

**Alaska Department of Environmental Conservation
Air Permits Program**

[Public Comment - October 6, 2026]

**Westward Seafoods, Inc.
Unalaska Seafood Processing Facility**

**STATEMENT OF BASIS
for the terms and conditions of
Permit No. AQ0241TVP06**

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INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ0241TVP06.

STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ0241TVP06 contains information on the stationary source as provided in the Title V permit application.

The Unalaska Seafood Processing Facility is owned and operated by Westward Seafoods, Inc., and Westward Seafoods, Inc. is the Permittee for the stationary source's operating permit. The SIC code for this stationary source is 2092 - Prepared fresh or frozen fish and seafoods. The NAICS code for this stationary source is 311710 - Seafood product preparation and packaging.

The Unalaska Seafood Processing Facility unloads raw fish and crab from fishing vessels at its loading dock and processes it into various marketable products. Waste from these processes is converted to fishmeal in the fishmeal plant and prepared for shipment.

The Unalaska Seafood Processing Facility is located on Iliuliuk Bay in the city of Unalaska on the island of Unalaska in the Aleutian Islands in Southwest Alaska. The stationary source is located in the South Central Alaska Intrastate Air Quality Control Region. Federal PSD and Alaska Air Quality regulations designate the Unalaska area as Class II. The nearest Class I areas are the Bering Sea National Wildlife Refuge and the Simeonof National Wildlife Refuge, both of which are designated as National Wilderness Areas.

EMISSIONS UNIT INVENTORY AND DESCRIPTION

Under 18 AAC 50.326(a), the Department requires operating permit applications to include identification of all emissions-related information, as described under 40 C.F.R. 71.5(c)(3).

The Unalaska Seafood Processing Facility is a stationary source with six diesel generators, four boilers, various refrigeration equipment, and a few small insignificant emissions units. The source previously operated a fishmeal dryer but it has since been removed from the permit and permanently shut down. The facility operates 24 hours a day for 365 days per year.

The emissions units at the Unalaska Seafood Processing Facility that have specific monitoring, recordkeeping, and reporting requirements are listed in Table 1 of Operating Permit No. AQ0241TVP06. Table 1 contains information on the emissions units regulated by this permit as provided in the application. The table is provided for informational and identification purposes only. Specifically, the emissions unit rating/size provided in the table is not intended to create an enforceable limit.

EMISSIONS

A summary of the potential to emit (PTE)¹ and assessable PTE as indicated in the application from the Unalaska Seafood Processing Facility and as calculated by the Department is shown in the table below.

Table A - Emissions Summary, in Tons Per Year (TPY)

Emissions	NO _x	CO	PM	SO ₂	VOC	CO _{2e} ¹	HAPs	Total ²
PTE	292.20	89.20	6.60	21.20	10.40	34999.49	0.01	419.60
Assessable PTE	292.20	89.20	6.60	21.20	10.40	0.00	0.00	419.60

Notes:

1. CO_{2e} emissions are defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential.
2. Total PTE and total assessable PTE shown in the table do not include CO_{2e} and HAPs.
3. HAP emissions are a subset of either VOC emissions or PM₁₀ emissions and are excluded from the assessable emissions total to avoid double counting.

The assessable PTE listed under Condition 52.1 is the sum of the PTE of each individual air pollutant, other than greenhouse gases (GHGs). The emissions listed in Table A are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit for the stationary source.

For criteria pollutants and GHGs, emissions are as provided in the application. The applicant used the PTE for NO_x, CO, PM, SO₂, and VOC described in AQ0241MSS03, TAR, Appendix A, and estimated the CO_{2e} with emission factors from 40 C.F.R. 98 Subpart C, Table C-1 & C-2, and Subpart A, Table A-1. Emission factors for HAPs come from AP-42 Tables 3.4-3 and 3.4-4 or EPA Webfire, and were used by the applicant to calculate HAP emissions.

BASIS FOR REQUIRING AN OPERATING PERMIT

In accordance with AS 46.14.130(b), an owner or operator of a Title V source² must obtain a Title V permit consistent with 40 C.F.R. Part 71, as adopted by reference in 18 AAC 50.040.

Except for sources exempted or deferred by AS 46.14.120(e) or (f), AS 46.14.130(b) lists the following categories of sources that require an operating permit:

- A major source;
- A stationary source, including an area source, subject to federal New Source Performance Standards (NSPS) under Section 111 of the Clean Air Act or National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the CAA;
- Another stationary source designated by the Federal Administrator by regulation.

¹ “Potential to Emit” or “PTE”, as defined in AS 46.14.990 (22), means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source.

² “Title V source” means a stationary source classified as needing a permit under AS 46.14.130(b) [ref. 18 AAC 50.990(111)].

The Permittee is required to obtain an operating permit for the Unalaska Seafood Processing Facility as specified under 18 AAC 50.326(a) and 40 C.F.R. 71.3(a), because the stationary source is:

- A major source. This stationary source is a major source because, as defined in Section 302 of the CAA, it directly emits, or has the potential to emit, 100 TPY or more of any air pollutant subject to regulation.

AIR QUALITY PERMITS

Permits to Operate

Permit to Operate 9625-AA006. The Department issued Permit to Operate 9625-AA006 on October 29, 1996. This permit contained limitations on the amount of fuel which could be consumed in the various items of fuel burning equipment at the stationary source in order to protect NO₂ ambient air quality standards and to keep the net cumulative increase in stationary source NO_x emissions below the PSD triggering level. The stationary source was restricted to burning fuel with a sulfur content of no more than 0.1 percent after December 31, 1996 to protect the SO₂ ambient standards and increments. NO_x emissions were limited to a less than a 40 TPY increase from the allowable level of 259.56 TPY which existed at the time that Alyeska Seafoods, Inc. purchased the stationary source.

The stationary source's Air Quality permitting background is as follows:

In 1985, Alyeska Seafoods, Inc. purchased the Pan Alaska Seafood Processing Facility in Unalaska, Alaska. At the time of purchase, the plant consisted of four Caterpillar D398 diesel generators, a York Shipley Steam Boiler, and a Cleaver Brooks steam boiler.

On September 23, 1986, Alyeska Seafoods, Inc. applied for an air quality control permit to operate a fish meal plant. The new fish meal plant increased stationary source emissions by 3.9 tons of NO_x and a permit was issued on October 27, 1986. However, this application did not fully describe the fuel burning equipment at the stationary source. The Department was unaware that the stationary source could have been classified as a PSD major due to the stationary source potential to emit.

In July 1987, Alyeska Seafoods, Inc., without obtaining any permit, installed a 1730 kW diesel generator at the plant. This installation again should have triggered the stationary source to the PSD permitting process as it had the potential to emit NO_x over 250 TPY and the new diesel generator had the potential to increase NO_x in excess of the 40 TPY PSD major modification threshold.

In March 1990, Alyeska Seafoods, Inc. installed a Seattle Boiler Works Steam boiler, another diesel generator with a rating of 2,300 kW, a Kewanee Steam Boiler, and a Stord Hot Air Dryer. These new equipment installations also should have been subjected to the PSD permitting process. On June 29, 1990, the Department advised Alyeska Seafoods, Inc. that the PSD permitting process was applicable to the stationary source due to these equipment additions and the fact that the stationary source had the potential to emit over 250 tons of a regulated contaminant. A Compliance Order by Consent (COBC 91-2-6-6-073-1) was entered into on March 20, 1991, which required the stationary source to submit a PSD application.

The stationary source did prepare a PSD permit application by August 6, 1992; however, it was found to be incomplete. A complicated situation existed in Dutch Harbor. There were numerous

seafood processing plants, floating processors, and other shore side installations with fuel burning equipment. There was a need to gather meteorological data and coordinate air quality permit applications from many of these plants for processing. It took several years for Alyeska Seafoods, Inc. to prepare a revised permit application.

During this process, the stationary source changed the consultant it was using to prepare its air quality control permit applications. While the new consultant was preparing the permit application, Alyeska Seafoods, Inc. determined that the actual cumulative increase in emissions due to all of the stationary source's modifications could be prevented from exceeding the significant increase levels for any pollutants listed in 40 C.F.R. 52.21. The increase in emissions could be maintained at less than the PSD significance levels by limiting the amount of fuel burned in the various pieces of equipment at the stationary source. This being the case, the need for the PSD permit was eliminated.

When Alyeska Seafoods, Inc. finally submitted a permit application in May 1996, it was no longer a PSD submittal, but merely an air quality control permit to operate application. This application took into account all of the equipment at the stationary source, provided ambient air quality modeling, and requested limitations on the amount of fuel that could be burned at the stationary source to avoid PSD requirements (PSD should be based on actual emissions increases).

On October 29, 1996, the Department issued Air Quality Control Permit to Operate No. 9625-AA006 to Alyeska Seafoods, Inc. This permit rescinded COBC 91-2-6-6-073-1. It contained owner requested limits to ensure that the net cumulative increase in stationary source NO_x emissions are below the PSD triggering level, as well as, to protect the NO₂ ambient air quality standards.

