



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM**

**STATE ONLY OPERATING PERMIT**

Issue Date: October 29, 2019

Effective Date: November 1, 2019

Expiration Date: October 31, 2024

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable unless otherwise designated.

**State Only Permit No: 67-05028**

Synthetic Minor

Federal Tax Id - Plant Code: 84-1868431-1

**Owner Information**

Name: TOLNA POWER, LLC  
Mailing Address: 315 RIEGELSVILLE RD  
MILFORD, NJ 08848-1888

**Plant Information**

Plant: TOLNA POWER LLC/TOLNA GS  
Location: 67 York County 67930 Hopewell Township  
SIC Code: 4911 Trans. & Utilities - Electric Services

**Responsible Official**

Name: NEIL MACINTOSH  
Title: PLANT MANAGER  
Phone: (908) 995 - 6922

**Permit Contact Person**

Name: CRAIG MONTAGUE  
Title: CT SUPERVISOR  
Phone: (717) 334 - 7000

[Signature] \_\_\_\_\_  
*WILLIAM R. WEAVER, SOUTH CENTRAL REGION AIR PROGRAM MANAGER*



## SECTION A. Table of Contents

### Section A. Facility/Source Identification

Table of Contents  
Site Inventory List

### Section B. General State Only Requirements

- #001 Definitions.
- #002 Operating Permit Duration.
- #003 Permit Renewal.
- #004 Operating Permit Fees under Subchapter I.
- #005 Transfer of Operating Permits.
- #006 Inspection and Entry.
- #007 Compliance Requirements.
- #008 Need to Halt or Reduce Activity Not a Defense.
- #009 Duty to Provide Information.
- #010 Revising an Operating Permit for Cause.
- #011 Operating Permit Modifications
- #012 Severability Clause.
- #013 De Minimis Emission Increases.
- #014 Operational Flexibility.
- #015 Reactivation
- #016 Health Risk-based Emission Standards and Operating Practice Requirements.
- #017 Circumvention.
- #018 Reporting Requirements.
- #019 Sampling, Testing and Monitoring Procedures.
- #020 Recordkeeping.
- #021 Property Rights.
- #022 Alternative Operating Scenarios.

### Section C. Site Level State Only Requirements

- C-I: Restrictions
- C-II: Testing Requirements
- C-III: Monitoring Requirements
- C-IV: Recordkeeping Requirements
- C-V: Reporting Requirements
- C-VI: Work Practice Standards
- C-VII: Additional Requirements
- C-VIII: Compliance Certification
- C-IX: Compliance Schedule

### Section D. Source Level State Only Requirements

- D-I: Restrictions
- D-II: Testing Requirements
- D-III: Monitoring Requirements
- D-IV: Recordkeeping Requirements
- D-V: Reporting Requirements
- D-VI: Work Practice Standards
- D-VII: Additional Requirements

Note: These same sub-sections are repeated for each source!

### Section E. Source Group Restrictions

- E-I: Restrictions
- E-II: Testing Requirements
- E-III: Monitoring Requirements



## **SECTION A. Table of Contents**

- E-IV: Recordkeeping Requirements
- E-V: Reporting Requirements
- E-VI: Work Practice Standards
- E-VII: Additional Requirements

### **Section F. Alternative Operating Scenario(s)**

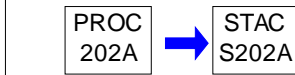
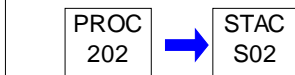
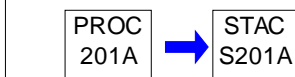
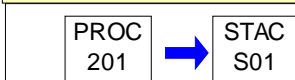
- F-I: Restrictions
- F-II: Testing Requirements
- F-III: Monitoring Requirements
- F-IV: Recordkeeping Requirements
- F-V: Reporting Requirements
- F-VI: Work Practice Standards
- F-VII: Additional Requirements

### **Section G. Emission Restriction Summary**

### **Section H. Miscellaneous**

**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
201	SIMPLE CYCLE COMBUSTION TURBINE (CT1)	2.700 Th Gal/HR	#2 Oil
201A	STARTER DIESEL ENGINE (FOR CT1), 460 HP, CI RICE, #2 OIL, 4Z	25.000 Gal/HR	DIESEL
202	SIMPLE CYCLE COMBUSTION TURBINE (CT2)	2.700 Th Gal/HR	#2 Oil
202A	STARTER DIESEL ENGINE (FOR CT2), 460 HP, CI RICE, #2 OIL, 4Z	25.000 Gal/HR	DIESEL
FML01	#2 FUEL OIL OR LIGHTER STORAGE TANK		
S01	STACK, GAS TURBINE, CT1		
S02	STACK, GAS TURBINE, CT2		
S201A	STACK, STARTER DIESEL ENGINE CT1		
S202A	STACK, STARTER DIESEL ENGINE CT2		

**PERMIT MAPS**

**SECTION B. General State Only Requirements****#001 [25 Pa. Code § 121.1]****Definitions.**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and in 25 Pa. Code § 121.1.

**#002 [25 Pa. Code § 127.446]****Operating Permit Duration.**

- (a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.
- (b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

**#003 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446 & 127.703(b)&(c)]****Permit Renewal.**

- (a) The permittee shall submit a timely and complete application for renewal of the operating permit to the appropriate Regional Air Program Manager. The application for renewal of the operating permit shall be submitted at least six (6) months and not more than 18 months before the expiration date of this permit.
- (b) The application for permit renewal shall include the current permit number, a description of any permit revisions that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.
- (c) The permittee shall submit with the renewal application a fee for the processing of the application and an additional annual administrative fee as specified in 25 Pa. Code § 127.703(b) and (c). The fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund" and shall be for the amount specified in the following schedule specified in 25 Pa. Code § 127.703(b) and (c).
- (1) Three hundred dollars for applications filed during the 2000-2004 calendar years.
  - (2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.
- (d) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413.
- (e) The application for renewal of the operating permit shall also include submission of supplemental compliance review forms in accordance with the requirements of 25 Pa. Code § 127.412(b) and § 127.412(j).
- (f) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information as necessary to address any requirements that become applicable to the source after the permittee submits a complete application, but prior to the date the Department takes action on the permit application.

**#004 [25 Pa. Code § 127.703]****Operating Permit Fees under Subchapter I.**

- (a) The permittee shall pay fees according to the following schedule specified in 25 Pa. Code § 127.703(b):
- (1) Three hundred dollars for applications filed during the 2000-2004 calendar years.
  - (2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.

This fee schedule shall apply to the processing of an application for an operating permit as well as the extension,

**SECTION B. General State Only Requirements**

modification, revision, renewal, and re-issuance of each operating permit or part thereof.

(b) The permittee shall pay an annual operating permit administrative fee according to the fee schedule established in 25 Pa. Code § 127.703(c).

(1) Two hundred fifty dollars for applications filed during the 1995-1999 calendar years.

(2) Three hundred dollars for applications filed during the 2000-2004 calendar years.

(3) Three hundred seventy-five dollars for applications filed during the years beginning in 2005.

(c) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund".

**#005 [25 Pa. Code §§ 127.450 (a)(4) and 127.464]****Transfer of Operating Permits.**

(a) This operating permit may not be transferred to another person, except in cases of transfer-of-ownership that are documented and approved by the Department.

(b) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership of the source shall be treated as an administrative amendment if the Department determines that no other change in the permit is required and a written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee and a compliance review form has been submitted to, and the permit transfer has been approved by, the Department.

(c) This operating permit is valid only for those specific sources and the specific source locations described in this permit.

**#006 [25 Pa. Code § 127.441 and 35 P.S. § 4008]****Inspection and Entry.**

(a) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Department or authorized representatives of the Department to perform the following:

(1) Enter at reasonable times upon the permittee's premises where a source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, any facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;

(4) Sample or monitor, at reasonable times, any substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act or regulations adopted thereunder including denying the Department access to a source at this facility. Refusal of entry or access may constitute grounds for permit revocation and assessment of criminal and/or civil penalties.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

**#007 [25 Pa. Code §§ 127.441 & 127.444]****Compliance Requirements.**

(a) The permittee shall comply with the conditions of this operating permit. Noncompliance with this permit constitutes

**SECTION B. General State Only Requirements**

a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one or more of the following:

- (1) Enforcement action
- (2) Permit termination, revocation and reissuance or modification
- (3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source which is subject to 25 Pa. Code Article III unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued for the source is operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this State-Only permit. Nothing in this sub-condition shall be construed to create an independent affirmative duty upon the permittee to obtain a predetermination from the Department for physical configuration or engineering design detail changes made by the permittee.

