COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date:	November 2, 2020	Effective Date:	February 6, 2023
Revision Date:	February 6, 2023	Expiration Date:	October 31, 2025
Revision Type:	Amendment		

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 applicable requirements unless otherwise designated as "State-Only" or "non-applicable" requirements.

TITLE V Permit No: 03-00975

Federal Tax Id - Plant Code: 26-3631361

Owner Information

Name: ARMSTRONG POWER LLC
Mailing Address: 2313 STATE ROUTE 156
SHELOCTA, PA 15774-3005

Plant Information

Plant: ARMSTRONG POWER/S BEND
Location: 03 Armstrong County 03936 South Bend Township
SIC Code: 4911 Trans. & Utilities - Electric Services

Responsible Official

Name: WILLIAM WEAVER
Title: PLANT MGR
Phone: (724) 354 - 5301 Email: william.weaver@armstrongpowerllc.com

Permit Contact Person

Name: WESTON CRAWFORD
Title: CTS, ENVIRONMENTAL LEAD
Phone: (724) 442 - 5708 Email: weston.crawford@armstrongpowerllc.com

[Signature] _____
ERIC A. GUSTAFSON, NORTHWEST REGION AIR PROGRAM MANAGER

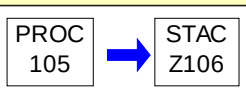
SECTION A. Table of Contents

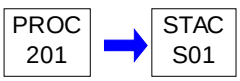
SECTION A. Table of Contents

SECTION A. Site Inventory List

Source ID	Source Name	Capacity/Throughput		Fuel/Material
105	FUEL STORAGE TANKS #1 AND #2	1,000.000	Gal/HR	
		1.000	Th Gal/HR	
201	UNIT 1	1,926.000	MMBTU/HR	
		1.000	MMCF/HR	
		1.000	Th Gal/HR	#2 Oil
202	UNIT 2	1,926.000	MMBTU/HR	
		1.000	MMCF/HR	
		1.000	Th Gal/HR	#2 Oil
203	UNIT 3	1,926.000	MMBTU/HR	
		1.000	MMCF/HR	
		1.000	Th Gal/HR	#2 Oil
204	UNIT 4	1,926.000	MMBTU/HR	
		1.000	MMCF/HR	
		1.000	Th Gal/HR	#2 Oil
301	EMERGENCY GENERATOR 1	28.600	MMBTU/HR	
		1.000	Th Gal/HR	
302	EMERGENCY GENERATOR 2	28.600	MMBTU/HR	
		1.000	Th Gal/HR	
303	EMERGENCY GENERATOR 3	28.600	MMBTU/HR	
		1.000	Th Gal/HR	
304	EMERGENCY GENERATOR 4	28.600	MMBTU/HR	
		1.000	Th Gal/HR	
305	EMERGENCY GENERATOR 5	28.600	MMBTU/HR	
		1.000	Th Gal/HR	
S01	UNIT 1 STACK			
S02	UNIT 2 STACK			
S03	UNIT 3 STACK			
S04	UNIT 4 STACK			
S301	EMERGENCY GENERATOR 1- STACK			
S302	EMERGENCY GENERATOR 2 - STACK			
S303	EMERGENCY GENERATOR 3 - STACK			
S304	EMERGENCY GENERATOR 4- STACK			
S305	EMERGENCY GENERATOR 5 - STACK			
Z106	FUGITIVE EMISSIONS			

PERMIT MAPS





PERMIT MAPS

PROC 202	STAC S02
PROC 203	STAC S03
PROC 204	STAC S04
PROC 301	STAC S301
PROC 302	STAC S302
PROC 303	STAC S303
PROC 304	STAC S304
PROC 305	STAC S305

SECTION B. General Title V 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 25 Pa. Code § 121.1.....

#002 [25 Pa. Code § 121.7]

Prohibition of Air Pollution

No person may permit air pollution as that term is defined in the act.

#003 [25 Pa. Code § 127.512(c)(4)]

Property Rights

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

#004 [25 Pa. Code § 127.446(a) and (c)]

Permit Expiration

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. The terms and conditions of the expired permit shall automatically continue pending issuance of a new Title V 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. 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.

#005 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446(e), 127.503 & 127.704(b)]

Permit Renewal

(a) An application for the renewal of the Title V permit shall be submitted to the Department at least six (6) months, and not more than 18 months, before the expiration date of this permit. The renewal application is timely if a complete application is submitted to the Department's Regional Air Manager within the timeframe specified in this permit condition.

(b) The application for permit renewal shall include the current permit number, the appropriate permit renewal fee, a description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.

(c) 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. The application for renewal of the Title V permit shall also include submission of compliance review forms which have been used by the permittee to update information submitted in accordance with either 25 Pa. Code § 127.412(b) or § 127.412(j).

(d) 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 during the permit renewal process. The permittee shall also promptly provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

#006 [25 Pa. Code §§ 127.450(a)(4) & 127.464(a)]

Transfer of Ownership or Operational Control

(a) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership or operational control of the source shall be treated as an administrative amendment if:

(1) The Department determines that no other change in the permit is necessary;

(2) 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,

(3) A compliance review form has been submitted to the Department and the permit transfer has been approved by

SECTION B. General Title V Requirements

the Department.

(b) In accordance with 25 Pa. Code § 127.464(a), this permit may not be transferred to another person except in cases of transfer-of-ownership which are documented and approved to the satisfaction of the Department.

#007 [25 Pa. Code § 127.513, 35 P.S. § 4008 and § 114 of the CAA]

Inspection and Entry

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

(1) Enter at reasonable times upon the permittee's premises where a Title V 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 or remove, at reasonable times, records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, 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, 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.

(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.

#008 [25 Pa. Code §§ 127.25, 127.444, & 127.512(c)(1)]

Compliance Requirements

(a) The permittee shall comply with the conditions of this permit. Noncompliance with this permit constitutes a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one (1) 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 to the source are 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 Title V permit.

#009 [25 Pa. Code § 127.512(c)(2)]

Need to Halt or Reduce Activity Not a Defense

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

SECTION B. General Title V Requirements

#010 [25 Pa. Code §§ 127.411(d) & 127.512(c)(5)]

Duty to Provide Information

(a) The permittee shall furnish to the Department, within a reasonable time, information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.

(b) Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator of EPA along with a claim of confidentiality.

#011 [25 Pa. Code §§ 127.463, 127.512(c)(3) & 127.542]

Reopening and Revising the Title V Permit for Cause

(a) This Title V permit may be modified, revoked, reopened and reissued or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay a permit condition.