Permit to Operate 9625-AA006 included all construction authorizations issued through October 29, 1996. All stationary source-specific requirements established in this permit were included in initial Operating Permit AQ0241TVP01.

Stationary source-specific requirements that were established in the permit to operate and are still in effect are included in Operating Permit AQ0241TVP06, as described in Table B.

Title I (Construction and Minor) Permits

Construction Permit 241CP02. On November 26, 2002, the Department issued Construction Permit 241CP02. This permit revised certain terms and conditions from Permit No. 241TVP01 Revision 1. Alyeska Seafoods, Inc. requested that the 12-month fuel limits on individual units in the operating permit be removed and replaced with two cumulative fuel caps: one fuel cap for the engines and another for the boilers, and established the corresponding NO_x ton-per-year emissions limits for the EUs. Alyeska Seafoods, Inc. also requested that the total fuel allocated to each group equal the total from the Operating Permit 241TVP01, and that the Department remove the operating hour limits. Stationary source-specific requirements from this permit were incorporated into the operating permit under Permit No. 241TVP01 Revision 2.

Construction Permit 241CP02 was subsequently rescinded and replaced by Construction Permit 241CP03.

Construction Permit 241CP03. On February 9, 2005, the Department issued Construction Permit 241CP03. This permit rescinded and replaced Construction Permit 241CP02. Alyeska Seafoods, Inc. conducted voluntary source tests in February 2004 on the diesel generators. The source tests revealed new NO_x emission factors. Alyeska Seafoods, Inc. requested that the Department revise

the cumulative equivalent total (CET) fuel use limit and equation governing the total NO_x emissions for the engines to reflect the new NO_x emission factors. Alyeska Seafoods, Inc. also requested that the CET fuel use limit and equation governing the total NO_x emissions for the boilers be combined with the fuel use limit and NO_x emissions for the fish meal dryer. Stationary source-specific requirements from this permit were incorporated into the operating permit under Permit No. 241TVP02.

Construction Permit 241CP03 was subsequently rescinded and replaced by Minor Permit AQ0241MSS02.

Minor Permit No. AQ0241MSS01. The Department issued Minor Permit AQ0241MSS01 on October 15, 2009, which authorized the replacement of EU ID 4 (a 500 kW Caterpillar D-398) with EU ID 4a (a 682 kW Caterpillar D-3508C). While the new engine size is greater, the NO_x PTE did not increase because the NO_x and fuel limits remained in place. This minor permit revised Construction Permit 241CP03 by updating the formulas for calculating compliance with the NO_x limits to reflect the emission characteristics of the new engine. The minor permit also listed NSPS standards that apply to the new engine.

Minor Permit AQ0241MSS01 was subsequently rescinded and replaced by Minor Permit AQ0241MSS02.

Minor Permit No. AQ0241MSS02. The Department issued Minor Permit AQ0241MSS02 on December 28, 2011 to rescind and replace AQ0241MSS01 and Construction Permit AQ0241CP03. This permit authorized the replacement of EU ID 3 (a 500 kW Caterpillar D-398) with EU ID 3a (an 890 kW Caterpillar Model 3512B-DITA), as well as, revised the CET equation for the calculation of the fuel consumption of the generators and the equation to estimate NO_x emissions.

Stationary source-specific terms and conditions of Minor Permit AQ0241MSS02 were incorporated into Title V Permit AQ0241TVP03 by administrative amendment.

- Revision No. 1. The Department issued Revision 1 to Minor Permit AQ0241MSS02 on November 27, 2024 to transfer ownership from Alyeska Seafood, Inc. to Westward Seafood, Inc. as the two companies merged.

Minor Permit No. AQ0241MSS03. The Department issued Minor Permit AQ0241MSS03 on July 1, 2016. This permit rescinded Minor Permit AQ0241MSS02. This permit revised the CET fuel consumption equation for the generator engines (EU IDs 1 through 6) to represent current emission factors derived from a 2012 source test performed in accordance with Title V Permit AQ0241TVP03.

All applicable stationary source-specific requirements established in the minor permit are included in this operating permit renewal, as described in Table C.

- Revision No. 1. The Department issued Revision 1 to Minor Permit AQ0241MSS03 on November 27, 2024 to transfer ownership from Alyeska Seafood, Inc. to Westward Seafood, Inc. as the two companies merged.

Title V Operating Permits

Permit No. AQ0241TVP01. On December 5, 1997, Alyeska Seafoods, Inc. submitted an application for an initial Title V operating permit. On May 23, 2000, the Department issued Title V Permit No. AQ0241TVP01. This permit expired on May 23, 2005.

- Revision No. 1. The Department issued Administrative Revision 1 to Operating Permit AQ0241TVP01 on August 7, 2002 to change the fee requirements of the permit.
- Revision No. 2. The Department issued Revision 2 to Operating Permit AQ0241TVP01 on February 21, 2003 to incorporate changes of Construction Permit No. 241CP02.

Permit No. AQ0241TVP02. The Permittee submitted an application for a renewal to the Title V Permit No. AQ0241TVP01 on August 30, 2004. The Department conducted an integrated review of this renewal permit along with the application for Construction Permit 241CP03 that was simultaneously submitted by the Permittee. The Department issued Permit No. AQ0241TVP02 on March 24, 2005. This permit expired on March 24, 2010.

Permit No. AQ0241TVP03. The Permittee submitted an application for a renewal to the Title V Permit No. AQ0241TVP02 on July 23, 2009. Upon request of the Department, the Permittee submitted additional information on April 7, 2010. The Department issued AQ0241TVP03 on September 20, 2010. This permit expired on September 20, 2015.

- Revision No. 1. The Department issued Administrative Revision 1 to Operating Permit AQ0241TVP03 on January 19, 2012 to incorporate the provisions of Minor Permit AQ0241MSS02 which was issued December 28, 2011.

Permit No. AQ0241TVP04. The Permittee submitted an application for a renewal to the Title V Permit No. AQ0241TVP03 on October 6, 2014. The Department issued AQ0241TVP04 on May 4, 2016. This permit expired on January 10, 2021.

- Revision No. 1. The Department issued Revision 1 to Operating Permit AQ0241TVP04 on September 8, 2015. This revision was due to the Permittee's request to incorporate the Title I provisions of Minor Permit No. AQ0241MSS03 into the Title V permit via a significant modification.

Permit No. AQ0241TVP05. The Permittee submitted an application for a renewal to the Title V Permit No. AQ0241TVP04 on July 2, 2020. The Department issued AQ0241TVP05 on December 11, 2020. This permit will expire on December 11, 2025.

- Revision No. 1. The Department issued Revision 1 to Operating Permit AQ0241TVP04 on November 27, 2024 to transfer ownership from Alyeska Seafood, Inc. to Westward Seafood, Inc. as the two companies merged.

Permit No. AQ0241TVP06. The Permittee submitted an application for a renewal to the Title V Permit No. AQ0241TVP05 on September 4, 2024. A transfer of ownership was submitted on November 7, 2024 as Alyeska Seafood, Inc. and Westward Seafood, Inc. merged. EU ID 11 was removed from this permit and permanently shut down due to lack of operation and to avoid CAM potentially being applicable.

COMPLIANCE HISTORY

The stationary source has operated at its current location since 1990. The Department found the source to be intermittently out of compliance with Conditions 54.1 and 58 of Operating Permit No. AQ0241TVP05. Condition 54.1 of the Operating Permit requires the Permittee to perform regular maintenance considering the manufacturer's or operator's maintenance procedures, and Condition 58 prohibits air pollution. In the full compliance evaluation (FCE) report for 2023

Review of the permit files for this stationary source, which includes the past inspection reports and compliance evaluations, indicates a stationary source generally operating in compliance with its operating permit.

APPLICABLE REQUIREMENTS FROM PRECONSTRUCTION PERMITS

Incorporated by reference at 18 AAC 50.326(j), 40 C.F.R. Part 71.2 defines “applicable requirement” to include the terms and conditions of any preconstruction permit issued under rules approved in Alaska’s State Implementation Plan (SIP).

Alaska’s SIP includes the following types of preconstruction permits:

- Permit to Operate issued on or before January 17, 1997 (these permits cover both construction and operations);
- Construction permits issued on or after January 18, 1997; and
- Minor permits issued on or after October 1, 2004.

Preconstruction permit terms and conditions include both source-specific conditions and conditions derived from regulatory applicable requirements such as standard conditions, generally applicable conditions, and conditions that quote or paraphrase requirements in regulation. These requirements include, but are not limited to, each emissions unit- or source-specific requirement established in these permits issued under 18 AAC 50 that are still in effect at the time of issuance of Operating Permit No. AQ0241TVP06.

Table B and Table C below list the requirements carried into Operating Permit No. AQ0241TVP06 to ensure compliance with the preconstruction permit requirements.