**#008 [25 Pa. Code § 127.441]****Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for the permittee in an enforcement action that it was necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**#009 [25 Pa. Code §§ 127.442(a) & 127.461]****Duty to Provide Information.**

(a) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of each source at the facility.

(b) The permittee shall furnish to the Department, in writing, information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to maintain in accordance with this permit.

**#010 [25 Pa. Code § 127.461]****Revising an Operating Permit for Cause.**

This operating permit may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

- (1) The permittee constructs or operates the source subject to the operating permit so that it is in violation of the Air Pollution Control Act, the Clean Air Act, the regulations thereunder, a plan approval, a permit or in a manner that causes air pollution.
- (2) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.
- (3) The permittee has failed to submit a report required by the operating permit or an applicable regulation.
- (4) The EPA determines that the permit is not in compliance with the Clean Air Act or the regulations thereunder.

**#011 [25 Pa. Code §§ 127.450 & 127.462]****Operating Permit Modifications**

(a) The permittee is authorized to make administrative amendments, minor operating permit modifications and

**SECTION B. General State Only Requirements**

significant operating permit modifications, under this permit, as outlined below:

(b) Administrative Amendments. The permittee shall make administrative operating permit amendments (as defined in 25 Pa. Code § 127.450(a)), according to procedures specified in § 127.450 unless precluded by the Clean Air Act or its regulations.

(c) Minor Operating Permit Modifications. The permittee shall make minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Permit modifications which do not qualify as minor permit modifications under 25 Pa. Code § 127.541 will be treated as a significant operating permit revision subject to the public notification procedures in §§ 127.424 and 127.425.

**#012 [25 Pa. Code § 127.441]****Severability Clause.**

The provisions of this permit are severable, and if any provision of this permit is determined by a court of competent jurisdiction to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

**#013 [25 Pa. Code § 127.449]****De Minimis Emission Increases.**

(a) This permit authorizes de minimis emission increases in accordance with 25 Pa. Code § 127.449 so long as the permittee provides the Department with seven (7) days prior written notice before commencing any de minimis emissions increase. The written notice shall:

(1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.

(2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

(b) The Department may disapprove or condition de minimis emission increases at any time.

(c) Except as provided below in (d), the permittee is authorized to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

(1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

(2) One ton of NO<sub>x</sub> from a single source during the term of the permit and 5 tons of NO<sub>x</sub> at the facility during the term of the permit.

(3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM<sub>10</sub> from a single source during the term of the permit and 3.0 tons of PM<sub>10</sub> at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) In accordance with § 127.14, the permittee is authorized to install the following minor sources without the need for a plan approval or permit modification:



**SECTION B. General State Only Requirements**

- (1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.
  - (2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.
  - (3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code §123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.
  - (4) Space heaters which heat by direct heat transfer.
  - (5) Laboratory equipment used exclusively for chemical or physical analysis.
  - (6) Other sources and classes of sources determined to be of minor significance by the Department.
- (e) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:
- (1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (c)(4) and (5) of this permit condition.
  - (2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.
  - (3) Violate any applicable requirement of this permit, the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.
- (f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.
- (g) Except for de minimis emission increases, installation of minor sources made pursuant to this permit condition and Plan Approval Exemptions under 25 Pa. Code § 127.14 (relating to exemptions), the permittee is prohibited from making changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.
- (h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

**#014 [25 Pa. Code § 127.3]****Operational Flexibility.**

The permittee is authorized to make changes within the facility in accordance with the regulatory provisions outlined in 25 Pa. Code § 127.3 (relating to operational flexibility) to implement the operational flexibility requirements provisions authorized under Section 6.1(i) of the Air Pollution Control Act and the operational flexibility terms and conditions of this permit. The provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements include the following:

- (1) Section 127.14 (relating to exemptions)
- (2) Section 127.447 (relating to alternative operating scenarios)
- (3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)
- (4) Section 127.449 (relating to de minimis emission increases)
- (5) Section 127.450 (relating to administrative operating permit amendments)

**SECTION B. General State Only Requirements**

(6) Section 127.462 (relating to minor operating permit modifications)

(7) Subchapter H (relating to general plan approvals and general operating permits)

**#015 [25 Pa. Code § 127.11]****Reactivation**

(a) The permittee may not reactivate a source that has been out of operation or production for at least one year unless the reactivation is conducted in accordance with a plan approval granted by the Department or in accordance with reactivation and maintenance plans developed and approved by the Department in accordance with 25 Pa. Code § 127.11a(a).

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

**#016 [25 Pa. Code § 127.36]****Health Risk-based Emission Standards and Operating Practice Requirements.**

(a) When needed to protect public health, welfare and the environment from emissions of hazardous air pollutants from new and existing sources, the permittee shall comply with the health risk-based emission standards or operating practice requirements imposed by the Department, except as precluded by §§ 6.6(d)(2) and (3) of the Air Pollution Control Act [35 P.S. § 4006.6(d)(2) and (3)].

(b) A person challenging a performance or emission standard established by the Department has the burden to demonstrate that performance or emission standard does not meet the requirements of Section 112 of the Clean Air Act.

**#017 [25 Pa. Code § 121.9]****Circumvention.**

No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of 25 Pa. Code Article III, except that with prior approval of the Department, the device or technique may be used for control of malodors.

**#018 [25 Pa. Code §§ 127.402(d) & 127.442]****Reporting Requirements.**

(a) The permittee shall comply with the applicable reporting requirements of the Clean Air Act, the regulations thereunder, the Air Pollution Control Act and 25 Pa. Code Article III including Chapters 127, 135 and 139.

(b) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of any air contamination source.

(c) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager  
PA Department of Environmental Protection  
(At the address given in the permit transmittal letter, or otherwise notified)

(d) Any records or information including applications, forms, or reports submitted pursuant to this permit condition shall contain a certification by a responsible official as to truth, accuracy and completeness. The certifications submitted under this permit shall require a responsible official of the facility to certify that based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate and complete.

(e) Any records, reports or information submitted to the Department shall be available to the public except for such

**SECTION B. General State Only Requirements**

records, reports or information which meet the confidentiality requirements of § 4013.2 of the Air Pollution Control Act and §§ 112(d) and 114(c) of the Clean Air Act. The permittee may not request a claim of confidentiality for any emissions data generated for the facility.

**#019 [25 Pa. Code §§ 127.441(c) & 135.5]****Sampling, Testing and Monitoring Procedures.**

(a) The permittee shall comply with the monitoring, recordkeeping or reporting requirements of 25 Pa. Code Chapter 139 and the other applicable requirements of 25 Pa. Code Article III and additional requirements related to monitoring, reporting and recordkeeping required by the Clean Air Act and the regulations thereunder including the Compliance Assurance Monitoring requirements of 40 CFR Part 64, where applicable.

(b) Unless alternative methodology is required by the Clean Air Act and regulations adopted thereunder, sampling, testing and monitoring required by or used by the permittee to demonstrate compliance with any applicable regulation or permit condition shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139.

**#020 [25 Pa. Code §§ 127.441(c) and 135.5]****Recordkeeping.**

(a) The permittee shall maintain and make available, upon request by the Department, the following records of monitored information:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of the analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of any required monitoring data and supporting information for at least five (5) years from the date of the monitoring, sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions.

**#021 [25 Pa. Code § 127.441(a)]****Property Rights.**

This permit does not convey any property rights of any sort, or any exclusive privileges.

**#022 [25 Pa. Code § 127.447]****Alternative Operating Scenarios.**

The permittee is authorized to make changes at the facility to implement alternative operating scenarios identified in this permit in accordance with 25 Pa. Code § 127.447.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

The permittee shall not allow the emission into the outdoor atmosphere of fugitive air contaminant from a source other than the following:

- (a) Construction or demolition of buildings or structures.
- (b) Grading, paving and maintenance of roads and streets.
- (c) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.
- (d) Clearing of land.
- (e) Stockpiling of materials.
- (f) Open burning operations.
- (g) Sources and classes of sources other than those identified above, for which the operator has obtained a determination from the Department, in accordance with 25 Pa Code §123.1(b), that fugitive emissions from the source, after appropriate control, meet the following requirements:

(1) The emissions are of minor significance with respect to causing air pollution; and

(2) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

**# 002 [25 Pa. Code §123.2]****Fugitive particulate matter**

The permittee shall not allow the emission of particulate matter into the outdoor atmosphere from a source specified in 25 Pa. Code §§123.1 if the emissions are visible at the point the emissions pass outside the permittee's property.