(b) This permit may be reopened, revised and reissued prior to expiration of the permit under one or more of the following circumstances:

(1) Additional applicable requirements under the Clean Air Act or the Air Pollution Control Act become applicable to a Title V facility with a remaining permit term of three (3) or more years prior to the expiration date of this permit. The Department will revise the permit as expeditiously as practicable but not later than 18 months after promulgation of the applicable standards or regulations. No such revision is required if the effective date of the requirement is later than the expiration date of this permit, unless the original permit or its terms and conditions has been extended.

(2) Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the Administrator of EPA, excess emissions offset plans for an affected source shall be incorporated into the permit.

(3) The Department or the EPA determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.

(4) The Department or the Administrator of EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(c) Proceedings to revise this permit shall follow the same procedures which apply to initial permit issuance and shall affect only those parts of this permit for which cause to revise exists. The revision shall be made as expeditiously as practicable.

(d) Regardless of whether a revision is made in accordance with (b)(1) above, the permittee shall meet the applicable standards or regulations promulgated under the Clean Air Act within the time frame required by standards or regulations.

#012 [25 Pa. Code § 127.543]

Reopening a Title V Permit for Cause by EPA

As required by the Clean Air Act and regulations adopted thereunder, this permit may be modified, reopened and reissued, revoked or terminated for cause by EPA in accordance with procedures specified in 25 Pa. Code § 127.543.

#013 [25 Pa. Code § 127.522(a)]

Operating Permit Application Review by the EPA

The applicant may be required by the Department to provide a copy of the permit application, including the compliance plan, directly to the Administrator of the EPA. Copies of title V permit applications to EPA, pursuant to 25 PA Code §127.522(a), shall be submitted, if required, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

SECTION B. General Title V Requirements

#014 [25 Pa. Code § 127.541]

Significant Operating Permit Modifications

When permit modifications during the term of this permit do not qualify as minor permit modifications or administrative amendments, the permittee shall submit an application for significant Title V permit modifications in accordance with 25 Pa. Code § 127.541. Notifications to EPA, pursuant to 25 PA Code §127.522(a), if required, shall be submitted, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#015 [25 Pa. Code §§ 121.1 & 127.462]

Minor Operating Permit Modifications

The permittee may make minor operating permit modifications (as defined in 25 Pa. Code §121.1), on an expedited basis, in accordance with 25 Pa. Code §127.462 (relating to minor operating permit modifications). Notifications to EPA, pursuant to 25 PA Code §127.462(c), if required, shall be submitted, to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

#016 [25 Pa. Code § 127.450]

Administrative Operating Permit Amendments

(a) The permittee may request administrative operating permit amendments, as defined in 25 Pa. Code §127.450(a). Copies of request for administrative permit amendment to EPA, pursuant to 25 PA Code §127.450(c)(1), if required, shall be submitted to the following EPA e-mail box:

R3_Air_Apps_and_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

(b) Upon final action by the Department granting a request for an administrative operating permit amendment covered under §127.450(a)(5), the permit shield provisions in 25 Pa. Code § 127.516 (relating to permit shield) shall apply to administrative permit amendments incorporated in this Title V Permit in accordance with §127.450(c), unless precluded by the Clean Air Act or the regulations thereunder.

#017 [25 Pa. Code § 127.512(b)]

Severability Clause

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

#018 [25 Pa. Code §§ 127.704, 127.705 & 127.707]

Fee Payment

(a) The permittee shall pay fees to the Department in accordance with the applicable fee schedules in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees). The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

(b) Emission Fees. The permittee shall, on or before September 1st of each year, pay applicable annual Title V emission fees for emissions occurring in the previous calendar year as specified in 25 Pa. Code § 127.705. The permittee is not required to pay an emission fee for emissions of more than 4,000 tons of each regulated pollutant emitted from the facility.

(c) As used in this permit condition, the term "regulated pollutant" is defined as a VOC, each pollutant regulated under Sections 111 and 112 of the Clean Air Act and each pollutant for which a National Ambient Air Quality Standard has been promulgated, except that carbon monoxide is excluded.

SECTION B. General Title V Requirements

(d) Late Payment. Late payment of emission fees will subject the permittee to the penalties prescribed in 25 Pa. Code § 127.707 and may result in the suspension or termination of the Title V permit. The permittee shall pay a penalty of fifty percent (50%) of the fee amount, plus interest on the fee amount computed in accordance with 26 U.S.C.A. § 6621(a)(2) from the date the emission fee should have been paid in accordance with the time frame specified in 25 Pa. Code § 127.705(c).

(e) The permittee shall pay an annual operating permit maintenance fee according to the following fee schedule established in 25 Pa. Code § 127.704(d) on or before December 31 of each year for the next calendar year.

(1) Eight thousand dollars ($8,000) for calendar years 2021—2025.

(2) Ten thousand dollars ($10,000) for calendar years 2026—2030.

(3) Twelve thousand five hundred dollars ($12,500) for the calendar years beginning with 2031.

#019 [25 Pa. Code §§ 127.14(b) & 127.449]

Authorization for De Minimis Emission Increases

(a) This permit authorizes de minimis emission increases from a new or existing source in accordance with 25 Pa. Code §§ 127.14 and 127.449 without the need for a plan approval or prior issuance of a permit modification. The permittee shall provide the Department with seven (7) days prior written notice before commencing any de minimis emissions increase that would result from either: (1) a physical change of minor significance under § 127.14(c)(1); or (2) the construction, installation, modification or reactivation of an air contamination source. 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.

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

(b) Except as provided below in (c) and (d) of this permit condition, the permittee is authorized during the term of this permit 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 NOx from a single source during the term of the permit and 5 tons of NOx 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 PM10 from a single source during the term of the permit and 3.0 tons of PM10 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 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 or 25 Pa. Code Article III.

(c) In accordance with § 127.14, the permittee may install the following minor sources without the need for a plan approval:

(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.

SECTION B. General Title V Requirements

(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, liquefied petroleum gas 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.

(d) 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 (b)(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 the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

(4) Changes which are modifications under any provision of Title I of the Clean Air Act and emission increases which would exceed the allowable emissions level (expressed as a rate of emissions or in terms of total emissions) under the Title V permit.

(e) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa. Code § 127.516 (relating to permit shield) shall extend to the changes made under 25 Pa. Code § 127.449 (relating to de minimis emission increases).

(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 allowed under this permit, 25 Pa. Code § 127.449, or sources and physical changes meeting the requirements of 25 Pa. Code § 127.14, the permittee is prohibited from making physical 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.