Table B - Comparison of Permit to Operate No. 9625-AA006 Conditions to Operating Permit No. AQ0241TVP06 Conditions¹

9625-AA006 Condition No.	Description of Requirement	AQ0241TVP06 Condition No.	How Condition was Revised
Exhibit A	EU Inventory	Table 1	Updated EU Inventory, per the renewal Title V Permit AQ0241TVP06 application. The diesel storage tanks, EU IDs 13 and 14, are no longer included in Table 1 because they are not subject to EU-specific federal or state standards and MR&R requirements. EU ID 11 removed from the permit and permanently shut down due to lack of operation and to avoid CAM potentially being applicable.
2 and Exhibit B.I item 1; Exhibit C.II items 1 – 3; and Exhibit D items 4 and 6	Fuel Consumption limits and MR&R requirements	None	Rescinded and replaced by Title I permits (Construction Permit 241CP02 through Minor Permit AQ0241MSS03) as shown in Conditions 14 and 15.
2 and Exhibit B.I item 2(a)	0.50% fuel sulfur content limit for SO ₂ AAQS protection	None	Not carried forward, limit has been superseded by the more stringent 0.10% fuel sulfur content below.

9625-AA006 Condition No.	Description of Requirement	AQ0241TVP06 Condition No.	How Condition was Revised
2, 12, and Exhibit B.I item 2(b & c); Exhibit C.II, item 4; and Exhibit D item 5	No later than December 31, 1996, limit fuel sulfur content to 0.10% for SO ₂ AAQS protection and MR&R requirements	16	Same limit; updated MR&R requirements.
2 and Exhibit B.I item 3	Blend diesel fuel with fish oil and/or used oil fuels in Sources 7 – 11	17	Carried forward as revised in the initial TV Permit AQ0241TVP01 and subsequent TV renewal permits – removed EU ID 11 and fish oil from condition, and added a ratio limit for blending used oil such that the state PM standard was met. EU ID 11 was removed from the permit and permanently shut down due to lack of operation and to avoid CAM being potentially applicable.
4, 8, 16	Coastal Zone Management	None	Not covered under a Title V permit.

Note:

1. This table does not include all standard and general conditions.

Table C - Comparison of Minor Permit No. AQ0241MSS03 Revision 1 Conditions to Operating Permit No. AQ0241TVP06 Conditions¹

AQ0241MSS03 Revision 1 Condition No.	Description of Requirement	AQ0241TVP06 Condition No.	How Condition was Revised
Table 1	EU Inventory	Table 1	Updated EU Inventory, per the renewal Title V Permit AQ0241TVP06 application. Added Table Notes 1 – 4 for clarification. EU ID 11 removed from the permit and permanently shut down due to lack of operation and to avoid CAM being potentially applicable.
3.1	Assessable Emissions	52.1	Updated based on the updated calculations from the renewal TV permit application and calculations done by the Department.
8	Limits to protect AAQS for NO _x and SO ₂ – Fuel Consumption Limits for EU IDs 1 through 6	14	Same limit and requirements. Changed “any consecutive 12 months” to “any 12 consecutive-month period” for clarity and consistency throughout the document. Added reference to EU IDs 1 through 6 in Condition 14.1 for clarity.

AQ0241MSS03 Revision 1 Condition No.	Description of Requirement	AQ0241TVP06 Condition No.	How Condition was Revised
9	Limits to protect AAQS for NO _x and SO ₂ – Fuel Consumption Limits for EU IDs 7 through 11	15	Same limit and requirements. Changed “any consecutive 12 months” to “any 12 consecutive-month period” for clarity and consistency throughout the document. Added reference to EU IDs 7 through 10 and deleted the extra “the” between “monthly” and “combined” in Condition 15.1 for clarity and typographical correction. EU ID 11 removed from the permit and permanently shut down due to lack of operation and to avoid CAM potentially being applicable.
10	ORL and MR&R requirements to Avoid PSD Major Classification	18 - 19	Same limits; reorganized and reformatted for consistency, to improve readability and avoid redundancy. Added performance testing requirements in Condition 19 to re-verify the fuel-specific emissions factors and fuel consumption rates used to calculate the CET values in Condition 18.

Note:

1. This table does not include all standard and general conditions.

NON-APPLICABLE REQUIREMENTS

This section discusses standard conditions that have not been included in the permit and other requirements that are not included for specific reasons.

- 40 C.F.R. 64 Compliance Assurance Monitoring (CAM): None of the emissions units at the stationary source use a control device to achieve compliance with emission limits or standards. Therefore, CAM requirements are not applicable.

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The Department adopted regulations from 40 C.F.R. 71, as specified in 18 AAC 50.040(j), to establish operating permit regulations. The EPA fully approved the Alaska Operating Permit Program on November 30, 2001, as noted in Appendix A to 40 C.F.R. 70. This Statement of Basis, required under 40 C.F.R. 71.11(b), provides the legal and factual basis for each condition of Operating Permit No. AQ0241TVP06. Additionally, and as required by 40 C.F.R. 71.6(a)(1)(i), the state and federal regulations for each permit condition are cited in the permit. Nothing in the permit supersedes the Federal rule language in places where the Department may seek to improve clarity or readability by paraphrasing rule text.

Conditions 1 through 4, Visible Emissions Standard and MR&R

Legal Basis: These conditions require compliance with the applicable requirements in 18 AAC 50.055(a).

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1, 2, 3a, 4a, and 5 through 10 are fuel-burning equipment.

U.S. EPA approved the addition of these standards to the SIP, as noted in 40 C.F.R. 52.70. The Department included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: Condition 1 prohibits the Permittee from causing or allowing visible emissions in excess of the applicable standard in 18 AAC 50.055(a)(1). MR&R requirements are listed in Conditions 2 through 4 of the permit. These conditions have been adopted into regulation as Standard Permit Condition (SPC) IX – Visible Emissions and Particulate Matter Monitoring Plan for Liquid Fuel-Burning Equipment and Flares.

The Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions, as modified, meet the requirements of 40 C.F.R. 71.6(a)(3).

The Permittee must establish by visual observations of emissions unit exhaust, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state emission standards for visible emissions.

These conditions detail a stepwise process for monitoring to determine compliance with the state's visible emissions standard for liquid fuel-burning equipment. Equipment types covered by these conditions are stationary internal combustion engines, turbines, heaters, boilers, and flares. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

Reasonable action thresholds are established in these conditions that require the Permittee to progressively address potential visible emission problems from emissions units either through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

Liquid Fuel- Burning Equipment:

Monitoring – The emissions unit exhaust must be observed by either the Method 9 Plan or the Smoke/No Smoke Plan as detailed in Condition 2. Corrective actions such as maintenance procedures or more frequent observations may be required depending on the results of the observations.

Recordkeeping - The Permittee is required to record the results of all observations of emissions unit exhaust and record any actions taken to reduce visible emissions.

Reporting - The Permittee is required to report emissions in excess of the state visible emissions standard and deviations from permit conditions. The Permittee is also required to include in the operating report a statement of which visible emissions plan was used for each emissions unit and copies of the results of all visible emission observations.

Conditions 5 through 11, PM Standard and MR&R

Legal Basis: These conditions require compliance with the applicable requirement in 18 AAC 50.055(b).

- 18 AAC 50.055(b)(1) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1, 2, 3a, 4a, and 5 through 10 are fuel-burning equipment.

This PM standard applies because it is contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: Condition 5 prohibits emissions in excess of the applicable state PM standard. MR&R requirements for liquid fuel-fired engines are listed in Conditions 6 through 8 of the permit. MR&R requirements for liquid fuel-fired heaters are listed in Conditions 9 through 11 of the permit. These conditions have been adopted into regulation as SPC IX. The Department has modified these conditions, as follows:

- Added Condition 9.4 to address instances when used oil blends are burned in EU IDs 7 through 11 and include the oil blend ratio requirements in Condition 17.2.

Beyond as noted above, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions, as modified, meet the requirements of 40 C.F.R. 71.6(a)(3).

The Permittee must establish by visual observations, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state's emission standards for PM.

Liquid Fuel-Burning Equipment:

Monitoring – The Permittee is required to either take corrective action or conduct PM source testing, if opacity threshold values are exceeded. For liquid fuel-burning engines and turbines, the Department set opacity threshold values of 15 percent for stack diameters less than 18 inches and 20 percent for stack diameters equal to or greater than 18 inches. These opacity thresholds are based on a study conducted by the Department in an effort to establish a

correlation between opacity and PM. The data was collected from diesel engines of various stack sizes and the results are as follows:

- For stacks normalized to 21 inches – 0.05 gr/dscf corresponds to 27% opacity
- For stacks normalized to 18 inches – 0.05 gr/dscf corresponds to 23% opacity
- For stacks normalized to 12 inches – 0.05 gr/dscf corresponds to 16.8 % opacity
- For stacks normalized to 10 inches – 0.05 gr/dscf corresponds to 14.3 % opacity

This means that the trend line for the complete data set predicts that 20% opacity corresponds to a little less than the PM limit for an 18-inch stack. There may be engines that exceed the thresholds but the intent of the standard condition is not to guarantee that each engine that might exceed the PM standard will be tested. The Department expects few, if any, engines to actually be tested under this condition. What the Department does expect is that with the adopted condition in place, operators that find an opacity above or near the testing threshold will take corrective action necessary to reduce PM emissions. This would achieve the desired environmental outcome without the added cost of testing. The Department expects this to be the case with both thresholds.