**# 003 [25 Pa. Code §123.31]****Limitations**

The permittee shall not allow the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the permittee's property.

**# 004 [25 Pa. Code §123.41]****Limitations**

The permittee shall not allow the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (a) Equal to or greater than 20 percent for a period or periods aggregating more than three minutes in any one hour.
- (b) Equal to or greater than 60 percent at any time.

**# 005 [25 Pa. Code §123.42]****Exceptions**

The emission limitations of Section C, Condition #004 shall not apply when:

- (a) The presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (b) The emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.

**SECTION C. Site Level Requirements**

(c) The emission results from sources specified in Section C, Condition #001, (relating to prohibition of certain fugitive emissions).

**# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall limit the facility's annual emissions to less than the following thresholds during any consecutive 12-month period:

- (a) 100 tons per year (TPY) of NO<sub>x</sub>.
- (b) 100 TPY of carbon monoxide (CO).
- (c) 50 TPY of volatile organic compounds (VOC).
- (d) 100 TPY of sulfur oxides (SO<sub>x</sub>) expressed as sulfur dioxide (SO<sub>2</sub>).
- (e) 100 TPY of PM-10 (particulate matter having an effective aerodynamic diameter less than or equal to a nominal 10 micron body).
- (f) 100 TPY of PM-2.5 (particulate matter having an effective aerodynamic diameter less than or equal to a nominal 2.5 micron body).
- (g) 10 TPY of any individual hazardous air pollutant (HAP).
- (h) 25 TPY of aggregate HAPs.

Compliance verification requires emissions to be calculated for each month and each consecutive 12-month period for the controlling pollutant in conjunction with Section E, Group No. 1, Condition #006(b) and (c). For this site the controlling pollutant is NO<sub>x</sub>.

**II. TESTING REQUIREMENTS.****# 007 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

- (a) The Department reserves the right to require exhaust stack testing of the sources referenced in this permit to measure emissions for purposes including verification of permit condition compliance and estimation of annual emissions.
- (b) All performance tests shall be conducted in accordance with the Department's source testing procedures described in the latest Source Testing Manual referenced in 25 Pa Code §139.4(5).

**III. MONITORING REQUIREMENTS.****# 008 [25 Pa. Code §123.43]****Measuring techniques**

Visible air contaminants may be measured using either of the following:

- (a) A device approved by the Department and maintained to provide accurate opacity measurements.
- (b) Observers, trained and certified in EPA Method 9 to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

**# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall, at least once per calendar year, conduct inspections around the plant periphery during daylight hours when one or more of the electrical generating units (Source IDs 201 - 202) are operating to detect visible emissions, fugitive emissions, and malodorous air contaminants. These inspections are necessary to determine:

**SECTION C. Site Level Requirements**

(a) Visible emissions in excess of the limit stated in Section C, Condition #004. Visible emissions may be measured according to the methods specified in Section C, Condition #008. As an alternative, plant personnel who observe such visible emissions shall report each incident to the Department within four hours of the occurrence and arrange for a certified observer to read the visible emissions.

(b) The presence of fugitive emissions visible beyond the property boundaries as stated in Section C, Condition #002.

(c) The presence of malodorous air contaminants beyond the plant property boundaries as stated in Section C, Condition #003.

**IV. RECORDKEEPING REQUIREMENTS.****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall maintain a logbook for recording the exceedances of malodorous air contaminants, fugitive emissions, and visible emission. The logbook shall include the name of the company representative, the date and time of the monitoring and wind direction. The permittee shall keep record of all inspection of the plant periphery in accordance with Condition #009.

**V. REPORTING REQUIREMENTS.****# 011 [25 Pa. Code §127.442]****Reporting requirements.**

The permittee shall report each malfunction that occurs at this facility that poses an imminent and substantial danger to the public health and safety or the environment or which the permittee should reasonably believe may result in citizen complaints to the Department. For purposes of this condition, a malfunction is defined as any sudden, infrequent and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner that may result in an increase in the emission(s) of air contaminants.

The initial notification shall be made to the Department by telephone no later than two (2) hours after the incident. A followup written notice shall be submitted to the Department within three (3) business days.

(a) The notices shall describe the:

- (1) Name and location of the facility;
- (2) Nature and cause of the malfunction;
- (3) Time when the malfunction was first observed;
- (4) Expected duration of excess emissions, and;
- (5) Estimated rate of emissions.

(b) The permittee shall notify the Department immediately when corrective measures have been accomplished.

(c) Subsequent to the malfunction, the permittee shall submit a full report on the malfunction to the Department within 15 days, if requested.

(d) The permittee shall submit reports on the operation and maintenance of the source to the Regional Air Program manager at such intervals and in such form and detail as may be required by the Department. Information required in the reports may include, but is not limited to, fuel usage, firing rates, hours of operation, and maintenance schedules.

(e) Notices and reports under this conditions shall be submitted to the Department at the following address:

Department of Environmental Protection  
Southcentral Regional Office  
909 Elmerton Avenue, Harrisburg, PA 17110

Telephone reports can be made to the Air Quality Program at 717-705-4886 during normal business hours or to the Department's Emergency Hotline at any time. The Emergency Hotline phone number is changed/updated periodically. The current Emergency Hotline phone number can be found at

**SECTION C. Site Level Requirements**

<https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Pages/default.aspx>. The permittee shall submit a written report of instances of such malfunctions to the Department within three (3) days of the telephone report.

**VI. WORK PRACTICE REQUIREMENTS.****# 012 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

The permittee shall take all reasonable actions to prevent particulate matter from a source identified in Section C, Condition #001 from becoming airborne. These actions shall include, but not be limited to, the following:

- (a) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (b) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (c) Paving and maintenance of roadways.
- (d) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

**# 013 [25 Pa. Code §129.14]****Open burning operations**

- (a) No person shall permit the open burning of material in a manner that:
  - (1) The emissions are visible, at any time, at the point such emissions pass outside the permittee's property.
  - (2) Malodorous air contaminants from the open burning are detectable outside the permittee's property.
  - (3) The emissions interfere with the reasonable enjoyment of life or property.
  - (4) The emissions cause damage to vegetation or property.
  - (5) The emissions are or may be deleterious to human or animal health.
- (b) The above requirements do not apply where the open burning operations result from:
  - (1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.
  - (2) A fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
  - (3) A fire set for the prevention and control of disease or pests, when approved by the Department.
  - (4) A fire set solely for recreational or ceremonial purposes.
  - (5) A fire set solely for cooking food.
- (c) This permit does not constitute authorization to burn solid waste pursuant to Section 610(3) of the Solid Waste Management Act, 35 P.S. Section 6018.610(3), or any other provision of the Solid Waste Management Act.



## **SECTION C. Site Level Requirements**

### **VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

### **VIII. COMPLIANCE CERTIFICATION.**

No additional compliance certifications exist except as provided in other sections of this permit including Section B (relating to State Only General Requirements).

### **IX. COMPLIANCE SCHEDULE.**

No compliance milestones exist.