#020 [25 Pa. Code §§ 127.11a & 127.215]

Reactivation of Sources

(a) The permittee may reactivate a source at the facility that has been out of operation or production for at least one year, but less than or equal to five (5) years, if the source is reactivated in accordance with the requirements of 25 Pa. Code §§ 127.11a and 127.215. The reactivated source will not be considered a new source.

(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).

#021 [25 Pa. Code §§ 121.9 & 127.216]

Circumvention

(a) The owner of this Title V facility, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the

SECTION B. General Title V Requirements

phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

(b) 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 this permit, the Air Pollution Control Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors.

#022 [25 Pa. Code §§ 127.402(d) & 127.513(1)]

Submissions

(a) 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 on the permit transmittal letter, or otherwise notified)

(b) Any report or notification for the EPA Administrator or EPA Region III should be addressed to:

Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2852

The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

(c) An application, form, report or compliance certification submitted pursuant to this permit condition shall contain certification by a responsible official as to truth, accuracy, and completeness as required under 25 Pa. Code § 127.402(d). Unless otherwise required by the Clean Air Act or regulations adopted thereunder, this certification and any other certification required pursuant to this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

#023 [25 Pa. Code §§ 127.441(c) & 127.463(e); Chapter 139; & 114(a)(3), 504(b) of the CAA]

Sampling, Testing and Monitoring Procedures

(a) The permittee shall perform the emissions monitoring and analysis procedures or test methods for applicable requirements of this Title V permit. In addition to the sampling, testing and monitoring procedures specified in this permit, the Permittee shall comply with any additional applicable requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.

(b) The sampling, testing and monitoring required under the applicable requirements of this permit, shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139 unless alternative methodology is required by the Clean Air Act (including §§ 114(a)(3) and 504(b)) and regulations adopted thereunder.

#024 [25 Pa. Code §§ 127.511 & Chapter 135]

Recordkeeping Requirements

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

(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.

SECTION B. General Title V Requirements

(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 the 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. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

#025 [25 Pa. Code §§ 127.411(d), 127.442, 127.463(e) & 127.511(c)]

Reporting Requirements

(a) The permittee shall comply with the reporting requirements for the applicable requirements specified in this Title V permit. In addition to the reporting requirements specified herein, the permittee shall comply with any additional applicable reporting requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.

(b) Pursuant to 25 Pa. Code § 127.511(c), the permittee shall submit reports of required monitoring at least every six (6) months unless otherwise specified in this permit. Instances of deviations (as defined in 25 Pa. Code § 121.1) from permit requirements shall be clearly identified in the reports. The reporting of deviations shall include the probable cause of the deviations and corrective actions or preventative measures taken, except that sources with continuous emission monitoring systems shall report according to the protocol established and approved by the Department for the source. The required reports shall be certified by a responsible official.

(c) Every report submitted to the Department under this permit condition shall comply with the submission procedures specified in Section B, Condition #022(c) of this permit.

(d) Any records, reports or information obtained by the Department or referred to in a public hearing shall be made available to the public by the Department except for such records, reports or information for which the permittee has shown cause that the documents should be considered confidential and protected from disclosure to the public under Section 4013.2 of the Air Pollution Control Act and consistent with Sections 112(d) and 114(c) of the Clean Air Act and 25 Pa. Code § 127.411(d). The permittee may not request a claim of confidentiality for any emissions data generated for the Title V facility.

#026 [25 Pa. Code § 127.513]

Compliance Certification

(a) One year after the date of issuance of the Title V permit, and each year thereafter, unless specified elsewhere in the permit, the permittee shall submit to the Department and EPA Region III a certificate of compliance with the terms and conditions in this permit, for the previous year, including the emission limitations, standards or work practices. This certification shall include:

(1) The identification of each term or condition of the permit that is the basis of the certification.
(2) The compliance status.
(3) The methods used for determining the compliance status of the source, currently and over the reporting period.
(4) Whether compliance was continuous or intermittent.

(b) The compliance certification shall be postmarked or hand-delivered no later than thirty days after each anniversary of the date of issuance of this Title V Operating Permit, or on the submittal date specified elsewhere in the permit, to the Department in accordance with the submission requirements specified in Section B, Condition #022 of this permit. The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

SECTION B. General Title V Requirements

#027 [25 Pa. Code § 127.3]

Operational Flexibility

The permittee is authorized to make changes within the Title V facility in accordance with the following provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements of Section 502(b)(10) of the Clean Air Act and Section 6.1(i) of the Air Pollution Control Act:

(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)

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

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

#028 [25 Pa. Code §§ 127.441(d), 127.512(i) and 40 CFR Part 68]

Risk Management

(a) If required by Section 112(r) of the Clean Air Act, the permittee shall develop and implement an accidental release program consistent with requirements of the Clean Air Act, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR § 68.130 is present in a process in more than the listed threshold quantity at the Title V facility. The permittee shall submit the RMP to the federal Environmental Protection Agency according to the following schedule and requirements:

(1) The permittee shall submit the first RMP to a central point specified by EPA no later than the latest of the following:

(i) Three years after the date on which a regulated substance is first listed under § 68.130; or,
(ii) The date on which a regulated substance is first present above a threshold quantity in a process.

(2) The permittee shall submit any additional relevant information requested by the Department or EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR § 68.190.

(3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

(c) As used in this permit condition, the term "process" shall be as defined in 40 CFR § 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

(d) If the Title V facility is subject to 40 CFR Part 68, as part of the certification required under this permit, the permittee shall:

(1) Submit a compliance schedule for satisfying the requirements of 40 CFR Part 68 by the date specified in 40 CFR § 68.10(a); or,

(2) Certify that the Title V facility is in compliance with all requirements of 40 CFR Part 68 including the registration and submission of the RMP.

SECTION B. General Title V Requirements

(e) If the Title V facility is subject to 40 CFR Part 68, the permittee shall maintain records supporting the implementation of an accidental release program for five (5) years in accordance with 40 CFR § 68.200.

(f) When the Title V facility is subject to the accidental release program requirements of Section 112(r) of the Clean Air Act and 40 CFR Part 68, appropriate enforcement action will be taken by the Department if:

(1) The permittee fails to register and submit the RMP or a revised plan pursuant to 40 CFR Part 68.

(2) The permittee fails to submit a compliance schedule or include a statement in the compliance certification required under Section B, Condition #026 of this permit that the Title V facility is in compliance with the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68, and 25 Pa. Code § 127.512(i).