The method is premised on the fact that a five percent difference in opacity is distinguishable. The conditions mean that if opacity readings as measured using Method 9 – with all of its limitations – exceed the threshold, the Permittee must either take corrective action or conduct a PM source test. The compliance conditions for PM do not draw a legal conclusion about whether the method shows compliance with the visible emissions standard.

Recordkeeping - The Permittee is required to record the results of PM source tests and visible emissions observations conducted during the source tests.

Reporting - The Permittee is required to report incidents when emissions in excess of the opacity threshold are observed and the results of PM source tests. The Permittee is also required to include copies of the results of all visible emission observations taken during PM source testing in the operating report.

Condition 12 and 13, Sulfur Compound Emissions Standard and MR&R

Legal Basis: This condition requires compliance with the sulfur compound emissions standard under 18 AAC 50.055(c).

- 18 AAC 50.055(c) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1, 2, 3a, 4a, and 5 through 10 are fuel-burning equipment.

The sulfur compound standard applies because it is contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The Permittee may not cause or allow the affected equipment to violate the applicable sulfur compound standard. Sulfur dioxide comes from the sulfur in the fuel (e.g., coal, natural gas, fuel oils).

Unalaska Seafood Processing Facility uses diesel fuel and/or used oil blends to run the emissions units at the stationary source. Fuel sulfur testing will verify compliance with the SO₂ emission standard. Liquid fuel containing no more than 0.75 percent sulfur by weight will always comply with the emission standard (e.g., No. 2 diesel fuel is 0.5 percent by weight or less by grade specification).

Liquid Fuels:

For the liquid fuel-burning equipment, EU IDs 1, 2, 3a, 4a, and 5 through 10, to protect the SO₂ ambient air quality standards, the Permittee is required to limit sulfur contents of liquid fuel burned in the emissions units to concentrations lower than that necessary for the state SO₂ standard. Therefore, the MR&R requirements for the state SO₂ standard have been streamlined based on the more stringent fuel sulfur content limit of 0.10 percent by weight rather than have two sets of MR&R.

Conditions 14 through 19, Preconstruction Permit Requirements

Legal Basis: The Permittee is required to comply with all stationary source-specific requirements that were carried forward from previous SIP-approved Permits to Operate (PTO) issued on or before January 17, 1997 and operating permits issued between January 18, 1997 and September 30, 2004, and with all stationary source-specific requirements in EPA PSD permits, SIP-approved construction permits, SIP-approved minor permits, and owner requested limits (ORLs) established under 18 AAC 50.225. These requirements include Best Available Control Technology (BACT), limits to ensure compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, and owner requested limits. Requirements from the permits listed above apply because they were originally developed through case-by-case action under a federally-approved SIP or approved operating permit program.

Factual Basis: These conditions require the Permittee to comply with pre-construction permit terms and conditions.

Conditions 14 through 17 are ORLs to protect AAAQS for NO₂ and SO₂. These requirements originated from Permit to Operate 9625-AA005 and were revised and replaced by subsequently issued construction and minor permits for the stationary source.

Condition 18 provides the ORLs to avoid PSD Major classification of the stationary source. The NO_x ton-per-year emissions limits for the EUs corresponding to the fuel consumption limits were originally established under Title I Construction Permit 241CP02. These were revised and replaced by subsequently issued construction and minor permits due to replacement of EU IDs 3 and 4 and the necessary updates to the CET and total NO_x emissions equations due to new emission factors obtained from results of more recent source tests conducted on the EUs.

Table B and Table C describe which emissions units were authorized and how the Title I permit terms and conditions have been revised, rescinded, and replaced as carried forward into the Title V permit. Background information details for these requirements are found in the corresponding Technical Analysis Report (TAR) for the Title I permits.

In addition to the ORLs, the Department imposed diesel engine NO_x testing as indicated in Condition 19, if actual emissions exceed 80% of the engine NO_x limits in Condition 18. This will also require the Permittee to reaffirm fuel specific emission factors assumed to determine surrogate NO_x PSD avoidance. Eighty percent was chosen as an appropriate threshold considering uncertainties associated with specific units and operational variables.

- *Condition 19 provides testing for the PSD avoidance limits in Condition 18. The same limits are used to protect the AAAQS for NO_x and increment in Conditions 14 and 15.*

Other NO_x sources outside the stationary source may also affect standard and increment consumption.

- The NO_x reference test methods have inherent associated error of measurement. The expected magnitude of the error varies with the test method, but the Department expects that 10 percent is possible.*
- The Department has found through test results that NO_x emissions from diesel engines can increase with the age of the engine.*
- EU ID 11 has been removed from the permit and permanently shut down due to lack of use and to avoid CAM being potentially applicable.*

Condition 20, Insignificant Emissions Units

Legal Basis: The Permittee is required to meet the state emission standards in 18 AAC 50.055 for all industrial processes and fuel-burning equipment regardless of size. 18 AAC 50.050(a) and 50.055 are contained in the federally-approved SIP. The Department also added permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The condition requires insignificant emissions units to comply with the state emission standards for visible emissions, particulate matter emissions, and sulfur-compound emissions. Insignificant emissions units are not generally listed in operating permits unless specific monitoring, recordkeeping, and reporting are necessary to ensure compliance with the state emission standards. However, the Permittee may not cause or allow insignificant emissions units at the stationary source to violate these standards whether or not they are listed in the operating permit.

The Department finds that the insignificant emissions units at this stationary source do not require specific monitoring, recordkeeping and reporting to ensure compliance under these conditions.

Condition 20.4.a requires certification that the insignificant emissions units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution, based on reasonable inquiry.

The Department used the language in SPC V, adopted by reference under 18 AAC 50.346(b)(4), for the permit condition.

Conditions 21 through 23, NSPS Subpart A Requirements

Legal Basis: The EPA approved Alaska's Part 70 Program granted on November 30, 2001 (40 C.F.R. 70 Appendix A). The Department is the permitting authority for the Part 70 program. As the permitting authority, the Department requires compliance with all permit conditions. Although the EPA has not delegated to the Department the authority to administer the New Source Performance Standard (NSPS) program, NSPS requirements are included in the definition for "applicable requirement" under 40 C.F.R. 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

The NSPS provisions under Subpart IIII apply to the stationary source. Therefore, the Department requires compliance with those standards in a Part 70 permit issued under the approved program. However, the Department is unable to change the actual wording of the relevant standard to substitute "the Department" for "the Administrator" in those standards.

Since the Department expects access to any permit-related information provided by the Permittee to the EPA, the Department will act on its responsibility as the permitting authority to determine compliance with the standard. To reflect this relationship and for the purposes of this permit, the Department has defined “the Administrator” to mean the “EPA and the Department” for conditions implementing the federal emission standards under Section 4.

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, EU ID 4a is subject to NSPS Subpart IIII and therefore subject to Subpart A.

Conditions 21.1 through 21.3 - The Permittee has already complied with the notification requirements in 40 C.F.R. 60.7 (a)(1) - (4) for EU ID 4a. However, the Permittee is still subject to these requirements in the event of a new NSPS affected facility³ or in the event of a modification or reconstruction of an existing facility⁴ into an affected facility.

Condition 21.4 - The requirements to notify the EPA and the Department of any proposed replacement of components of an existing facility (40 C.F.R. 60.15) apply in the event that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

40 C.F.R. 60.7(f) requires records retention for at least two years of the measurements required to be maintained by this Part. This requirement is satisfied by Condition 71, which requires at least five years of records retention.

Condition 22 - The Permittee is not subject to performance test requirements in 40 C.F.R. 60.8 for EU ID 4a, unless opting to comply with Condition 28.1, instead of Condition 25. In addition, the Permittee would be subject to performance test requirements in the event of a new NSPS affected facility, in the event of a modification or reconstruction of an existing facility into an affected facility, or at such other times as may be required by EPA.

Condition 23 - Concealment of emissions prohibitions in 40 C.F.R. 60.12 are applicable to EU ID 4a.

Factual Basis: Subpart A contains general requirements applicable to all affected facilities (emissions units) subject to NSPS. In general, the intent of NSPS is to provide technology-based emission control standards for new, modified, and reconstructed affected facilities.

Conditions 24 through 30, NSPS Subpart IIII Requirements

Legal Basis: NSPS Subpart IIII applies to stationary compression ignition internal combustion engines (CI ICE) that commence construction, modification, or reconstruction after July 11, 2005 where the stationary CI ICEs are manufactured after April 1, 2006 for non-fire pump engines and manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006 for fire pump engines.