**SECTION D. Source Level Requirements**

Source ID: 201

Source Name: SIMPLE CYCLE COMBUSTION TURBINE (CT1)

Source Capacity/Throughput: 2.700 Th Gal/HR #2 Oil

Conditions for this source occur in the following groups: 1  
4

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level Requirements**

Source ID: 201A

Source Name: STARTER DIESEL ENGINE (FOR CT1), 460 HP, CI RICE, #2 OIL, 4Z

Source Capacity/Throughput:

25.000 Gal/HR

DIESEL

Conditions for this source occur in the following groups: 3

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level Requirements**

Source ID: 202

Source Name: SIMPLE CYCLE COMBUSTION TURBINE (CT2)

Source Capacity/Throughput: 2.700 Th Gal/HR #2 Oil

Conditions for this source occur in the following groups: 1  
4**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level Requirements**

Source ID: 202A

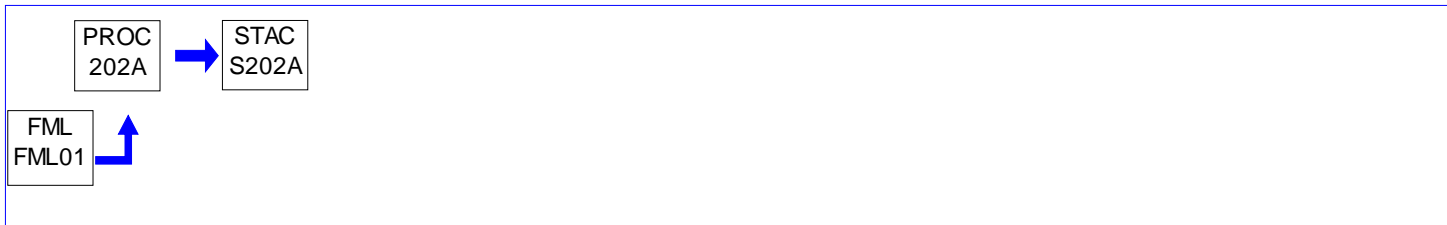
Source Name: STARTER DIESEL ENGINE (FOR CT2), 460 HP, CI RICE, #2 OIL, 4Z

Source Capacity/Throughput:

25.000 Gal/HR

DIESEL

Conditions for this source occur in the following groups: 3

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION E. Source Group Restrictions.**

Group Name: 1

Group Description: G.E. Turbines, No. 2 Oil Fired

Sources included in this group

ID	Name
201	SIMPLE CYCLE COMBUSTION TURBINE (CT1)
202	SIMPLE CYCLE COMBUSTION TURBINE (CT2)

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

The permittee shall not allow the emission into the outdoor atmosphere of particulate matter from the Source IDs 201 and 202 in a manner that the concentration of particulate matter in the effluent gas exceeds 0.03 grain per dry standard cubic foot, as per §123.13(c)(1)(ii).

**# 002 [25 Pa. Code §123.21]****General**

25 PA Code §123.21(b) requires that the permittee shall not allow the emission into the outdoor atmosphere of sulfur oxides from Source IDs 201 and 202 in a manner that the concentration of the sulfur oxides, expressed as SO<sub>2</sub>, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

**# 003 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall limit the combined annual NO<sub>x</sub> emissions for Source IDs 201 and 202 to 98.59 tons based on 12-month running total.

**# 004 Elective Restriction**

The permittee shall limit the sulfur content of fuel oil combusted in the turbines to 0.1 percent weight basis.

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**III. MONITORING REQUIREMENTS.****# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall monitor the fuel sulfur limit on a shipment to shipment basis. The sulfur content in the fuel shall be monitored from the fuel supplier's certification, or by sampling and testing of representative sample(s).

**IV. RECORDKEEPING REQUIREMENTS.****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall record hours of operation on a daily basis and the type and quantity of fuel combusted on monthly basis for Source IDs 201 and 202, when the unit is in use.

(b) The permittee shall calculate monthly emissions of NO<sub>x</sub> and maintain records for at least five (5) years at the site. Records may be maintained off-site if those records are retrievable within 24 hours. These records shall be made available to the Department's representative upon request.

**V. REPORTING REQUIREMENTS.****# 007 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

[Additional authority for this permit condition is derived from operating permit No. 67-2028]

**SECTION E. Source Group Restrictions.**

Annual emissions inventory reports (AIMS) containing, but not limited to, the following data shall be submitted to the Department's Air Quality District Supervisor:

- (a) Source identification
- (b) Monthly fuel usage
- (c) Annual NOx emissions
- (d) Annual turbine operating hours

Each report (January 1 through December 31) is due no later than March 1 of the following year.

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VII. ADDITIONAL REQUIREMENTS.**

**# 008 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

The permittee shall limit the maximum annual heat input combined for Source IDs 201 and 202 at 336,000 million btu from the fuel oil, as per operating permit No. 67-2028.

**SECTION E. Source Group Restrictions.**

Group Name: 3

Group Description: Engine MACT, Subpart ZZZZ, Starting Diesel Engines

Sources included in this group

ID	Name
201A	STARTER DIESEL ENGINE (FOR CT1), 460 HP, CI RICE, #2 OIL, 4Z
202A	STARTER DIESEL ENGINE (FOR CT2), 460 HP, CI RICE, #2 OIL, 4Z

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

The permittee shall not allow the emission into the outdoor atmosphere of particulate matter from Source IDs 201A and 202A in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot, as per §123.13(c)(1)(i).

**# 002 [25 Pa. Code §123.21]****General**

25 Pa. Code §123.21(b) requires that the permittee shall not allow the emission into the outdoor atmosphere of sulfur oxides from Source IDs 201A and 202A in a manner that the concentration of the sulfur oxides, expressed as SO<sub>2</sub>, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**IV. RECORDKEEPING REQUIREMENTS.**

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VII. ADDITIONAL REQUIREMENTS.****# 003 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6585]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****Am I subject to this subpart?**

§ 63.6585 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

**SECTION E. Source Group Restrictions.**

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(e) [NA – NOT USED FOR NATIONAL SECURITY PURPOSES]

(f) [NA – RICE NOT RESIDENTIAL, COMMERCIAL OR INSTITUTIONAL]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008; 78 FR 6700, Jan. 30, 2013]

§ 63.6590 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) Affected source. An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions, excluding stationary RICE being tested at a stationary RICE test cell/stand.

(1) Existing stationary RICE.

(i) [NA – NOT A MAJOR HAP SOURCE]

(ii) [NA – NOT A MAJOR HAP SOURCE]

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) New stationary RICE.

(i) [NA – NOT A MAJOR HAP SOURCE]

(ii) [NA – NOT A MAJOR HAP SOURCE]

(iii) [NA – NOT A NEW SOURCE]

(3) [NA – NOT A RECONSTRUCTED SOURCE]

(b) Stationary RICE subject to limited requirements. (1) An affected source which meets either of the criteria in paragraphs (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6645(f).

(i) [NA – NOT A MAJOR HAP SOURCE]



**SECTION E. Source Group Restrictions.**

(ii) [NA – NOT A MAJOR HAP SOURCE]

(2) [NA – NOT A MAJOR HAP SOURCE AND DOES NOT COMBUST LFG]

(3) The following stationary RICE do not have to meet the requirements of this subpart and of subpart A of this part, including initial notification requirements:

(i) [NA – NOT A MAJOR HAP SOURCE]

(ii) [NA – NOT A MAJOR HAP SOURCE]

(iii) [NA – NOT A MAJOR HAP SOURCE]

(iv) [NA – NOT A MAJOR HAP SOURCE]

(v) [NA – NOT A MAJOR HAP SOURCE AND DOES NOT COMBUST LFG]

(c) [NA – NOT SUBJECT TO SUBPARTS IIII OR JJJJ]

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013]

§ 63.6595 When do I have to comply with this subpart?

(a) Affected sources. (1) If you have an existing stationary RICE, excluding existing non-emergency CI stationary RICE, with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations, operating limitations and other requirements no later than June 15, 2007. IF YOU HAVE an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or AN EXISTING STATIONARY CI RICE LOCATED AT AN AREA SOURCE OF HAP EMISSIONS, YOU MUST COMPLY WITH THE APPLICABLE EMISSION LIMITATIONS, OPERATING LIMITATIONS, AND OTHER REQUIREMENTS NO LATER THAN MAY 3, 2013.

IF YOU HAVE an existing stationary SI RICE with a site rating of less than or equal to 500 brake HP located at a major source of hap emissions, or AN EXISTING STATIONARY SI RICE LOCATED AT AN AREA SOURCE OF HAP EMISSIONS, YOU MUST COMPLY WITH THE APPLICABLE EMISSION LIMITATIONS, OPERATING LIMITATIONS, AND OTHER REQUIREMENTS NO LATER THAN OCTOBER 19, 2013.

(2) [NA – NOT A MAJOR HAP SOURCE]

(3) [NA – NOT A MAJOR HAP SOURCE]

(4) [NA – NOT A MAJOR HAP SOURCE]

(5) [NA – NOT A MAJOR HAP SOURCE]

(6) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

(7) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

(b) Area sources that become major sources. If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major

**SECTION E. Source Group Restrictions.**

source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in § 63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9675, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 78 FR 6701, Jan. 30, 2013]

#### Emission and Operating Limitations

§ 63.6600 What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

[NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

§ 63.6601 What emission limitations must I meet if I own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than or equal to 500 brake HP located at a major source of HAP emissions?

[NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

§ 63.6602 What emission limitations and other requirements must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?

[NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

§ 63.6603 What emission limitations, operating limitations, and other requirements must I meet if I own or operate an existing stationary RICE located at an area source of HAP emissions?

Compliance with the numerical emission limitations established in this subpart is based on the results of testing the average of three 1-hour runs using the testing requirements and procedures in § 63.6620 and Table 4 to this subpart.

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, YOU MUST COMPLY WITH THE REQUIREMENTS IN TABLE 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

#### TABLE 2d REQUIREMENTS:

4. For each EMERGENCY STATIONARY CI RICE and black start stationary CI RICE\*\*, you must meet the following requirement, except during periods of startup:

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first\*;
- b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

5. For each EMERGENCY STATIONARY SI RICE; black start stationary SI RICE; non-emergency, non-black start 4SLB stationary RICE >500 HP that operate 24 hours or less per calendar year; non-emergency, non-black start 4SRB stationary RICE >500 HP that operate 24 hours or less per calendar year\*\*, you must meet the following requirement, except during periods of startup:

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first\*;
- b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and

**SECTION E. Source Group Restrictions.**

c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

\*Sources have the option to utilize an oil analysis program as described in § 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of this subpart.

\*\*If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

[END OF TABLE 2d REQUIREMENTS]

(b) [NA – EMERGENCY ENGINE(S)]

(c) [NA – EMERGENCY ENGINE(S)]

(d) [NA – EMERGENCY ENGINE(S)]

(e) [NA – EMERGENCY ENGINE(S)]

(f) [NA – EMERGENCY ENGINE(S)]

[75 FR 9675, Mar. 3, 2010, as amended at 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6701, Jan. 30, 2013]

§ 63.6604 What fuel requirements must I meet if I own or operate a stationary CI RICE?

(a) [NA – EMERGENCY ENGINE(S)]

(b) Beginning January 1, 2015, if you own or operate an existing emergency CI stationary RICE with a site rating of more than 100 brake HP and a displacement of less than 30 liters per cylinder that uses diesel fuel and operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in § 63.6640(f)(4)(ii), you must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.

(c) [NA – NOT A MAJOR SOURCE]

(d) [NA – NOT IN SPECIFIED GEOGRAPHIC LOCATIONS]

[78 FR 6702, Jan. 30, 2013]

General Compliance Requirements

§ 63.6605 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to you at all times.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are

**SECTION E. Source Group Restrictions.**

being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

[75 FR 9675, Mar. 3, 2010, as amended at 78 FR 6702, Jan. 30, 2013]

**Testing and Initial Compliance Requirements**

§ 63.6610 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?

[NA – NOT A MAJOR HAP SOURCE]

§ 63.6611 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a new or reconstructed 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?

[NA – NOT A MAJOR HAP SOURCE]

§ 63.6612 By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate an existing stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing stationary RICE located at an area source of HAP emissions?

[NA – NO PERFORMANCE TESTING REQUIRED]

§ 63.6615 When must I conduct subsequent performance tests?

[NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

§ 63.6620 What performance tests and other procedures must I use?

[NA – NO PERFORMANCE TESTING REQUIRED]

§ 63.6625 What are my monitoring, installation, collection, operation, and maintenance requirements?

(a) [NA – CEMS NOT REQUIRED]

(b) [NA – CPMS NOT REQUIRED]

(c) [NA – LFG NOT USED]

(d) [NA – NOT A MAJOR HAP SOURCE]

(e) If you own or operate any of the following stationary RICE, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

(1) [NA – NOT A MAJOR HAP SOURCE]

(2) [NA – NOT A MAJOR HAP SOURCE]

(3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;

(4) [NA – EMERGENCY ENGINE(S)]

(5) [NA – EMERGENCY ENGINE(S)]

**SECTION E. Source Group Restrictions.**

(6) [NA – EMERGENCY ENGINE(S)]

(7) [NA – EMERGENCY ENGINE(S)]

(8) [NA – EMERGENCY ENGINE(S)]

(9) [NA – EMERGENCY ENGINE(S)]

(10) [NA – EMERGENCY ENGINE(S)]

(f) If you own or operate an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, you must install a non-resettable hour meter if one is not already installed.

(g) [NA – EMERGENCY ENGINE(S)]

(h) If you operate a new, reconstructed, or existing stationary engine, you must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart apply.

(i) If you own or operate a stationary CI engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

(j) If you own or operate a stationary SI engine that is subject to the work, operation or management practices in items 6, 7, or 8 of Table 2c to this subpart or in items 5, 6, 7, 9, or 11 of Table 2d to this subpart, you have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations, operating limitations, and other requirements?

**SECTION E. Source Group Restrictions.**

(a) You must demonstrate initial compliance with each emission limitation, operating limitation, and other requirement that applies to you according to Table 5 of this subpart. [NA – NONE OF THE CATEGORIES IN TABLE 5 APPLY TO EMERGENCY ENGINES]

(b) [NA – PERFORMANCE TESTING NOT REQUIRED]

(c) [NA – NOCS NOT REQUIRED FOR EXISTING EMERGENCY RICE]

(d) [NA – EMERGENCY ENGINE(S)]

(e) [NA – EMERGENCY ENGINE(S)]

[69 FR 33506, June 15, 2004, as amended at 78 FR 6704, Jan. 30, 2013]

#### Continuous Compliance Requirements

§ 63.6635 How do I monitor and collect data to demonstrate continuous compliance?

[NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requirements?

(a) You must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you according to methods specified in Table 6 to this subpart.

#### TABLE 6 REQUIREMENTS

9. FOR EACH existing emergency and black start stationary RICE  $\leq 500$  HP located at a major source of HAP, existing non-emergency stationary RICE  $< 100$  HP located at a major source of HAP, EXISTING EMERGENCY and black start STATIONARY RICE LOCATED AT AN AREA SOURCE OF HAP, existing non-emergency stationary CI RICE  $\leq 300$  HP located at an area source of HAP, existing non-emergency 2SLB stationary RICE located at an area source of HAP, existing non-emergency stationary SI RICE located at an area source of HAP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, existing non-emergency 4SLB and 4SRB stationary RICE  $\leq 500$  HP located at an area source of HAP, existing non-emergency 4SLB and 4SRB stationary RICE  $> 500$  HP located at an area source of HAP that operate 24 hours or less per calendar year, and existing non-emergency 4SLB and 4SRB stationary RICE  $> 500$  HP located at an area source of HAP that are remote stationary RICE, complying with the requirement to "Work or Management practices", you must demonstrate continuous compliance by:

i. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or

ii. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[END OF TABLE 6 REQUIREMENTS]

(b) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

(c) [NA – ANNUAL COMPLIANCE DEMONSTRATION NOT REQUIRED]

(d) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP

**SECTION E. Source Group Restrictions.**

located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE. [EXISTING EMERGENCY RICE AT AREA HAP SOURCES ARE NOT AMONG THOSE EXEMPTED FROM THIS SECTION]

(f) If you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

(1) There is no time limit on the use of emergency stationary RICE in emergency situations.

(2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs (f)(2)(i) through (iii) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

(ii)-(iii) [VACATED AS OF 5/2/16 PER COURT ORDER]

(3) [NA – NOT A MAJOR HAP SOURCE]

(4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.

(ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage

**SECTION E. Source Group Restrictions.**

collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013]

#### Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate any of the following;

(1) [NA – NOT A MAJOR HAP SOURCE]

(2) [NA PER (5) BELOW]

(3) [NA – NOT A MAJOR HAP SOURCE]

(4) [NA – NOT A MAJOR HAP SOURCE]

(5) THIS REQUIREMENT DOES NOT APPLY IF YOU OWN OR OPERATE an existing stationary RICE less than 100 HP, AN EXISTING STATIONARY EMERGENCY RICE, OR AN EXISTING STATIONARY RICE THAT IS NOT SUBJECT TO ANY NUMERICAL EMISSION STANDARDS.

(b) [NA – NOT A MAJOR HAP SOURCE]

(c) [NA – NOT A MAJOR HAP SOURCE]

(d) [NA – NOT A MAJOR HAP SOURCE]

(e) [NA – NOT A MAJOR HAP SOURCE]

(f) [NA – 63.6590(b) DOES NOT APPLY]

(g) [NA – PERFORMANCE TEST NOT REQUIRED]

(h) [NA – PERFORMANCE TEST NOT REQUIRED]

(i) [NA – EMERGENCY ENGINE(S)]

[73 FR 3606, Jan. 18, 2008, as amended at 75 FR 9677, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6705, Jan. 30, 2013]

§ 63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you.



