

APPENDIX B

STATE RESPONSE TO VY OPT-OUT APPLICATION (NOVEMBER 20, 1995)



HISTORICAL INFORMATION  
STATE RESPONSE TO VY OPT-OUT APPLICATION-  
State of Vermont

Department of Fish and Wildlife  
Department of Forests, Parks and Recreation  
Department of Environmental Conservation  
Eros Geology  
RELAY SERVICE FOR THE HEARING IMPAIRED:  
1-800-253-0191 TDD-Voice  
1-800-253-0185 Voice-TDD

AGENCY OF NATURAL RESOURCES  
Department of Environmental Conservation

Air Pollution Control Division  
Building Three South  
103 South Main Street  
Waterbury, VT 05671-0402  
Phone: (802) 241-3840  
FAX: (802) 241-2590

November 20, 1995

Mr. G. Dean Weyman  
Vermont Yankee Nuclear Power Station  
RD 5, Box 169  
Ferry Road  
Brattleboro, VT 05301

RE: Limiting Allowable Emissions / Opt-Out Application # OP-95-038

Dear Mr. Weyman:

The Vermont Agency of Natural Resources Air Pollution Control Division (APCD) has received your application to limit the allowable emissions from Vermont Yankee Nuclear Power Station (VYNPS). Pursuant to Section 5-1016 of the *Vermont Air Pollution Control Regulations (Regulations)*, if a stationary source which is not a Title V Subject Source demonstrates that actual emissions of air contaminants have not exceeded ten tons per year, the source need not secure an air pollution control operating permit. VYNPS has submitted such a demonstration to the APCD for approval.

The APCD has reviewed VYNPS's demonstration and finds the submittal adequately confirms that actual emissions have not exceeded 10 tons per year. In addition, VYNPS is not a Title V Subject Source as defined in the *Regulations*. Therefore, your opt-out application is approved. VYNPS need not apply for or obtain an air pollution control operating permit at this time, subject to the conditions listed below.

CONDITIONS

- (1) VYNPS may not increase emissions of air contaminants above 10 tons per year without prior submittal of operating permit application and receipt of an air pollution control operating permit consistent with the requirement of Subchapter X of the *Regulations*.
- (2) Should the U.S. Environmental Protection Agency promulgate a federal New Source Performance Standard (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAPs) that applies to the operations performed by VYNPS, then VYNPS must submit an operating permit

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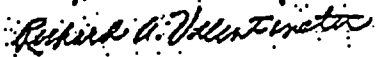
APPENDIX B (Continued)

application and receive an air pollution control operating permit consistent with the requirement of Subchapter X of the *Regulations*.

- (3) VYNPS must submit an annual registration to the APCD in accordance with the procedures of Subchapter VIII of the *Regulations*. The annual registration must certify that actual emission of air contaminants for the preceding year not exceed ten tons. The APCD will forward to VYNPS a registration form during the month of December along with a certification statement to be signed by an official representative of VYNPS. It is VYNPS's responsibility to ensure all the required forms are completed and returned to APCD. As part of registration process, VYNPS must report information on its operations including: annual solvent usage and fuel consumption.
- (4) All records required to be maintained by the APCD shall be kept on-site for a period of five years from the date of record, and shall be made available to representatives of the APCD upon their request.

I trust this letter explains your obligations for limiting allowable emissions in order to avoid the need to obtain an air pollution control operating permit. If you have any questions whatsoever, please contact Brian Fitzgerald of my staff at (802) 241-3848.

Sincerely,



Richard A. Valentinetti, Director  
Air Pollution Control Division