³ “Affected facility” means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 C.F.R. 60.2.

⁴ “Existing facility” means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 C.F.R. 60.2.

EU ID 4a is a non-emergency CI ICE that meets the applicability criteria of Subpart IIII under 40 C.F.R. 60.4200(a)(2)(i) and (ii).

Factual Basis: These conditions incorporate the Subpart IIII emissions standards applicable to EU ID 4a. The Permittee may not cause or allow this EU to violate these standards. These conditions also include MR&R specified in the subpart. The Permittee is required to operate and maintain the stationary CI ICE according to the manufacturer's written instructions and change only those settings that are permitted by the engine manufacturer for the life of the engine, except as specified in Condition 28.1, in which the provisions of 40 C.F.R. 60.4211(g) and 60.4212 will apply.

Emission standards that apply to Subpart IIII-affected CI ICE depend on several factors, including, but not limited to, the unit's purpose (whether emergency or non-emergency), model year, displacement in liters/cylinder (L/cyl), and location. Some of this information is provided in Table 1 of the permit.

Because the stationary source location meets the definition of "remote Alaska" in 40 C.F.R. 60.4219, the applicable standards and MR&R requirements for EU ID 4a are rooted from the provisions under 40 C.F.R. 60.4216 that specifically address engines used in remote Alaska. In particular, 40 C.F.R. 60.4216(c) allows the Permittee to comply with the applicable emission standards for emergency engines in 40 C.F.R. 60.4202 and 60.4205, and not those for non-emergency engines in 40 C.F.R. 60.4201 and 60.4204, whether the unit is operated as emergency or non-emergency CI ICE. Consequently, as shown in Condition 27, EU ID 4a is subject to EPA Tier 2 for new nonroad CI engines as specified in Table 2 to 40 C.F.R. 1039 Appendix I.

EU ID 4a does not need, and is not equipped with, a diesel particulate filter to comply with the applicable PM standard. Therefore, the provisions regarding diesel particulate filters in 40 C.F.R. 60.4209(b) and 60.4214(c) are not included in the permit.

The Department added Condition 29.1 to gap-fill the reporting requirements should the Permittee elect to use fuels mixed with used lubricating oil. The Department has also added Condition 28.3 to provide compliance monitoring for the fuel requirements under Condition 26.

The NSPS GAPCP requirements provided in 40 C.F.R. 60.4211(a), as reflected in Condition 25, suffices the State GAPCP requirement under 18 AAC 50.346(b)(5). MR&R requirements are provided in Conditions 28 through 29. Provisions for importing or installing stationary CI ICE in previous model years required under 40 C.F.R. 60.4208 are provided in Condition 30.

40 C.F.R. 60.4214 contains notification, reporting, and recordkeeping requirements of NSPS Subpart IIII. Condition 29.2 requires that the Permittee submit the results of performance tests required under NSPS Subpart IIII within 60 days after the date of completing the performance test, in accordance with 40 C.F.R. 60.4214(f). Condition 29.3 provides the option for the Permittee to assert a claim of EPA system outage or force majeure for failure to timely comply with electronic reporting requirements, in accordance with 40 C.F.R. 60.4214(h) and (i).

Condition 29.4 provides an option for the Permittee to maintain records that are required to be maintained by NSPS Subpart IIII and that are submitted electronically via EPA's CEDRI, in an electronic format, in accordance with 40 C.F.R. 60.4214(j). The provisions of 40 C.F.R.

60.4214(f) and (h)-(j) in Condition 29 apply any time performance testing is triggered in Condition 28.1.

The provisions of NSPS Subpart IIII listed in Conditions 24 through 30 are current as amended through August 30, 2024. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 31, NESHAP Subpart A Requirements

Legal Basis: Most sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements are subject to NESHAP Subpart A. This stationary source is subject to 40 C.F.R. 63 Subparts ZZZZ and JJJJJ, and therefore is subject to the general provisions of Subpart A as specified in the provisions for the applicability of NESHAP Subpart A in Table 8 to NESHAP Subpart ZZZZ and in Table 8 to NESHAP Subpart JJJJJ.

Factual Basis: Subpart A contains the general requirements applicable to all affected sources subject to NESHAP. In general, the intent of NESHAP is to regulate specific categories of stationary sources that emit or have the potential to emit one or more hazardous air pollutants.

Conditions 32 through 36, NESHAP Subpart ZZZZ Requirements

Legal Basis: The Department has incorporated by reference the NESHAP requirements for specific industrial activities, as listed in 18 AAC 50.040(c). NESHAP Subpart ZZZZ applies to owners and operators of any existing, new, or reconstructed stationary reciprocating internal combustion engines (RICE), whose construction commenced before June 12, 2006, located at major and area sources of HAP emissions, excluding stationary RICE units being tested at a stationary RICE test cell/stand. Unalaska Seafood Processing Facility is an area source that has RICE units, EU IDs 1, 2, 3a, 5, and 6, subject to NESHAP Subpart ZZZZ.

Factual Basis: These conditions incorporate the current NESHAP Subpart ZZZZ requirements applicable to the existing stationary RICE, EU IDs 1, 2, 3a, 5, and 6. Unalaska Seafood Processing Facility is located in an area of Alaska that is not accessible by the Federal Aid Highway System (FAHS). Per 40 C.F.R. 63.6603(b)(1), existing non-emergency compression ignition (CI) RICE rated greater than 300 Hp (as in the case of EU IDs 1, 2, 3a, 5, and 6) located at area sources that are not accessible by the FAHS do not have to meet the numerical CO emission limitations (therefore, no operational limitations apply as well) under Subpart ZZZZ but must meet the work and management practices for stationary non-emergency CI RICE with a rating of less than or equal to 300 Hp as specified in Table 2d item 1.

For EU IDs 1, 2, 3a, 5, and 6, the Permittee is required to perform inspections and maintenance at intervals specified by the subpart (see Conditions 34.1 through 34.4); as well as, comply with the NESHAP GAPCP requirements, as reflected in Condition 33, which suffices the State GAPCP requirement under 18 AAC 50.346(b)(5).

The Permittee must comply with the recordkeeping requirements of 40 C.F.R. 63.6655(e), 63.6625(i), and 63.6660, as set out in Condition 35. The reporting requirements are provided in Condition 36. The Permittee is required to include reports of deviations from NESHAP Subparts A and ZZZZ requirements with the semiannual operating reports, per 40 C.F.R. 63.6650(f).

The Permittee is exempt from the subpart's fuel requirements per 40 C.F.R. 63.6604(d), and from the notification requirements per 40 C.F.R. 63.6645(a)(5), since none of the affected emissions units are subject to numerical emission standards.

The provisions of NESHAP Subpart ZZZZ listed in Conditions 31 through 35 are current as amended through August 30, 2024. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Conditions 37 through 41, NESHAP Subpart JJJJJ

Legal Basis: NESHAP Subpart JJJJJ is a federal rule that took effect on May 20, 2011. This subpart applies to owners and operators of industrial, commercial, or institutional boiler as defined in 40 C.F.R. 63.11237 that is located at, or is part of, an area source of HAP emissions. The Unalaska Seafood Processing Facility is an area source of HAP emissions that operates boilers (EU IDs 7 through 10) subject to the provisions of NESHAP Subpart JJJJJ under 40 C.F.R. 63.11194(a)(1) and (b) for existing industrial boilers whose construction or reconstruction commenced on or before June 4, 2010.

Factual Basis: These conditions incorporate the Subpart JJJJJ work or management practices applicable to EU IDs 7 through 10. The Permittee is required to operate and maintain the emissions units according to the manufacturer's emission-related operation and maintenance instructions which provides for the maintenance and operation of the emissions units in a manner consistent with good air pollution control practice for minimizing emissions. The Generally Available Control Technology (GACT) work or management practice standards applicable to EU IDs 7 through 10 are those for existing oil-fired units with a heat input capacity of greater than 5 MMBtu/hr and 10 MMBtu/hr, as set forth in Condition 39. As such, biennial tune-ups for EU IDs 7 through 10 (greater than 5 MMBtu/hr) and a one-time energy assessment for EU IDs 7 and 9 (greater than 10 MMBtu/hr) are required.

The initial tune-ups on EU IDs 7 through 10 as required in 40 C.F.R. 63.11196(a)(1) were completed before March 21, 2012. The one-time energy assessments required in 40 C.F.R. 63.11196(a)(3) and Table 2 (item 16) for EU IDs 7 and 9 (existing oil-fired boilers with heat input capacity of 10 MMBtu/hr and greater) were completed before March 21, 2014. The corresponding Notice of Compliance Status as required under 40 C.F.R. 63.11214(b) for each of EU IDs 7 through 10 has been submitted to EPA and the Department. Therefore, these one-time requirements are no longer included in this renewal permit. The Permittee has completed the required biennial tune-ups in 2019, 2021, 2023, and 2025 according to the 2025 Full Compliance Evaluation Report. Subsequent biennial performance tune-ups are to be conducted no more than 25 months after the previous tune-up.