#029 [25 Pa. Code § 127.512(e)]

Approved Economic Incentives and Emission Trading Programs

No permit revision shall be required under approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this Title V permit.

#030 [25 Pa. Code §§ 127.516, 127.450(d), 127.449(f) & 127.462(g)]

Permit Shield

(a) The permittee's compliance with the conditions of this permit shall be deemed in compliance with applicable requirements (as defined in 25 Pa. Code § 121.1) as of the date of permit issuance if either of the following applies:

(1) The applicable requirements are included and are specifically identified in this permit.

(2) The Department specifically identifies in the permit other requirements that are not applicable to the permitted facility or source.

(b) Nothing in 25 Pa. Code § 127.516 or the Title V permit shall alter or affect the following:

(1) The provisions of Section 303 of the Clean Air Act, including the authority of the Administrator of the EPA provided thereunder.

(2) The liability of the permittee for a violation of an applicable requirement prior to the time of permit issuance.

(3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act.

(4) The ability of the EPA to obtain information from the permittee under Section 114 of the Clean Air Act.

(c) Unless precluded by the Clean Air Act or regulations thereunder, final action by the Department incorporating a significant permit modification in this Title V Permit shall be covered by the permit shield at the time that the permit containing the significant modification is issued.

#031 [25 Pa. Code §135.3]

Reporting

(a) The permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

#032 [25 Pa. Code §135.4]

Report Format

Emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

SECTION C. Site Level Requirements

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §123.1]

Prohibition of certain fugitive emissions

(a) No person may permit the emission into the outdoor atmosphere of fugitive air contaminant from a source other than the following:

(1) Construction or demolition of buildings or structures.
(2) Grading, paving and maintenance of roads and streets.
(3) 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.
(4) Clearing of land.
(5) Stockpiling of materials.
(6) Open burning operations.
(7) Not applicable.
(8) Not applicable.
(9) Sources and classes of sources other than those identified in paragraphs (1)-(8), for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:
(i) the emissions are of minor significance with respect to causing air pollution; and
(ii) the emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

(b) Not applicable.

(c) See work practice standards below.

(d) Not applicable.

 # 002 [25 Pa. Code §123.2]

Fugitive particulate matter

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions) if such emissions are visible at the point the emissions pass outside the person's property.

 # 003 [25 Pa. Code §123.31]

Limitations

A person may not permit 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 property of the person on whose land the source is being operated.

 # 004 [25 Pa. Code §123.41]

Limitations

A person may not permit 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:

(1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.

(2) Equal to or greater than 60% at any time.

 # 005 [25 Pa. Code §123.42]

Exceptions

The limitations of 123.41 (relating to limitations) or other applicable opacity standard shall not apply to a visible emission in any of the following instances:

SECTION C. Site Level Requirements

(1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.

(2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.

(3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).

(4) Not applicable.

 # 006 [25 Pa. Code §129.14]

Open burning operations

(a) Not applicable.

(b) No person may permit the open burning of material in an area outside of air basins in a manner that:

(1) The emissions are visible, at any time, at the point such emissions pass outside the property of the person on whose land the open burning is being conducted.

(2) Malodorous air contaminants from the open burning are detectable outside the property of the person on whose land the open burning is being conducted.

(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.

(c)EXCEPTIONS: The requirements stated in 1-5 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) Not applicable.

(5) Not applicable.

(6) A fire set soley for recreational or ceremonial purposes.

(7) A fire set soley for cooking food.

(d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:

(1) As used in this subsection the following terms shall have the following meanings:

Air curtain destructor -- A mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

Clearing and grubbing wastes -- Trees, shrubs, and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and dirt laden roots.

SECTION C. Site Level Requirements

(2) Not applicable.

(3) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:

(i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b) of this section.

(ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.

(4) During an air pollution episode, open burning is limited by Chapter 137 (relating to air pollution episodes) and shall cease as specified in such chapter.

[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.]

II. TESTING REQUIREMENTS.

 # 007 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

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 air emissions.

 # 008 [25 Pa. Code §139.1]

Sampling facilities.

Upon the request of the Department, the Owner/Operator shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance by the Department of tests on such source. The Department will set forth in the request the time period in which the facilities shall be provided as well as the specifications for such facilities.

 # 009 [25 Pa. Code §139.11]

General requirements.

a) As specified in 25 Pa. Code Section 139.11(1), performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department.

b) As specified in 25 Pa. Code Section 139.11(2), the Department will consider test results for approval where sufficient information is provided to verify the source conditions existing at the time of the test and where adequate data is available to show the manner in which the test was conducted. Information submitted to the Department shall include, at a minimum, all of the following:

(1) A thorough source description, including a description of any air cleaning devices and the flue.

(2) Process conditions, for example, the fuel firing rate, power production rate and other conditions which may affect emissions from the process.

(3) The location of the sampling ports.

(4) Effluent characteristics, including velocity, temperature, moisture content, gas density (percentage CO, CO2, O2 and N2) and static and barometric pressures.

(5) Sample collection techniques employed, including procedures used, equipment descriptions and data to verify that isokinetic sampling for particulate matter collection occurred and that acceptable test conditions were met.

SECTION C. Site Level Requirements

(6) Laboratory procedure and results.

(7) Calculated results.

III. MONITORING REQUIREMENTS.

 # 010 [25 Pa. Code §123.43]

Measuring techniques

Visible emissions may be measured using using either of the following:

(1) A device approved by the Department and maintained to provide accurate opacity measurements.

(2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

 # 011 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall calculate monthly air emissions from the facility, including during times of startup, shutdown, and malfunction thereof, using EPA AP-42 emission factors, manufacturer-supplied emission factors, stack test results, CEM data or other method(s) approved by the Department and include the information in an annual facility emission report (source report) as referenced in TV-03-00975 Section C, Subsection V, Conditions #019 and Section B, Condition #031.

[Authorized by Plan Approval PA-03-975D; This condition supersedes Condition #012 in Section C, Subsection III. - Monitoring Requirements of TV-03-00975.]

 # 012 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

During any month the facility operates, the Owner/Operator shall conduct inspection of the facility during daylight hours while the facility is operating. The purpose of the inspection is to detect one of the following:

(a) The presence of visible emissions. Plant personnel who observe visible emissions may make arrangements for a certified observer to take readings of the visible emissions within 24 hours of discovery.

(b) The presence of fugitive visible emissions beyond the plant boundaries as stated in Section C, above.

(c) The presence of malodorous air emissions beyond the plant boundaries as stated in Section C, above.

