions references in this section are incorrect.

District Response:
References were revised as noted.

Facility Comment:
Page 4, Section IX.B – Condition references are incorrect.

District Response:
References were revised as noted.

Facility Comment:
Facility-wide requirements (N-2073-0-1) condition 3. We understood that the reporting of THC's would meet the requirement for reporting ROC's. Insert Reported as THC after this condition.

District Response:
Reporting of Reactive Organic Compounds is required by District Rule 1160, section 5.0. Fraction reactive organic compounds provided by the State Air Resources Board, which is provided with your annual emission statements, may be used to calculate ROC's from TPH.

Facility Comment:
Facility Wide Requirements, Condition 9. Remove "all strip chart recordings" as Covanta does not currently have equipment that utilizes strip charts.

District Response:
Condition reiterates requirement of Section 9.4.2 of Rule 2520. For facilities without strip charts, the condition as written does not require the facility to maintain them.

Facility Comment:
Permit Unit Requirements (N-2073-1-3) Condition 69. Please provide the citation that makes the telemetry system Federal enforceable.

District Response:

Telemetry is required pursuant to District Rule 1080, Section 7.0. Rule 1080 is a replacement for Stanislaus Co. Rule 108, which is a Federally enforceable State Implementation Plan Rule and contains equivalent requirements in section c. (The form of report the District requests is telemetry)

Facility Comment:

Permit Unit Requirements (N-2073-1-3) Conditions 70 and 78 – incorrect cross-references.

District Response:

Cross-references corrected as noted.

Facility Comment:

Permit Unit Requirements (N-2073-1-3) Condition 89. Covanta has been directing monthly reports to the Northern Regional Office.

District Response:

Delivery to the Northern Regional Office also satisfies this condition.

Facility Comment:

Permit Unit Requirements (N-2073-1-3) Condition 100. Covanta requests that source test method in condition 100 be changed to allow RM 29 to be used.

District Response:

Condition 100 was revised to allow RM 29 to be used upon EPA approval.

Engineer Name	Douglas Shaffer
Engineer Initials	<Engineer's Initials>
Review Manager	Richard McVaigh
Facility's Regional Manager	Jim Swaney
Facility Name	Covanta Stanislaus
Facility #	N-2073
Project #	N-970220
Operation Description	resource recovery facility
Location	4040 Fink Road in Crows Landing
	The following should make sense: This is for its resource recovery facility 4040 Fink Road in Crows Landing, California.
Contact Receiving Final	Mr. Jim Healey
Mailing Address	PO Box 278 Crows Landing, CA 95313
Newspaper	Modesto Bee
Did EPA have objections?	No
Were there any comments?	Yes
Preliminary Notice Date	August 20, 2002

Gerardo C. Rios, Chief
Permits Office (AIR-3)
U.S. EPA - Region IX
75 Hawthorne St.
San Francisco, CA 94105

Re: Notice of Final Action - Title V Permit
District Facility # N-2073
Project # N-970220

Dear Mr. Rios:

The District has issued the Final Title V Permit for Covanta Stanislaus. The preliminary decision for this project was made on August 20, 2002. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The public notice for issuance of the Final Title V Permit will be published approximately three days from the date of this letter.

I would like to thank you and your staff for working with us. We appreciate your concurrence with this action. Should you have any questions, please contact Mr. Richard McVaigh, Permit Services Manager, at (559) 230-5900.

Sincerely,

Seyed Sadredin
Director of Permit Services

Attachments
C: Douglas Shaffer, Permit Services Engineer

Mike Tollstrup, Chief
Project Assessment Branch
Air Resources Board
P O Box 2815
Sacramento, CA 95812-2815

Re: Notice of Final Action - Title V Permit
District Facility # N-2073
Project # N-970220

Dear Mr. Tollstrup:

The District has issued the Final Title V Permit for Covanta Stanislaus. The preliminary decision for this project was made on August 20, 2002. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The public notice for issuance of the Final Title V Permit will be published approximately three days from the date of this letter.