**SECTION E. Source Group Restrictions.**

## TABLE 7 REQUIREMENTS

4. For each emergency stationary RICE that operate or are contractually obligated to be available for more than 15 hours per year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) or that operate for the purposes specified in § 63.6640(f)(4)(ii), you must submit a Report. The report must contain the information in § 63.6650(h)(1). You must submit the report annually according to the requirements in § 63.6650(h)(2)-(3).

[END OF TABLE 7 REQUIREMENTS]

(b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (b)(9) of this section.

(1) [NA – ANNUAL REPORT REQUIRED, ONLY UNDER CERTAIN CONDITIONS]

(2) [NA – ANNUAL REPORT REQUIRED, ONLY UNDER CERTAIN CONDITIONS]

(3) [NA – ANNUAL REPORT REQUIRED, ONLY UNDER CERTAIN CONDITIONS]

(4) [NA – ANNUAL REPORT REQUIRED, ONLY UNDER CERTAIN CONDITIONS]

(5) [NA – ANNUAL REPORT REQUIRED, ONLY UNDER CERTAIN CONDITIONS]

(6) For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.6595 and ending on December 31.

(7) For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for your affected source in § 63.6595.

(8) For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31.

(9) For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31.

(c) [NA – “COMPLIANCE REPORT” NOT REQUIRED]

(d) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

(e) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]

(f) [NA – NOT SUBJECT TO TITLE V PERMITTING]

(g) [NA – LFG NOT USED]

(h) If you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in § 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section.

(1) The report must contain the following information:

(i) Company name and address where the engine is located.

(ii) Date of the report and beginning and ending dates of the reporting period.

(iii) Engine site rating and model year.

**SECTION E. Source Group Restrictions.**

- (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
  - (v) Hours operated for the purposes specified in § 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(2)(ii) and (iii).
  - (vi) Number of hours the engine is contractually obligated to be available for the purposes specified in § 63.6640(f)(2)(ii) and (iii).
  - (vii) Hours spent for operation for the purpose specified in § 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
  - (viii) If there were no deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.
  - (ix) If there were deviations from the fuel requirements in § 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.
- (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.
- (3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ([www.epa.gov/cdx](http://www.epa.gov/cdx)). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 63.13.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013]

§ 63.6655 What records must I keep?

- (a) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]
- (b) [NA – NO CEMS OR CPMS]
- (c) [NA – LFG NOT USED]
- (d) [NA – NOT SUBJECT TO EMISSION OR OPERATING LIMITATIONS]
- (e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;
  - (1) [NA – NOT A MAJOR HAP SOURCE]
  - (2) An existing stationary emergency RICE.
  - (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to this subpart.
- (f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in § 63.6640(f)(2)(ii) or (iii) or § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.
  - (1) [NA – NOT A MAJOR HAP SOURCE]

**SECTION E. Source Group Restrictions.**

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010; 75 FR 51592, Aug. 20, 2010; 78 FR 6706, Jan. 30, 2013]

§ 63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1).

[69 FR 33506, June 15, 2004, as amended at 75 FR 9678, Mar. 3, 2010]

#### Other Requirements and Information

§ 63.6665 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you. If you own or operate a new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a new or reconstructed stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions specified in Table 8: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing stationary RICE that combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions specified in Table 8 except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE. [EXISTING EMERGENCY RICE AT AREA HAP SOURCES ARE NOT AMONG THOSE EXEMPTED FROM THIS SECTION]

[75 FR 9678, Mar. 3, 2010]

#### Regulatory Changes:

Individual sources within this source group that are subject to 40 CFR Part 63 Subpart ZZZZ -National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines shall comply with all applicable requirements of the Subpart. 40 CFR 63.13(a) requires submission of copies of all requests, reports and other communications to both the Department and the EPA. The EPA copies shall be forwarded to:

Director  
Air Protection Division (3AP00)  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

The Department copies shall be forwarded to:

Regional Air Program Manager  
PA Department of Environmental Protection  
909 Elmerton Avenue

**SECTION E. Source Group Restrictions.**

Harrisburg, PA 17110-8200

In the event that the Federal Subpart that is the subject of this Source Group is revised, the permittee shall comply with the revised version of the subpart, and shall not be required to comply with any provisions in this permit designated as having the subpart as their authority, to the extent that such permit provisions would be inconsistent with the applicable provisions of the revised subpart.

**SECTION E. Source Group Restrictions.**

Group Name: 4

Group Description: CSAPR Requirements

Sources included in this group

ID	Name
201	SIMPLE CYCLE COMBUSTION TURBINE (CT1)
202	SIMPLE CYCLE COMBUSTION TURBINE (CT2)

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]****Subpart AAAAA - CSAPR NOX Annual Trading Program****Standard requirements.**

§ 97.506 Emission Restriction

NOx emissions requirements.

(1) TR NOx Ozone Season emissions limitation.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall hold, in the source's compliance account, TR NOx Ozone Season allowances available for deduction for such control period under §97.524(a) in an amount not less than the tons of total NOx emissions for such control period from all TR NOx Ozone Season units at the source.

(ii) If total NOx emissions during a control period in a given year from the TR NOx Ozone Season units at a TR NOx Ozone Season source are in excess of the TR NOx Ozone Season emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each TR NOx Ozone Season unit at the source shall hold the TR NOx Ozone Season allowances required for deduction under §97.524(d); and

(B) The owners and operators of the source and each TR NOx Ozone Season unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(2) TR NOx Ozone Season assurance provisions.

(i) If total NOx emissions during a control period in a given year from all TR NOx Ozone Season units at TR NOx Ozone Season sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NOx emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NOx Ozone Season allowances available for deduction for such control period under §97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.525(b), of multiplying—

(A) The quotient of the amount by which the common designated representative's share of such NOx emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such NOx emissions exceeds the respective common designated representative's assurance level; and

(B) The amount by which total NOx emissions from all TR NOx Ozone Season units at TR NOx Ozone Season sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.

**SECTION E. Source Group Restrictions.**

(ii) The owners and operators shall hold the TR NOx Ozone Season allowances required under paragraph (c)(2)(i) of this section, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii) Total NOx emissions from all TR NOx Ozone Season units at TR NOx Ozone Season sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total NOx emissions exceed the sum, for such control period, of the State NOx Ozone Season trading budget under §97.510(a) and the State's variability limit under §97.510(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total NOx emissions from all TR NOx Ozone Season units at TR NOx Ozone Season sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total NOx emissions from the TR NOx Ozone Season units at TR NOx Ozone Season sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.

(v) To the extent the owners and operators fail to hold TR NOx Ozone Season allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) of this section,

(A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B) Each TR NOx Ozone Season allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) of this section and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(3) Compliance periods. A TR NOx Ozone Season unit shall be subject to the requirements under paragraphs (c)(1) and (c)(2) of this section for the control period starting on the later of May 1, 2012 or the deadline for meeting the unit's monitor certification requirements under §97.530(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance. (i) A TR NOx Ozone Season allowance held for compliance with the requirements under paragraph (c)(1)(i) of this section for a control period in a given year must be a TR NOx Ozone Season allowance that was allocated for such control period or a control period in a prior year.

(ii) A TR NOx Ozone Season allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) of this section for a control period in a given year must be a TR NOx Ozone Season allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NOx Ozone Season allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

(6) Limited authorization. A TR NOx Ozone Season allowance is a limited authorization to emit one ton of NOx during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the TR NOx Ozone Season Trading Program; and

(ii) Notwithstanding any other provision of this subpart, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR NOx Ozone Season allowance does not constitute a property right.

**# 002 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]**

**Subpart AAAAA - CSAPR NOx Annual Trading Program  
Standard requirements.**

§ 97.606 (c) Emissions Requirements

SO 2 emissions requirements

**SECTION E. Source Group Restrictions.**

(1) TR SO<sub>2</sub>Group 1 emissions limitation. (i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO<sub>2</sub>Group 1 source and each TR SO<sub>2</sub>Group 1 unit at the source shall hold, in the source's compliance account, TR SO<sub>2</sub>Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO<sub>2</sub>emissions for such control period from all TR SO<sub>2</sub>Group 1 units at the source.