 # 013 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall calculate monthly air emissions from the facility using EPA AP-42 emission factors, manufacturer-supplied emission factors, stack test results, CEM data or other method(s) approved by the Department and include the information in an annual facility emission report referenced in Section C.

IV. RECORDKEEPING REQUIREMENTS.

 # 014 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

(a) The Owner/Operator shall maintain records of the following items for each source at this facility:

(1) monthly fuel consumption;
(2) monthly operating hours.

(b) Records shall be maintained on file at the facility for not less than two years, retained for at least five years and made available to the Department upon request.

SECTION C. Site Level Requirements

 # 015 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall keep maintain a record of all malodor, visible emission and fugitive emission surveys performed. The records shall include the date, time, name and title of the observer, whether visible emissions, fugitive emissions or malodors were observed and any corrective action.

Records shall be kept on-site for a minimum of five years.

 # 016 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

a) The Owner/Operator shall verify compliance with the particulate mass emission rate of 25 PA Code Section 123.13 using EPA AP-42 emission factors, manufacturer-supplied emission factors, stack test results, CEM data or other method(s) approved by the Department. The Owner/Operator shall verify compliance with the SO2 limitations of Plan Approval #PA-03-975A through the fuel sampling and analysis schedule established in Section E, Group G01, unless the Owner/Operator elects not to monitor total sulfur content and can demonstrate that the gaseous fuel combusted in the turbine meets the definition of natural gas in accordance with the requirements of 40 CFR 60.334(h)(3).

(b) Data and information required to determine compliance shall be maintained and submitted to the Department annually with the compliance certification.

(c) Alternative methods for demonstration of compliance under subsection (a) must have prior written approval.

 # 017 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall maintain records of the monthly air emissions referenced above in Section C. These records shall be retained for a minimum of five (5) years and made available to the Department upon request.

 # 018 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall maintain records of the laboratory analysis of the fuel oil in the tank or records of the fuel supplier's certification for each fuel oil delivery received. The fuel supplier's certification or laboratory analysis shall include, at a minimum, the weight percent sulfur.

The Owner Operator shall retain these records for a minimum of five (5) years. The records shall be made available to the Department upon its request.

V. REPORTING REQUIREMENTS.

 # 019 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

Malfunction reporting shall be conducted as follows:

(a) For the purpose of this condition, a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of a source to operate in a normal or usual manner that results in, or potentially results in, air contaminant emissions in excess of an applicable emission limitation, or which may be reasonably expected to create off-site impacts, such as large dust plumes, heavy smoke, or a spill or release that results in a malodor that is detectable outside the property on whose land the source is being operated. Any failure of an air cleaning device that is required under this permit shall be reported as a malfunction.

(b) Any malfunction that poses an imminent danger to the public health, safety, or welfare to the environment shall be reported by telephone to the County Emergency Management Agency (911 Center), and to the 24-hour Emergency Hotline of the appropriate Department Regional Office (814-332-6945) no later than one hour after the discovery of an incident. Following the telephone notification, a written notice shall be submitted to the Department no later than the next business day.

SECTION C. Site Level Requirements

(c) All other malfunctions shall be reported to the Department no later than the next business day.

(d) Initial reporting of the malfunction shall identify the following items to the extent known:
(i) The name and location of the facility;
(ii) The nature and cause of the malfunction;
(iii) The time when the malfunction or breakdown was first observed;
(iv) The expected duration of increased emissions; and
(v) The estimated rate of emissions.

(e) The Owner or Operator shall also notify the Department immediately, by telephone, when corrective measures for malfunctions meeting the criteria in (b) have been accomplished.

(f) All malfunctions shall be reported to the Department by email (addresses will be provided by the Department), or by regular mail at the address below:

PADEP
Office of Air Quality
230 Chestnut St
Meadville, PA 16335

(g) If requested by the Department, the Owner/Operator shall submit a full written report to the Department, including final determinations of the items identified in (d), and the corrective measures taken on the malfunction. The report shall be submitted within 15 days of the Department's request or accomplishing corrective measures, whichever is later.

[Turbine re-tuning, fuel transfers and automatic runbacks are not subject to the notification requirements of this condition.]

 # 020 [25 Pa. Code §135.21]

Emission statements

(a) Except as provided in subsection (d), this section applies to stationary sources or facilities:

(1) Located in an area designated by the Clean Air Act as a marginal, moderate, serious, severe or extreme ozone nonattainment area and which emit oxides of nitrogen or VOC.

(2) Not located in an area described in subparagraph (1) and included in the Northeast Ozone Transport Region which emit or have the potential to emit 100 tons or more oxides of nitrogen or 50 tons or more of VOC per year.

(b) The owner or operator of each stationary source emitting oxides of nitrogen or VOC's shall provide the Department with a statement, in a form as the Department may prescribe, for classes or categories of sources, showing the actual emissions of oxides of nitrogen and VOCs from that source for each reporting period, a description of the method used to calculate the emissions and the time period over which the calculation is based. The statement shall contain a certification by a company officer or the plant manager that the information contained in the statement is accurate.

(c) Annual emission statements are due by March 1 for the preceding calendar year beginning with March 1, 1993, for calendar year 1992 and shall provide data consistent with requirements and guidance developed by the EPA. The guidance document is available from: United States Environmental Protection Agency, 401 M. Street, S.W., Washington, D.C. 20460. The Department may require more frequent submittals if the Department determines that one or more of the following applies:

(1) A more frequent submission is required by the EPA.

(2) Analysis of the data on a more frequent basis is necessary to implement the requirements of the act.

(d) Not applicable.

SECTION C. Site Level Requirements

 # 021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4]

Subpart A - General Provisions

Address.

Sources at the facility are subject to the applicable requirements of the following regulations and shall comply with all applicable notification and reporting requirements contained in:

40 CFR Part 60, Subpart IIII,Standards of Performance for Stationary Compression Ignition Internal Combustion Engines;
40 CFR Part 60 Subpart GG, Standards of Performance for Stationary Gas Turbines; and
40 CFR, Part 63 Subpart ZZZZ, National Emission Standards for Hazardous Pollutants for Stationary Reciprocating Internal Combustion Engines.

In accordance with 40 CFR § 60.4 and 40 CFR § 63.13, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both the Environmental Protection Agency and the Pennsylvania Department of Environmental Protection at the addresses shown below, unless otherwise noted:

Director, Air Protection Division

Environmental Protection Agency Regional Air Quality Program Manager
EPA Mail Code 3AP20.
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

PA Department of Environmental Protection
230 Chestnut Street
Mail Code 3AP00 Meadville, PA 16335

This permit contains language from the Code of Federal Regulations (CFR). Should the wording of the federal citations of the conditions in this permit be changed in the CFR, the new wording shall supersede the language of this permit.