Recordkeeping and reporting requirements that apply to EU IDs 7 through 10 are provided in Conditions 40 and 41.

The provisions of NESHAP Subpart JJJJJ listed in Conditions 31.2 and 37 through 41 are current as amended through September 14, 2016. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 42, Asbestos NESHAP

Legal Basis: The requirements of 40 C.F.R. 61 are applicable requirements for Title V permitting purposes, as stated in item 4 of the “applicable requirement” definition under 40 C.F.R. 71.2. The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 C.F.R. 61, Subpart M and associated general provisions under Subpart A, as adopted by reference under 18 AAC 50.040(b)(1) and (2)(F). The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation. ADEC received delegation for §61.145 and §61.154 of Subpart M (Asbestos), along with other sections and appendices which are referenced in §61.145, as §61.145 applies to sources required to obtain an operating permit under Alaska's regulations. ADEC has not received delegation for Subpart M for sources not required to obtain an operating permit under Alaska's regulations.

Factual Basis: Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with these federal regulations.

Condition 43, Chemical Accident Prevention Provisions

Legal Basis: This condition applies because the Permittee has more than a threshold quantity of a regulated substance in a process, as determined by 40 C.F.R. 68.115.

Factual Basis: The Permittee must comply with any applicable requirements under 40 C.F.R. 68, including the Risk Management Plan provisions of 40 C.F.R. 68.190. The Permittee utilizes greater than 10,000 pounds of anhydrous ammonia as refrigerant.

The Permittee operates various refrigeration equipment (labeled as EU ID 12 in Table #) at the stationary source. This group has been part of the facility for many years and includes 11 Compressors (3,000 Hp, run on electricity produced by the source's power plant), 44,000 lbs of Ammonia, Cold Storage, Spiral Freezer, Tunnel Freezer, 5 Blast Freezers, 2 Brine Freezers, 26 Plate Freezers, 2 Ice Makers, and 7 Chillers. EU ID 12 is subject to the requirements of 40 C.F.R. 68 for anhydrous ammonia storage.

Conditions 44 through 46, Protection of Stratospheric Ozone, 40 C.F.R. 82

Legal Basis: The requirements of 40 C.F.R. 82 are applicable requirements for Title V permitting purposes, as stated in item 12 of the “applicable requirement” definition under 40 C.F.R. 71.2.

Condition 44 requires compliance with the applicable requirements in 40 C.F.R. 82, as adopted by reference under 18 AAC 50.040(d). The requirements apply if the Permittee engages in the recycling or disposal of certain refrigerants. The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants in 40 C.F.R. 82, Subpart F.

Conditions 45 and 46 also require compliance with the applicable requirement adopted under 18 AAC 50.040(d). Condition 45 prohibitions apply to all stationary sources that use substitutes for ozone-depleting compounds. Condition 46 prohibitions apply to all stationary sources that use halon for extinguishing fires and inert gas to reduce explosion risk. These conditions prohibit the Permittee from causing or allowing violations of these requirements.

The Unalaska Seafood Processing Facility uses halon and is therefore subject to the federal regulations contained in 40 C.F.R. 82.

Factual Basis: These conditions incorporate applicable 40 C.F.R. 82 requirements. Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to require compliance with this federal regulation.

Condition 47, NESHAP Applicability Determinations

Legal Basis: This condition requires the Permittee to determine NESHAP rule applicability and requires recordkeeping for those determinations if required by the source classification.

Factual Basis: The Permittee has conducted an analysis of the stationary source and determined that it is not a major HAPs stationary source based on emissions. This condition requires the Permittee to notify the Department and EPA if the stationary source becomes an affected source subject to a standard promulgated by EPA under 40 C.F.R. 63 and to keep records of applicability determinations and make those records available to the Department.

Conditions 48 through 50, Standard Terms and Conditions

Legal Basis: These are standard conditions required for all operating permits under 18 AAC 50.345(a) and (e)-(g). As stated in 18 AAC 50.326(j)(3), the standard permit conditions of 18 AAC 50.345 replace the provisions of 40 C.F.R. 71.6(a)(5)-(7).

Factual Basis: These are standard conditions that apply to all permits.

Condition 51, Administration Fees

Legal Basis: This condition requires compliance with the applicable fee requirements in 18 AAC 50.400-403. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 C.F.R. 71.9 is not applicable.

Factual Basis: Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action. The regulations in 18 AAC 50.400-403 specify the amount, payment period, and the frequency of fees applicable to a permit action.

Conditions 52 and 53, Emission Fees

Legal Basis: These conditions require compliance with the applicable fee requirements in 18 AAC 50.410-420. The regulations specify the time period for the assessable emissions and the methods the Permittee may use to calculate assessable emissions. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 C.F.R. 71.9 is not applicable.

Factual Basis: Except as noted in the last paragraph, the Department used the language in SPC I, adopted by reference under 18 AAC 50.346(b), for the permit. SPC I requires the Permittee to pay fees in accordance with the Department's billing regulations. The billing regulations set the due dates for payment of fees based on the billing date. The assessable emissions are the lesser of the stationary source's potential or projected emissions of each air pollutant.

SPC I also allows the Permittee to recalculate the stationary source's assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1), assessable emissions are based on each air pollutant. Therefore, fees shall be paid on any pollutant emitted whether or not the permit contains any limitation for that pollutant.

This standard condition specifies that, unless otherwise approved by the Department, calculations of assessable emissions must be based on actual emissions for the previous calendar year. Since each current year's assessable emissions are based on the previous year, the Department will not give refunds or make additional billings at the end of the current year if the estimated emissions and current year actual emissions do not match.

The Department has modified Condition 52 by deleting the phrase "in quantities 10 tons per year or greater" to match the revision made in 18 AAC 50.410 effective September 7, 2022. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 54, Good Air Pollution Control Practice

Legal Basis: This condition requires compliance with the requirements in 18 AAC 50.346(b)(5) and applies to all emissions units, **except** those subject to an emission standard in 40 C.F.R. 60, 61, or 63, those subject to continuous emission or parametric monitoring requirements, and insignificant emissions units; i.e., except EU IDs 1, 2, 3, 4a, and 5 through 10.

Factual Basis: The condition requires the Permittee to comply with good air pollution control practices for all units.

The Department adopted this condition under 18 AAC 50.346(b) as SPC VI pursuant to AS 46.14.010(e). Records kept in accordance with Condition 54.2 for units subject to GAPCP need to be maintained for 5 years in accordance with Condition 71 even if a unit is no longer subject to this condition.

Maintaining and operating equipment in good working order is fundamental to preventing unnecessary or excess emissions. Standard conditions for monitoring compliance with emission standards are based on the assumption that good maintenance is performed. Without appropriate maintenance, equipment can deteriorate more quickly than with appropriate maintenance. If appropriate maintenance is not applied to the equipment, the Department may have to apply more frequent periodic monitoring requirements (unless the monitoring is already continuous) to ensure that the monitoring results are representative of actual emissions.

The Permittee is required to keep maintenance records to show that proper maintenance procedures were followed, and to make the records available to the Department. The Department may use these records as a trigger for requesting source testing if the records show that an adequate maintenance schedule is not maintained.

Condition 55, Dilution

Legal Basis: This condition reiterates 18 AAC 50.045(a), which prohibits the Permittee from using dilution as an emission control strategy. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

Factual Basis: The condition prohibits the Permittee from diluting emissions as a means of compliance with any standard in 18 AAC 50.

Condition 56, Reasonable Precautions to Prevent Fugitive Dust

Legal Basis: This condition reiterates 18 AAC 50.045(d), which requires a person to use reasonable precautions when handling, storing or transporting bulk materials or engaging in an industrial activity. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

Factual Basis: The Department used the language in SPC X for the permit. The condition requires the Permittee to take reasonable action to prevent particulate matter from being emitted into the ambient air in accordance with 18 AAC 50.045(d).

Condition 57, Stack Injection

Legal Basis: This condition reiterates 18 AAC 50.055(g), which prohibits the Permittee from releasing materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack (i.e., disposing of material by injecting it into a stack). 18 AAC 50.055 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

Stack injection requirements apply to stacks of emissions units at a stationary source constructed or modified after November 1, 1982.

Factual Basis: No specific monitoring for this condition is practical. Compliance is verified by inspections, because the emissions unit or stack would need to be modified to accommodate stack injection.

Condition 58, Air Pollution Prohibited

Legal Basis: This condition requires compliance with 18 AAC 50.110. 18 AAC 50.110 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2. The condition prohibits the Permittee from causing any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property. The Department also included permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) and 71.6(c)(1).

Factual Basis: The Department used the language in SPC II for the permit. This condition spells out how to monitor, record, and report prohibited air pollution. While the other permit conditions and emissions limitations should ensure compliance with this condition, unforeseen emission impacts can cause violations of this standard. These violations would go undetected except for complaints from affected persons. Therefore, to monitor compliance, the Permittee must monitor and respond to complaints.