(ii) If total SO<sub>2</sub>emissions during a control period in a given year from the TR SO<sub>2</sub>Group 1 units at a TR SO<sub>2</sub>Group 1 source are in excess of the TR SO<sub>2</sub>Group 1 emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each TR SO<sub>2</sub>Group 1 unit at the source shall hold the TR SO<sub>2</sub>Group 1 allowances required for deduction under §97.624(d); and

(B) The owners and operators of the source and each TR SO<sub>2</sub>Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(2) TR SO<sub>2</sub>Group 1 assurance provisions. (i) If total SO<sub>2</sub>emissions during a control period in a given year from all TR SO<sub>2</sub>Group 1 units at TR SO<sub>2</sub>Group 1 sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub>emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR SO<sub>2</sub>Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying—

(A) The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub>emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such SO<sub>2</sub>emissions exceeds the respective common designated representative's assurance level; and

(B) The amount by which total SO<sub>2</sub>emissions from all TR SO<sub>2</sub>Group 1 units at TR SO<sub>2</sub>Group 1 sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.

(ii) The owners and operators shall hold the TR SO<sub>2</sub>Group 1 allowances required under paragraph (c)(2)(i) of this section, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii) Total SO<sub>2</sub>emissions from all TR SO<sub>2</sub>Group 1 units at TR SO<sub>2</sub>Group 1 sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total SO<sub>2</sub>emissions exceed the sum, for such control period, of the State SO<sub>2</sub>Group 1 trading budget under §97.610(a) and the State's variability limit under §97.610(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total SO<sub>2</sub>emissions from all TR SO<sub>2</sub>Group 1 units at TR SO<sub>2</sub>Group 1 sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total SO<sub>2</sub>emissions from the TR SO<sub>2</sub>Group 1 units at TR SO<sub>2</sub>Group 1 sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.

(v) To the extent the owners and operators fail to hold TR SO<sub>2</sub>Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) of this section,

(A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B) Each TR SO<sub>2</sub>Group 1 allowance that the owners and operators fail to hold for such control period in accordance with

**SECTION E. Source Group Restrictions.**

paragraphs (c)(2)(i) through (iii) of this section and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(3) Compliance periods. A TR SO<sub>2</sub>Group 1 unit shall be subject to the requirements under paragraphs (c)(1) and (c)(2) of this section for the control period starting on the later of January 1, 2012 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance. (i) A TR SO<sub>2</sub>Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) of this section for a control period in a given year must be a TR SO<sub>2</sub>Group 1 allowance that was allocated for such control period or a control period in a prior year.

(ii) A TR SO<sub>2</sub>Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) of this section for a control period in a given year must be a TR SO<sub>2</sub>Group 1 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR SO<sub>2</sub>Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

(6) Limited authorization. A TR SO<sub>2</sub>Group 1 allowance is a limited authorization to emit one ton of SO<sub>2</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the TR SO<sub>2</sub>Group 1 Trading Program; and

(ii) Notwithstanding any other provision of this subpart, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR SO<sub>2</sub>Group 1 allowance does not constitute a property right.

**# 003 [40 CFR Part 97 NO<sub>x</sub> Budget Trading Program and CAIR NO<sub>x</sub> and SO<sub>2</sub> Trading Programs §40 CFR 97.406]**

**Subpart AAAAA - CSAPR NO<sub>x</sub> Annual Trading Program  
Standard requirements.**

§ 97.406 (c) Emissions Requirements

NO<sub>x</sub> emissions requirements.

(1) TR NO<sub>x</sub> Annual emissions limitation.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall hold, in the source's compliance account, TR NO<sub>x</sub> Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all TR NO<sub>x</sub> Annual units at the source.

(ii) If total NO<sub>x</sub> emissions during a control period in a given year from the TR NO<sub>x</sub> Annual units at a TR NO<sub>x</sub> Annual source are in excess of the TR NO<sub>x</sub> Annual emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each TR NO<sub>x</sub> Annual unit at the source shall hold the TR NO<sub>x</sub> Annual allowances required for deduction under §97.424(d); and

(B) The owners and operators of the source and each TR NO<sub>x</sub> Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(2) TR NO<sub>x</sub> Annual assurance provisions.

(i) If total NO<sub>x</sub> emissions during a control period in a given year from all TR NO<sub>x</sub> Annual units at TR NO<sub>x</sub> Annual sources in a



**SECTION E. Source Group Restrictions.**

State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NOx emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NOx Annual allowances available for deduction for such control period under §97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.425(b), of multiplying —

(A) The quotient of the amount by which the common designated representative's share of such NOx emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such NOx emissions exceeds the respective common designated representative's assurance level; and

(B) The amount by which total NOx emissions from all TR NOx Annual units at TR NOx Annual sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.

(ii) The owners and operators shall hold the TR NOx Annual allowances required under paragraph (c)(2)(i) of this section, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii) Total NOx emissions from all TR NOx Annual units at TR NOx Annual sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total NOx emissions exceed the sum, for such control period, of the State NOx Annual trading budget under §97.410(a) and the State's variability limit under §97.410(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total NOx emissions from all TR NOx Annual units at TR NOx Annual sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total NOx emissions from the TR NOx Annual units at TR NOx Annual sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.

(v) To the extent the owners and operators fail to hold TR NOx Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) of this section,

(A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B) Each TR NOx Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) of this section and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(3) Compliance periods. A TR NOx Annual unit shall be subject to the requirements under paragraphs (c)(1) and (c)(2) of this section for the control period starting on the later of January 1, 2012 or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance. (i) A TR NOx Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) of this section for a control period in a given year must be a TR NOx Annual allowance that was allocated for such control period or a control period in a prior year.

(ii) A TR NOx Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) of this section for a control period in a given year must be a TR NOx Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NOx Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

**SECTION E. Source Group Restrictions.**

(6) Limited authorization. A TR NO<sub>x</sub> Annual allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i) Such authorization shall only be used in accordance with the TR NO<sub>x</sub> Annual Trading Program; and
  - (ii) Notwithstanding any other provision of this subpart, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (7) Property right. A TR NO<sub>x</sub> Annual allowance does not constitute a property right.

**II. TESTING REQUIREMENTS.**

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**III. MONITORING REQUIREMENTS.**

**# 004 [40 CFR Part 97 NO<sub>x</sub> Budget Trading Program and CAIR NO<sub>x</sub> and SO<sub>2</sub> Trading Programs §40 CFR 97.406] Subpart AAAAA - CSAPR NO<sub>x</sub> Annual Trading Program Standard requirements.**

§ 97.506(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.530 through 97.535.

(2) The emissions data determined in accordance with §§97.530 through 97.535 shall be used to calculate allocations of TR NO<sub>x</sub> Ozone Season allowances under §§97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NO<sub>x</sub> Ozone Season emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**# 005 [40 CFR Part 97 NO<sub>x</sub> Budget Trading Program and CAIR NO<sub>x</sub> and SO<sub>2</sub> Trading Programs §40 CFR 97.406] Subpart AAAAA - CSAPR NO<sub>x</sub> Annual Trading Program Standard requirements.**

§ 97.406 (b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NO<sub>x</sub> Annual source and each TR NO<sub>x</sub> Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435.

(2) The emissions data determined in accordance with §§97.430 through 97.435 shall be used to calculate allocations of TR NO<sub>x</sub> Annual allowances under §§97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NO<sub>x</sub> Annual emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**IV. RECORDKEEPING REQUIREMENTS.**

**# 006 [40 CFR Part 97 NO<sub>x</sub> Budget Trading Program and CAIR NO<sub>x</sub> and SO<sub>2</sub> Trading Programs §40 CFR 97.406] Subpart AAAAA - CSAPR NO<sub>x</sub> Annual Trading Program Standard requirements.**

§ 97.406 (b) Emissions monitoring, reporting, and recordkeeping requirements.

**SECTION E. Source Group Restrictions.**

(1) The owners and operators, and the designated representative, of each TR NOx Annual source and each TR NOx Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435.

(2) The emissions data determined in accordance with §§97.430 through 97.435 shall be used to calculate allocations of TR NOx Annual allowances under §§97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NOx Annual emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

§ 97.406 (e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NOx Annual source and each TR NOx Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under §97.416 for the designated representative for the source and each TR NOx Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.416 changing the designated representative.

(ii) All emissions monitoring information, in accordance with this subpart.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NOx Annual Trading Program.

(2) The designated representative of a TR NOx Annual source and each TR NOx Annual unit at the source shall make all submissions required under the TR NOx Annual Trading Program, except as provided in §97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

**# 007 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]  
Subpart AAAAA - CSAPR NOx Annual Trading Program  
Standard requirements.**

§ 97.506(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.530 through 97.535.