VI. WORK PRACTICE REQUIREMENTS.

 # 022 [25 Pa. Code §123.1]

Prohibition of certain fugitive emissions

A person responsible for any source specified in subsections 123.1(a)(1)--(7) or (9) shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be limited to, the following:

(1) 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.

(2) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.

(3) Paving and maintenance of roadways.

(4) 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.

 # 023 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall operate and maintain all sources and control devices at this facility in accordance with manufacturer's specifications.

 # 024 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Operation of any air emissions source is contingent upon proper operation of its associated emissions control system,

SECTION C. Site Level Requirements

unless otherwise approved by the Department.

VII. ADDITIONAL REQUIREMENTS.

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

VIII. COMPLIANCE CERTIFICATION.

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

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

***** Permit Shield In Effect *****

SECTION D. Source Level Requirements

Source ID: 105 Source Name: FUEL STORAGE TANKS #1 AND #2

Source Capacity/Throughput: 1,000.000 Gal/HR
1.000 Th Gal/HR

PROC 105 → STAC Z106

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

Fuel Oil Storage emissions shall not exceed 0.6 tons of VOCs (VOLATILE ORGANIC COMPOUNDS) on a consecutive 12-month rolling total basis.

[In accordance with PA-03-975B, Condition #9, and authorized through Plan Approval PA-03-975D; This condition supersedes Condition #005 in Section C, Subsection I. - Restrictions of TV-03-00975.]

 # 002 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

In accordance with PA-03-975A, Condition #11, the annual average sulfur content of the low-sulfur diesel fuel shall not exceed 0.05 weight percent.

 # 003 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

The two 2.25 million-gallon low-sulfur diesel fuel storage tanks are subject to the applicable requirements of 40 CFR Part 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels.

 # 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.112b]
Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984
Standard for volatile organic compounds (VOC).

(a) The owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m 3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa but less than 76.6 kPa or with a design capacity greater than or equal to 75 m 3 but less than 151 m 3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa but less than 76.6 kPa, shall equip each storage vessel with one of the following:

(1) A fixed roof in combination with an internal floating roof meeting the following specifications:

(i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

(ii) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

(A) A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank.

(B) Two seals mounted one above the other so that each forms a continuous closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but

SECTION D. Source Level Requirements

both must be continuous.

(C) A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

(iii) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

(iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

(v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

(vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

(vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

(viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

(2) An external floating roof. An external floating roof means a pontoon-type or double-deck type cover that rests on the liquid surface in a vessel with no fixed roof. Each external floating roof must meet the following specifications:

(i) Each external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device is to consist of two seals, one above the other. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

(A) The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal. Except as provided in § 60.113b(b)(4), the seal shall completely cover the annular space between the edge of the floating roof and tank wall.

(B) The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion except as allowed in § 60.113b(b)(4).

(ii) Except for automatic bleeder vents and rim space vents, each opening in a noncontact external floating roof shall provide a projection below the liquid surface. Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof is to be equipped with a gasketed cover, seal, or lid that is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. Automatic bleeder vents are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports. Rim vents are to be set to open when the roof is being floated off the roof legs supports or at the manufacturer's recommended setting. Automatic bleeder vents and rim space vents are to be gasketed. Each emergency roof drain is to be provided with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

(iii) The roof shall be floating on the liquid at all times (i.e., off the roof leg supports) except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled. The process of filling, emptying, or refilling when the roof is resting on the leg supports shall be continuous and shall be accomplished as rapidly as possible.

(3) A closed vent system and control device meeting the following specifications:

SECTION D. Source Level Requirements

(i) The closed vent system shall be designed to collect all VOC vapors and gases discharged from the storage vessel and operated with no detectable emissions as indicated by an instrument reading of less than 500 ppm above background and visual inspections, as determined in part 60, subpart VV, § 60.485(b).

(ii) The control device shall be designed and operated to reduce inlet VOC emissions by 95 percent or greater. If a flare is used as the control device, it shall meet the specifications described in the general control device requirements (§ 60.18) of the General Provisions.

(4) A system equivalent to those described in paragraphs (a)(1), (a)(2), or (a)(3) of this section as provided in § 60.114b of this subpart.

(b) The owner or operator of each storage vessel with a design capacity greater than or equal to 75 m 3 which contains a VOL that, as stored, has a maximum true vapor pressure greater than or equal to 76.6 kPa shall equip each storage vessel with one of the following:

(1) A closed vent system and control device as specified in § 60.112b(a)(3).

(2) A system equivalent to that described in paragraph (b)(1) as provided in § 60.114b of this subpart.

(c) Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia. This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia (“site”).

(1) For any storage vessel that otherwise would be subject to the control technology requirements of paragraphs (a) or (b) of this section, the site shall have the option of either complying directly with the requirements of this subpart, or reducing the site-wide total criteria pollutant emissions cap (total emissions cap) in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the total emissions cap in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this subpart for such storage vessel.

(2) For any storage vessel at the site not subject to the requirements of 40 CFR 60.112b (a) or (b), the requirements of 40 CFR 60.116b (b) and (c) and the General Provisions (subpart A of this part) shall not apply.

[52 FR 11429, Apr. 8, 1987, as amended at 62 FR 52641, Oct. 8, 1997]

II. TESTING REQUIREMENTS.

 # 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.113b]

Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984

Testing and procedures.

The owner or operator of each storage vessel as specified in § 60.112b(a) shall meet the requirements of paragraph (a), (b), or (c) of this section. The applicable paragraph for a particular storage vessel depends on the control equipment installed to meet the requirements of § 60.112b.

(a) After installing the control equipment required to meet § 60.112b(a)(1) (permanently affixed roof and internal floating roof), each owner or operator shall:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage

SECTION D. Source Level Requirements

vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(3) For vessels equipped with a double-seal system as specified in § 60.112b(a)(1)(ii)(B):

(i) Visually inspect the vessel as specified in paragraph (a)(4) of this section at least every 5 years; or

(ii) Visually inspect the vessel as specified in paragraph (a)(2) of this section.

(4) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in paragraphs (a)(2) and (a)(3)(ii) of this section and at intervals no greater than 5 years in the case of vessels specified in paragraph (a)(3)(i) of this section.