The Permittee is required to report any complaints and injurious emissions. The Permittee must keep records of the date, time, and nature of all complaints received and summary of the investigation and corrective actions undertaken for these complaints, and must submit copies of these records upon request of the Department.

Condition 59, Technology-Based Emission Standard

Legal Basis: The Permittee is required to take reasonable steps to minimize emissions if unavoidable emergency, malfunction, or non-routine repair activities cause an exceedance of any technology-based emission standard in this permit. This condition requires compliance with the requirement in 18 AAC 50.235. Technology-Based Emission Standard requirements

apply because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, MACT, LAER, NSPS or any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Factual Basis: The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with Condition 75. Excess emission reporting under Condition 75 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 75.

Condition 60, Open Burning

Legal Basis: The condition requires the Permittee to comply with the regulatory requirements in 18 AAC 50.065 when conducting open burning at the stationary source. 18 AAC 50.065 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2. The state open burning regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

Factual Basis: The Permittee may conduct open burning by following the provisions of 18 AAC 50.065 and by following the Department guidelines posted at the website <http://dec.alaska.gov/air/air-permit/open-burn-info>. Condition 60.1 requires the Permittee to keep records to demonstrate compliance with the standards for conducting open burning.

More extensive monitoring and recordkeeping is not warranted because the Permittee does not conduct open burning as a routine part of their business. Also, most of the requirements are prohibitions, which are not easily monitored. Compliance is demonstrated through annual certification required under Condition 77.

Condition 61, Requested Source Tests

Legal Basis: The Permittee is required to conduct source tests as requested by the Department. This requirement is under 18 AAC 50.220(a) and 50.345(k), which are included in the SIP approved by EPA.

Factual Basis: This condition applies because this is a standard condition to be included in all operating permits, as specified in 18 AAC 50.345(a). Compliance is demonstrated through the submission of the required source test plan and report.

Conditions 62 through 64, Operating Conditions, Reference Test Methods, Excess Air Requirements

Legal Basis: Conditions 62 and 64 require compliance with the applicable requirements in 18 AAC 50.220(b) and (c)(3), which are included in the SIP approved by EPA. Condition 63 specifies source test methods, as required by 40 C.F.R. 71.6(a)(3)(i) and 71.6(c)(1). These requirements apply because the Permittee is required by the permit to conduct source tests or a source test may be requested by the Department. The Permittee is required to conduct source tests in the manner set out in Conditions 62 through 64.

Factual Basis: These conditions supplement the specific monitoring requirements stated elsewhere in this permit.

Condition 65, Test Exemption

Legal Basis: This condition incorporates the source test exemption in 18 AAC 50.345(a) regarding visible emissions observations. 18 AAC 50.345(a) is included in the SIP approved by EPA.

Factual Basis: As provided in 18 AAC 50.345(a), the requirements for test plans, notifications and reports do not apply to visible emissions observations by smoke readers, except in connection with required particulate matter testing.

Conditions 66 through 69, Test Deadline Extension, Test Plans, Notifications and Reports

Legal Basis: Condition 66 contains the requirement in 18 AAC 50.345(l), while Conditions 67 through 69 require compliance with the applicable requirements in 18 AAC 50.345(m) through (o). The requirements in 18 AAC 50.345(l) through (o) are included in the SIP approved by the EPA. These requirements constitute standard conditions that must be included in each operating permit, as specified in 18 AAC 50.345(a). Additionally, these requirements apply because the Permittee is required to conduct source tests as set out by this permit or as requested by the Department.

Factual Basis: These standard conditions supplement specific monitoring requirements stated elsewhere in this permit.

Condition 70, Particulate Matter Calculations

Legal Basis: This condition requires the Permittee to reduce particulate matter data in accordance with 18 AAC 50.220(f), which is included in the SIP approved by EPA. It applies when the Permittee tests for compliance with the particulate matter standards in 18 AAC 50.050 or 50.055.

Factual Basis: The condition incorporates a regulatory requirement for particulate matter source tests. This condition supplements specific monitoring requirements stated elsewhere in this permit.

Condition 71, Recordkeeping Requirements

Legal Basis: This condition requires the Permittee to keep records in accordance with 40 C.F.R. 71.6(a)(3)(ii), which the Department adopted by reference under 18 AAC 50.040(j)(4). It also incorporates the general NSPS recordkeeping requirement under 40 C. F. R. 60.7(f), which the Department adopted by reference under 18 AAC 50.040(a)(1).

Factual Basis: The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit. The records being kept provide evidence of compliance with this requirement.

40 C.F.R. 60.7(f) requires records retention for at least two years of the measurements required to be maintained by this Part while 40 C.F.R. 71.6(a)(3)(ii) requires at least five years of records retention. The five-year records retention requirement in Condition 71 satisfies both 40 C.F.R. 60.7(f) and 40 C.F.R. 71.6(a)(3)(ii).

Condition 72, Certification

Legal Basis: All operating permits must contain a requirement to certify permit applications, reports, affirmations, or compliance certification, per 18 AAC 50.345(j). The requirement is a part of the SIP approved by EPA.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. The requirement in 18 AAC 50.345(j) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). 18 AAC 50.345(j) allows the excess emissions reports to be certified with the operating report. However, the Department reminds the Permittee that excess emissions reports must be submitted according to the applicable deadline given in Condition 75 and must not be withheld from the Department until the deadline for submittal of an operating report. This condition supplements the reporting requirements of this permit. The certification statement through electronic signature and options for submittal provide paperless options for reporting without compelling Permittees to any specific means of submission.

Condition 73, Submittals

Legal Basis: This condition applies because the Permittee is required to send reports to the Department and supplements the standard reporting and notification requirements of this permit.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. This condition lists the Department's appropriate address for reports and written notices. This condition states that the Department requires one certified copy of submitted reports (except as otherwise required by the Department or other conditions of the permit) and provides an allowance for either electronic or hard copy document submittals. The condition also directs the Permittee to refer to the submission instructions on the Department's Standard Permit Conditions webpage for additional information regarding document submittals (e.g., the appropriate Department address).

Condition 74, Information Requests

Legal Basis: All operating permits must include a condition that requires the Permittee to furnish certain information upon request, per 18 AAC 50.345(i). The requirement is part of the SIP approved by EPA.

Factual Basis: The requirement in 18 AAC 50.345(i) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). This condition requires the Permittee to submit information requested by the Department.

Condition 75 and Section 12, Excess Emission and Permit Deviation Reports and Notification Form

Legal Basis: This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) and 18 AAC 50.240(c). Also, the Permittee is required to notify the Department when emissions or operations deviate from the requirements of the permit.

Factual Basis: This condition satisfies two state regulations related to excess emissions: the technology-based emission standard regulation and the excess emission regulation.

Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

Except as noted in the last paragraph, the Department used the language in SPCs III and IV, adopted by reference under 18 AAC 50.346(b)(2), for the permit condition. The Department used the Notification Form in SPC IV adopted by reference under 18 AAC 50.346(b)(3), for the notification requirements (see Section 12).

The Department has modified Condition 75.3 and the Notification Form in Section 12 to reflect the electronic submittal requirements in 18 AAC 50.270 using the Department's online form to submit notification of excess emissions and permit deviations beginning September 7, 2023. The electronic notification form is found at the Division of Air Quality's Air Online Services (AOS) system webpage <http://dec.alaska.gov/applications/air/airtoolsweb> using the Permittee Portal option. Submittal through other methods may be allowed only upon written Department approval. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 76, Operating Reports

Legal Basis: The condition specifies reporting requirements as required by 40 C.F.R. 71.6(a)(3)(iii)(A) which the Department has adopted by reference under 18 AAC 50.040(j)(4).

Factual Basis: The Department used the language in SPC VII, adopted by reference under 18 AAC 50.346(b)(6), for the permit condition. The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements identified elsewhere in the permit.

The condition specifies that for the transition periods between an expiring permit and a renewal permit, the Permittee shall ensure that there is date-to-date continuity between the expired permit and the renewal permit such that the Permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified. The Permittee may provide one report accounting for each permit term or condition and the effective permit at that time. Alternatively, the Permittee may choose to provide two reports: one accounting for reporting elements of permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

Condition 77, Annual Compliance Certification

Legal Basis: This condition requires compliance with the requirements in 40 C.F.R. 71.6(c)(5), which the Department adopted by reference under 18 AAC 50.040(j).

Factual Basis: This condition specifies the periodic compliance certification requirements, and specifies a due date for the annual compliance certification.

Condition 77.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified. The Permittee may provide one report certifying compliance with each permit term or condition for each of the effective permits during the certification period, or may choose to provide two reports: one certifying compliance with permit terms and

conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

The Permittee is required to submit to the Department an annual compliance certification report. The Permittee may submit the required report electronically at their discretion.