(2) The emissions data determined in accordance with §§97.530 through 97.535 shall be used to calculate allocations of TR NOx Ozone Season allowances under §§97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NOx Ozone Season emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

§ 97.506 (e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

**SECTION E. Source Group Restrictions.**

(i) The certificate of representation under §97.516 for the designated representative for the source and each TR NO<sub>x</sub> Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.516 changing the designated representative.

(ii) All emissions monitoring information, in accordance with this subpart.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NO<sub>x</sub> Ozone Season Trading Program.

(2) The designated representative of a TR NO<sub>x</sub> Ozone Season source and each TR NO<sub>x</sub> Ozone Season unit at the source shall make all submissions required under the TR NO<sub>x</sub> Ozone Season Trading Program, except as provided in §97.518. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

**# 008 [40 CFR Part 97 NO<sub>x</sub> Budget Trading Program and CAIR NO<sub>x</sub> and SO<sub>2</sub> Trading Programs §40 CFR 97.406]  
Subpart AAAAA - CSAPR NO<sub>x</sub> Annual Trading Program  
Standard requirements.**

§ 97.606 (b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.630 through 97.635.

(2) The emissions data determined in accordance with §§97.630 through 97.635 shall be used to calculate allocations of TR SO<sub>2</sub> Group 1 allowances under §§97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO<sub>2</sub> Group 1 emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

§ 97.506 (e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under §97.616 for the designated representative for the source and each TR SO<sub>2</sub> Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative.

(ii) All emissions monitoring information, in accordance with this subpart.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR SO<sub>2</sub> Group 1 Trading Program.

(2) The designated representative of a TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall make all submissions required under the TR SO<sub>2</sub> Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

**SECTION E. Source Group Restrictions.****V. REPORTING REQUIREMENTS.****# 009 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406] Subpart AAAAA - CSAPR NOx Annual Trading Program Standard requirements.**

§ 97.406 (b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NOx Annual source and each TR NOx Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.430 through 97.435.

(2) The emissions data determined in accordance with §§97.430 through 97.435 shall be used to calculate allocations of TR NOx Annual allowances under §§97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NOx Annual emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

§ 97.406 (e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NOx Annual source and each TR NOx Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under §97.416 for the designated representative for the source and each TR NOx Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.416 changing the designated representative.

(ii) All emissions monitoring information, in accordance with this subpart.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NOx Annual Trading Program.

(2) The designated representative of a TR NOx Annual source and each TR NOx Annual unit at the source shall make all submissions required under the TR NOx Annual Trading Program, except as provided in §97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

**# 010 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406] Subpart AAAAA - CSAPR NOx Annual Trading Program Standard requirements.**

§ 97.506(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.530 through 97.535.

(2) The emissions data determined in accordance with §§97.530 through 97.535 shall be used to calculate allocations of TR NOx Ozone Season allowances under §§97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NOx Ozone Season emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

§ 97.506 (e) Additional recordkeeping and reporting requirements.

**SECTION E. Source Group Restrictions.**

(1) Unless otherwise provided, the owners and operators of each TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under §97.516 for the designated representative for the source and each TR NOx Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.516 changing the designated representative.

(ii) All emissions monitoring information, in accordance with this subpart.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NOx Ozone Season Trading Program.

(2) The designated representative of a TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall make all submissions required under the TR NOx Ozone Season Trading Program, except as provided in §97.518. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

**VI. WORK PRACTICE REQUIREMENTS.**

No additional work practice requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VII. ADDITIONAL REQUIREMENTS.**

**# 011 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]  
Subpart AAAAA - CSAPR NOx Annual Trading Program  
Standard requirements.**

§ 97.406 (a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418.

§ 97.406 (d) Title V permit requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NOx Annual allowances in accordance with this subpart.

(2) A description of whether a unit is required to monitor and report NOx emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.430 through 97.435 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with §§70.7(e)(2) and 71.7(e)(1) of this chapter, provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for minor permit modification procedures in accordance with §§70.7(e)(2)(i)(B) and 71.7(e)(1)(i)(B) of this chapter.

§ 97.406 (f) Liability.

(1) Any provision of the TR NOx Annual Trading Program that applies to a TR NOx Annual source or the designated representative of a TR NOx Annual source shall also apply to the owners and operators of such source and of the TR NOx Annual units at the source.

(2) Any provision of the TR NOx Annual Trading Program that applies to a TR NOx Annual unit or the designated representative of a TR NOx Annual unit shall also apply to the owners and operators of such unit.

**SECTION E. Source Group Restrictions.**

## § 97.406 (g) Effect on other authorities

No provision of the TR NOx Annual Trading Program or exemption under §97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NOx Annual source or TR NOx Annual unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

**# 012 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]  
Subpart AAAAA - CSAPR NOx Annual Trading Program  
Standard requirements.**

## § 97.506 (a) Designated representative requirements .

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.513 through 97.518.

## § 97.506 (d) Title V permit requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NOx Ozone Season allowances in accordance with this subpart.

(2) A description of whether a unit is required to monitor and report NOx emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.530 through 97.535 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with §§70.7(e)(2) and 71.7(e)(1) of this chapter, provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for minor permit modification procedures in accordance with §§70.7(e)(2)(i)(B) and 71.7(e)(1)(i)(B) of this chapter.

## § 97.506 (f) Liability.

(1) Any provision of the TR NOx Ozone Season Trading Program that applies to a TR NOx Ozone Season source or the designated representative of a TR NOx Ozone Season source shall also apply to the owners and operators of such source and of the TR NOx Ozone Season units at the source.

(2) Any provision of the TR NOx Ozone Season Trading Program that applies to a TR NOx Ozone Season unit or the designated representative of a TR NOx Ozone Season unit shall also apply to the owners and operators of such unit.

## § 97.506 (g) Effect on other authorities.

No provision of the TR NOx Ozone Season Trading Program or exemption under §97.505 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NOx Ozone Season source or TR NOx Ozone Season unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

**# 013 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]  
Subpart AAAAA - CSAPR NOx Annual Trading Program  
Standard requirements.**

## § 97.606 (a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.613 through 97.618.

## § 97.606 (d) Title V permit requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR SO2Group 1 allowances in accordance with this subpart.



**SECTION E. Source Group Restrictions.**

(2) A description of whether a unit is required to monitor and report SO<sub>2</sub> emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.630 through 97.635 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with §§70.7(e)(2) and 71.7(e)(1) of this chapter, provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for minor permit modification procedures in accordance with §§70.7(e)(2)(i)(B) and 71.7(e)(1)(i)(B) of this chapter.

§ 97.606 (f) Liability.

(1) Any provision of the TR SO<sub>2</sub> Group 1 Trading Program that applies to a TR SO<sub>2</sub> Group 1 source or the designated representative of a TR SO<sub>2</sub> Group 1 source shall also apply to the owners and operators of such source and of the TR SO<sub>2</sub> Group 1 units at the source.

(2) Any provision of the TR SO<sub>2</sub> Group 1 Trading Program that applies to a TR SO<sub>2</sub> Group 1 unit or the designated representative of a TR SO<sub>2</sub> Group 1 unit shall also apply to the owners and operators of such unit.

§ 97.606 (g) Effect on other authorities.

No provision of the TR SO<sub>2</sub> Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR SO<sub>2</sub> Group 1 source or TR SO<sub>2</sub> Group 1 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.





**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.



**SECTION G. Emission Restriction Summary.**

No emission restrictions listed in this section of the permit.

**SECTION H. Miscellaneous.**

#001 This operating permit includes the conditions and operating requirements of the RACT operating permit No. 67-2028. Also, this operating permit is renewal of the original State Only permit issued May 19, 2009.

#002 Insignificant Source List

The following sources do not require any work practice standards or testing, monitoring, recordkeeping and reporting requirements:

(a) #2 Oil Storage Tank, capacity 300,000 gallons.

#003. The capacity /throughput values numbers in Sections A, D, and E are for descriptive purpose only and these are not enforceable limits.

#004. List of Additional Responsible officials for the Tolna Generating Station:

1. Mark A. Gouveia, Senior Vice President  
1360 Post Oak Blvd.  
Suite 2000  
Houston, TX 77056  
Phone: 301-843-4555  
Email: Mark.Gouveia@genon.com



\*\*\*\*\* End of Report \*\*\*\*\*

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