(5) Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by paragraphs (a)(1) and (a)(4) of this section to afford the Administrator the opportunity to have an observer present. If the inspection required by paragraph (a)(4) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

(b) After installing the control equipment required to meet § 60.112b(a)(2) (external floating roof), the owner or operator shall:

(1) Determine the gap areas and maximum gap widths, between the primary seal and the wall of the storage vessel and between the secondary seal and the wall of the storage vessel according to the following frequency.

(i) Measurements of gaps between the tank wall and the primary seal (seal gaps) shall be performed during the hydrostatic testing of the vessel or within 60 days of the initial fill with VOL and at least once every 5 years thereafter.

(ii) Measurements of gaps between the tank wall and the secondary seal shall be performed within 60 days of the initial fill with VOL and at least once per year thereafter.

(iii) If any source ceases to store VOL for a period of 1 year or more, subsequent introduction of VOL into the vessel shall be considered an initial fill for the purposes of paragraphs (b)(1)(i) and (b)(1)(ii) of this section.

(2) Determine gap widths and areas in the primary and secondary seals individually by the following procedures:

(i) Measure seal gaps, if any, at one or more floating roof levels when the roof is floating off the roof leg supports.

(ii) Measure seal gaps around the entire circumference of the tank in each place where a 0.32-cm diameter uniform probe passes freely (without forcing or binding against seal) between the seal and the wall of the storage vessel and measure the circumferential distance of each such location.

(iii) The total surface area of each gap described in paragraph (b)(2)(ii) of this section shall be determined by using probes

SECTION D. Source Level Requirements

of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

(3) Add the gap surface area of each gap location for the primary seal and the secondary seal individually and divide the sum for each seal by the nominal diameter of the tank and compare each ratio to the respective standards in paragraph (b)(4) of this section.

(4) Make necessary repairs or empty the storage vessel within 45 days of identification in any inspection for seals not meeting the requirements listed in (b)(4) (i) and (ii) of this section:

(i) The accumulated area of gaps between the tank wall and the mechanical shoe or liquid-mounted primary seal shall not exceed 212 cm 2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 3.81 cm.

(A) One end of the mechanical shoe is to extend into the stored liquid, and the other end is to extend a minimum vertical distance of 61 cm above the stored liquid surface.

(B) There are to be no holes, tears, or other openings in the shoe, seal fabric, or seal envelope.

(ii) The secondary seal is to meet the following requirements:

(A) The secondary seal is to be installed above the primary seal so that it completely covers the space between the roof edge and the tank wall except as provided in paragraph (b)(2)(iii) of this section.

(B) The accumulated area of gaps between the tank wall and the secondary seal shall not exceed 21.2 cm 2 per meter of tank diameter, and the width of any portion of any gap shall not exceed 1.27 cm.

(C) There are to be no holes, tears, or other openings in the seal or seal fabric.

(iii) If a failure that is detected during inspections required in paragraph (b)(1) of § 60.113b(b) cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(b)(4). Such extension request must include a demonstration of unavailability of alternate storage capacity and a specification of a schedule that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(5) Notify the Administrator 30 days in advance of any gap measurements required by paragraph (b)(1) of this section to afford the Administrator the opportunity to have an observer present.

(6) Visually inspect the external floating roof, the primary seal, secondary seal, and fittings each time the vessel is emptied and degassed.

(i) If the external floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before filling or refilling the storage vessel with VOL.

(ii) For all the inspections required by paragraph (b)(6) of this section, the owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel to afford the Administrator the opportunity to inspect the storage vessel prior to refilling. If the inspection required by paragraph (b)(6) of this section is not planned and the owner or operator could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.

(c) The owner or operator of each source that is equipped with a closed vent system and control device as required in § 60.112b (a)(3) or (b)(2) (other than a flare) is exempt from § 60.8 of the General Provisions and shall meet the following

SECTION D. Source Level Requirements

requirements.

(1) Submit for approval by the Administrator as an attachment to the notification required by § 60.7(a)(1) or, if the facility is exempt from § 60.7(a)(1), as an attachment to the notification required by § 60.7(a)(2), an operating plan containing the information listed below.

(i) Documentation demonstrating that the control device will achieve the required control efficiency during maximum loading conditions. This documentation is to include a description of the gas stream which enters the control device, including flow and VOC content under varying liquid level conditions (dynamic and static) and manufacturer's design specifications for the control device. If the control device or the closed vent capture system receives vapors, gases, or liquids other than fuels from sources that are not designated sources under this subpart, the efficiency demonstration is to include consideration of all vapors, gases, and liquids received by the closed vent capture system and control device. If an enclosed combustion device with a minimum residence time of 0.75 seconds and a minimum temperature of 816 °C is used to meet the 95 percent requirement, documentation that those conditions will exist is sufficient to meet the requirements of this paragraph.

(ii) A description of the parameter or parameters to be monitored to ensure that the control device will be operated in conformance with its design and an explanation of the criteria used for selection of that parameter (or parameters).

(2) Operate the closed vent system and control device and monitor the parameters of the closed vent system and control device in accordance with the operating plan submitted to the Administrator in accordance with paragraph (c)(1) of this section, unless the plan was modified by the Administrator during the review process. In this case, the modified plan applies.

(d) The owner or operator of each source that is equipped with a closed vent system and a flare to meet the requirements in § 60.112b (a)(3) or (b)(2) shall meet the requirements as specified in the general control device requirements, § 60.18 (e) and (f).

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989]

III. MONITORING REQUIREMENTS.

 # 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.116b]

Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984

Monitoring of operations.

(a) The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source.

(b) The owner or operator of each storage vessel as specified in § 60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel.

(c) Except as provided in paragraphs (f) and (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m 3 storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m 3 but less than 151 m 3 storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.

(d) Except as provided in paragraph (g) of this section, the owner or operator of each storage vessel either with a design capacity greater than or equal to 151 m 3 storing a liquid with a maximum true vapor pressure that is normally less than 5.2 kPa or with a design capacity greater than or equal to 75 m 3 but less than 151 m 3 storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify the Administrator within 30 days when the maximum true vapor pressure of the liquid exceeds the respective maximum true vapor vapor pressure values for each volume range.

(e) Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below.

SECTION D. Source Level Requirements

(1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.

(2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:

(i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference - see § 60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

(ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.

(3) For other liquids, the vapor pressure:

(i) May be obtained from standard reference texts, or

(ii) Determined by ASTM D2879-83, 96, or 97 (incorporated by reference - see § 60.17); or

(iii) Measured by an appropriate method approved by the Administrator; or

(iv) Calculated by an appropriate method approved by the Administrator.

(f) The owner or operator of each vessel storing a waste mixture of indeterminate or variable composition shall be subject to the following requirements.