Condition 78, Triennial Emission Inventory Reporting

Legal Basis: This condition requires the Permittee to submit emissions data to the state so the state is able to satisfy the federal requirement to submit emission inventory data from point sources to the EPA as required under 40 C.F.R. 51.15 and 51.321. The federal emission inventory requirement applies to sources defined as point sources in 40 C.F.R. 51.50. Under 18 AAC 50.275, the state also requires reporting of emissions triennially for stationary sources with an air quality permit, regardless of permit classification. This includes sources that do not meet the federal emission thresholds in Table 1 to Appendix A of 40 C.F.R. 51 Subpart A. The state must report emissions data as described in 40 C.F.R. 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A to EPA.

Factual Basis: Except as noted in the last paragraph, the Department used the language in SPC XV, as adopted by reference under 18 AAC 50.346(b)(8), for the permit condition.

The emission inventory data is due to EPA 12 months after the end of the reporting year (40 C.F.R. 51.30(a)(1) and (b)(1)). Permittees have until April 30th to compile and submit the data to the Department. To expedite the Department's process of transferring data into EPA's electronic reporting system, the Department encourages Permittees to submit the emission inventory through the Department's electronic emission inventory submission system in the Permittee Portal on the Department's Air Online Services webpage <http://dec.alaska.gov/Applications/Air/airtoolsweb/>. A myAlaska account and profile are needed to gain access to the Permittee Portal. Other options are to submit the emission inventory via mail, email, or fax.

Detailed instructions on completing and submitting the emission inventory and the report form are available at the Point Source Emission Inventory page <http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory> by clicking the Emission Inventory Instructions button. The emission inventory instructions and report form may also be obtained by contacting the Department.

To ensure that the Department's electronic system reports complete information to the National Emissions Inventory, stationary sources with air quality permits are required to submit with each report emissions data described in 40 C.F.R. 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A, as applicable. Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds for Type A (large) sources, as listed in Table 1 to Appendix A of 40 C.F.R. 51 Subpart A, are required to report emission inventory data every year for the previous calendar year (also known as the inventory year). For triennial inventory years, Type A sources only need to submit one report, not both an annual report and a separate triennial report.

Stationary sources, excluding owner requested limits (ORLs) issued under 18 AAC 50.225 and preapproved emission limits (PAELs) issued under 18 AAC 50.230, that do not meet any of the emission thresholds for Type A (large) sources are required to report emission inventory

data every third year (i.e., triennially) for the previous inventory year. As of the issue date of this permit, the Unalaska Seafood Processing Facility is required to report triennially under Condition 78.

The Department has modified the triennial reporting requirements under Condition 78 by including stationary sources' PTEs that are below the thresholds for annual reporting for Type A sources, instead of pollutant-specific thresholds for attainment and non-attainment areas. Thus, all stationary sources regardless of permit classification (excluding ORLs and PAELs) are covered under this condition, to capture the new requirements found in 18 AAC 50.275, effective September 7, 2022. Because the stationary source's PTE for criteria pollutants are below the thresholds for every-year emissions inventory reporting, the Department has streamlined SPC XV to include only triennial reporting requirements. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 79, Consistency of Reporting Methodologies

Legal Basis: Condition 79 is from 18 AAC 50.275(a) and requires all stationary sources, regardless of permit classification (with the exception of owner requested limits (ORLs) issued under 18 AAC 50.225 and preapproved emission limits (PAELs) issued under 18 AAC 50.230), to report actual emissions to the state so that the state can meet its obligation under 40 C.F.R. 51. Condition 79.1 is from 18 AAC 50.275(b) and requires consistency on the stationary sources' actual emissions reports submitted for NEI and the state's assessable emissions.

Factual Basis: The regulation was added to 18 AAC 50 on September 7, 2022 so as to include all stationary sources required to report actual emissions for the purpose of federal emissions inventory and to avoid inconsistencies in actual emissions reports submitted. When reporting actual emissions under Condition 78 or assessable emissions under Condition 52.2, consistent emission factors and calculation methods shall be used for all reporting requirements for the stationary source.

Condition 80, NSPS and NESHAP Reports and Waivers

Legal Basis: The Permittee is required to provide the Department a copy of each report submitted to EPA as required for emissions units subject to NSPS or NESHAP federal regulations under 18 AAC 50.326(j)(4). Appendix A to 40 C.F.R. 70 documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

Factual Basis: The condition supplements the specific reporting requirements in 40 C.F.R. 60, 40 C.F.R. 61, and 40 C.F.R. 63. The reports themselves provide monitoring for compliance with this condition. For those notices and report submitted through EPA's online reporting system, CDX-CEDRI, the Permittee is not required to submit a duplicate copy to the Department; a statement about the online submittal in the operating report would suffice.

Condition 81, Federal Electronic Reporting Allowance

Legal Basis: On September 25, 2024, EPA published a notice in the Federal Register (Vol. 89, No. 186, page 78300) allowing stationary sources subject to federal rules to electronically submit reports, notifications, or other submission types to CEDRI, consistent with the provisions of the Cross-Media Electronic Reporting Rule (CROMERR), codified under 40 C.F.R. 3.

Factual Basis: The electronic reporting provisions in Condition 81 is a general advisory option for stationary sources subject to federal rules to facilitate and streamline reporting requirements, in lieu of paper or email format. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. The submittals must be in acceptable digital formats. *Acceptable digital formats* are file types that are compatible with CEDRI or other EPA electronic document receiving system that the Administrator may designate.

Condition 82, Permit Applications and Submittals

Legal Basis: 40 C.F.R. 71.10(d)(1), adopted by reference by the Department under 18 AAC 50.040(j)(7), requires submission of a copy of each permit application to EPA.

Factual Basis: The Department used the language in SPC XIV, adopted by reference under 18 AAC 50.346(b)(7), for the permit condition. The condition directs the applicant to send a copy of each application for modification or renewal of this permit to the EPA. Condition 82.2 lists the methods, in EPA's preferred order, to which the applicant may submit the application documents, as specified in the EPA's February 12, 2024 memorandum guidance for Submitting Air Permits to EPA Region 10. This condition shifts the burden of compliance with 40 C.F.R. 71.10(d)(1) from the Department to the Permittee as allowed under 40 C.F.R. 71.10(d)(1).

Conditions 83 through 85, Permit Changes and Revisions Requirements

Legal Basis: The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under 18 AAC 50.326(j)(4). 40 C.F.R. 71.6(a)(8), (12), and (13), incorporated by reference under 18 AAC 50.040(j), require that these provisions be included in operating permits.

Factual Basis: 40 C.F.R. 71.6(a)(12) and (13), as reflected in Conditions 84 and 85, respectively, specify changes that may be made without a permit revision, and 40 C.F.R. 71.6(a)(8) (Condition 83) states permit revisions are not required for some emissions trading and similar programs.

The Permittee did not request trading of emission increases and decreases as described in 40 C.F.R. 71.6(a)(13)(iii); therefore, language addressing these provisions has not been included in this permit as part of Condition 83.

Condition 86, Permit Renewal

Legal Basis: The Permittee must submit a timely and complete operating permit renewal application if the Permittee intends to continue source operations in accordance with the operating permit program. The obligations for a timely and complete operating permit application are in 40 C.F.R. 71.5(a)-(c), adopted by reference in 18 AAC 50.040(j)(3), and 18 AAC 50.326(c).

Factual Basis: In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the stationary source as listed in this condition, according to the submittal instructions in Conditions 73 and 82. As stated in 40 C.F.R. 71.5(a)(1)(iii),

submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 40 C.F.R. 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 C.F.R. 71.5(c) and remits payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 C.F.R. 71.7(b) states that if a source submits a timely and complete application for permit issuance (including renewal), the source's failure to have a permit is not a violation until the permitting authority takes final action on the permit application.

Therefore, as long as an application has been submitted within the timeframe specified under 40 C.F.R. 71.5(a)(1)(iii) and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Department any additional information needed to process the application.

Conditions 87 through 91, General Compliance Requirements

Legal Basis: These conditions require compliance with the applicable requirements in 18 AAC 50.345(b) through (d) and (h) and 40 C.F.R. 71.6(c)(3). As stated in 18 AAC 50.345(a), the requirements in 18 AAC 50.345(b) through (d) and (h) are standard conditions that must be included in all operating permits issued by the Department.

Factual Basis: These are standard conditions for compliance required for all operating permits.

Conditions 92 and 93, Permit Shield

Legal Basis: These conditions require compliance with the requirements in 40 C.F.R. 71.6(f), which the Department has adopted by reference under 18 AAC 50.040(j)(4). These requirements apply because the Permittee has requested that the Department shield the stationary source from specific non-applicable requirements listed under this condition.

Factual Basis: Table 4 of Operating Permit No. AQ0241TVP06 shows the permit shield that the Department granted to the Permittee. The Department based the determinations on the permit application, past operating permit, Title I permits, and inspection reports. Should any of the shielded requirements become applicable during the permit term, the Permittee is required to take necessary steps to comply with all applicable requirements in a timely manner.