I would like to thank you and your staff for working with us. Should you have any questions, please contact Mr. Richard McVaigh, Permit Services Manager, at (559) 230-5900.

Sincerely,

Seyed Sadredin
Director of Permit Services

Attachments
C: Douglas Shaffer, Permit Services Engineer

Jim Healey
Covanta Stanislaus
PO Box 278
Crows Landing, CA 95313

Re: Notice of Final Action - Title V Permit
District Facility # N-2073
Project # N-970220

Dear Mr. Healey:

The District has issued the Final Title V Permit for Covanta Stanislaus. The preliminary decision for this project was made on August 20, 2002. A summary of the comments and the District's response to each comment is included as an attachment to the engineering evaluation.

The public notice for issuance of the Final Title V Permit will be published approximately three days from the date of this letter.

Thank you for your cooperation in this matter. Should you have any questions, please contact Mr. Richard McVaigh, Permit Services Manager, at (559) 230-5900.

Sincerely,

Seyed Sadredin
Director of Permit Services

Attachments
C: Douglas Shaffer, Permit Services Engineer

Modesto Bee

SAN JOAQUIN VALLEY
AIR POLLUTION CONTROL DISTRICT
NOTICE OF FINAL DECISION TO ISSUE
FEDERALLY MANDATED OPERATING PERMIT

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Air Pollution Control District has made its final decision to issue the initial Federally Mandated Operating Permit to Covanta Stanislaus for its resource recovery facility 4040 Fink Road in Crows Landing, California.

The District's analysis of the legal and factual basis for this proposed action, project #N-970220, is available for public inspection at the District office at the address below. For additional information regarding this matter, please contact Mr. Richard McVaigh, Permit Services Manager, at (559) 230-5900, or contact Seyed Sadredin, Director of Permit Services, in writing at SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 1990 E. GETTYSBURG AVE, FRESNO, CA 93726-0244.

TITLE V PUBLIC NOTICE CHECKLIST

FACILITY ID: N-2073 **PROJECT #:** N-970220

√ √
REQST. COMPL.

__ __ Title V PRELIMINARY PUBLIC NOTICE
__ __ Title V REVISED PROPOSED PUBLIC NOTICE
√ __ Title V FINAL PUBLIC NOTICE
__ __ Title V MODIFICATION PUBLIC NOTICE

ENCLOSED DOCUMENTS REQUIRE:

√ ☒ Newspaper Notice Emailed to Clerical (Check box and tab to generate Notice)

√ __ Stamp current date on all letters and signature page of the evaluation.

√ __ Send ***FINAL*** notice letters to CARB, EPA and applicant including the following attachments:
√ Engineering evaluation with attachments.
√ Public notice

√ __ Send ***FINAL*** public notice for publication to: Modesto Bee.

√ __ Send signed copies of all ***FINAL*** notice letters, engineering evaluation with attachments, and public notice to the following:
√ Douglas Shaffer, Permit Services Engineer
√ Jim Swaney, Permit Services Manager

√ __ Enter "Mail Date" onto project record.

√ __ Attach Compliance Assistance Bulletin "Title V Reporting Requirements" to the facility mailing.

√ __ Email Chay Thao Engineering Evaluation.

√ __ Engineer to Email regional PS manager; subject: "Initial Title V permits issued, please post all prorates for N-2073."

__ __ Other special instructions:_____

Date completed: December 31, 2002 By: Douglas Shaffer

San Joaquin Valley Air Pollution Control District

Final Engineering Evaluation

Facility # N-2073
Covanta Stanislaus

PREPARED BY: _____

Douglas Shaffer
Air Quality Engineer

REVIEWED BY: _____

Richard McVaigh
Permit Services Manager

APPROVED BY: _____

Seyed Sadredin
Director of Permit Services

FINAL DECISION DATE: _____