(1) Prior to the initial filling of the vessel, the highest maximum true vapor pressure for the range of anticipated liquid compositions to be stored will be determined using the methods described in paragraph (e) of this section.

(2) For vessels in which the vapor pressure of the anticipated liquid composition is above the cutoff for monitoring but below the cutoff for controls as defined in § 60.112b(a), an initial physical test of the vapor pressure is required; and a physical test at least once every 6 months thereafter is required as determined by the following methods:

(i) ASTM D2879-83, 96, or 97 (incorporated by reference - see § 60.17); or

(ii) ASTM D323-82 or 94 (incorporated by reference - see § 60.17); or

(iii) As measured by an appropriate method as approved by the Administrator.

(g) The owner or operator of each vessel equipped with a closed vent system and control device meeting the specification of § 60.112b or with emissions reductions equipment as specified in 40 CFR 65.42(b)(4), (b)(5), (b)(6), or (c) is exempt from the requirements of paragraphs (c) and (d) of this section.

[52 FR 11429, Apr. 8, 1987, as amended at 65 FR 61756, Oct. 17, 2000; 65 FR 78276, Dec. 14, 2000; 68 FR 59333, Oct. 15, 2003]

IV. RECORDKEEPING REQUIREMENTS.

 # 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.115b]

Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984

Reporting and recordkeeping requirements.

SECTION D. Source Level Requirements

The owner or operator of each storage vessel as specified in § 60.112b(a) shall keep records and furnish reports as required by paragraphs (a), (b), or (c) of this section depending upon the control equipment installed to meet the requirements of § 60.112b. The owner or operator shall keep copies of all reports and records required by this section, except for the record required by (c)(1), for at least 2 years. The record required by (c)(1) will be kept for the life of the control equipment.

(a) After installing control equipment in accordance with § 60.112b(a)(1) (fixed roof and internal floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(1) and § 60.113b(a)(1). This report shall be an attachment to the notification required by § 60.7(a)(3).

(2) Keep a record of each inspection performed as required by § 60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in § 60.113b(a)(2) are detected during the annual visual inspection required by § 60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

(4) After each inspection required by § 60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in § 60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of § 61.112b(a)(1) or § 60.113b(a)(3) and list each repair made.

(b) After installing control equipment in accordance with § 61.112b(a)(2) (external floating roof), the owner or operator shall meet the following requirements.

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of § 60.112b(a)(2) and § 60.113b(b)(2), (b)(3), and (b)(4). This report shall be an attachment to the notification required by § 60.7(a)(3).

(2) Within 60 days of performing the seal gap measurements required by § 60.113b(b)(1), furnish the Administrator with a report that contains:

(i) The date of measurement.

(ii) The raw data obtained in the measurement.

(iii) The calculations described in § 60.113b (b)(2) and (b)(3).

(3) Keep a record of each gap measurement performed as required by § 60.113b(b). Each record shall identify the storage vessel in which the measurement was performed and shall contain:

(i) The date of measurement.

(ii) The raw data obtained in the measurement.

(iii) The calculations described in § 60.113b (b)(2) and (b)(3).

(4) After each seal gap measurement that detects gaps exceeding the limitations specified by § 60.113b(b)(4), submit a report to the Administrator within 30 days of the inspection. The report will identify the vessel and contain the information specified in paragraph (b)(2) of this section and the date the vessel was emptied or the repairs made and date of repair.

SECTION D. Source Level Requirements

(c) After installing control equipment in accordance with § 60.112b (a)(3) or (b)(1) (closed vent system and control device other than a flare), the owner or operator shall keep the following records.

(1) A copy of the operating plan.

(2) A record of the measured values of the parameters monitored in accordance with § 60.113b(c)(2).

(d) After installing a closed vent system and flare to comply with § 60.112b, the owner or operator shall meet the following requirements.

(1) A report containing the measurements required by § 60.18(f) (1), (2), (3), (4), (5), and (6) shall be furnished to the Administrator as required by § 60.8 of the General Provisions. This report shall be submitted within 6 months of the initial start-up date.

(2) Records shall be kept of all periods of operation during which the flare pilot flame is absent.

(3) Semiannual reports of all periods recorded under § 60.115b(d)(2) in which the pilot flame was absent shall be furnished to the Administrator.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

 # 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.110]

Subpart K - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978

Applicability and designation of affected facility.

(a) Except as provided in paragraph (b) of this section, the affected facility to which this subpart applies is each storage vessel with a capacity greater than or equal to 75 cubic meters (m 3) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984.

(b) This subpart does not apply to storage vessels with a capacity greater than or equal to 151 m 3 storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) or with a capacity greater than or equal to 75 m 3 but less than 151 m 3 storing a liquid with a maximum true vapor pressure less than 15.0 kPa.

(c) [Reserved]

(d) This subpart does not apply to the following:

(1) Vessels at coke oven by-product plants.

(2) Pressure vessels designed to operate in excess of 204.9 kPa and without emissions to the atmosphere.

(3) Vessels permanently attached to mobile vehicles such as trucks, railcars, barges, or ships.

(4) Vessels with a design capacity less than or equal to 1,589.874 m 3 used for petroleum or condensate stored,

SECTION D. Source Level Requirements

processed, or treated prior to custody transfer.

(5) Vessels located at bulk gasoline plants.

(6) Storage vessels located at gasoline service stations.

(7) Vessels used to store beverage alcohol.

(8) Vessels subject to subpart GGGG of 40 CFR part 63.

(e) Alternative means of compliance - (1) Option to comply with part 65. Owners or operators may choose to comply with 40 CFR part 65, subpart C, to satisfy the requirements of §§ 60.112b through 60.117b for storage vessels that are subject to this subpart that meet the specifications in paragraphs (e)(1)(i) and (ii) of this section. When choosing to comply with 40 CFR part 65, subpart C, the monitoring requirements of § 60.116b(c), (e), (f)(1), and (g) still apply. Other provisions applying to owners or operators who choose to comply with 40 CFR part 65 are provided in 40 CFR 65.1.

(i) A storage vessel with a design capacity greater than or equal to 151 m 3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa; or

(ii) A storage vessel with a design capacity greater than 75 m 3 but less than 151 m 3 containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa.

(2) Part 60, subpart A. Owners or operators who choose to comply with 40 CFR part 65, subpart C, must also comply with §§ 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16 for those storage vessels. All sections and paragraphs of subpart A of this part that are not mentioned in this paragraph (e)(2) do not apply to owners or operators of storage vessels complying with 40 CFR part 65, subpart C, except that provisions required to be met prior to implementing 40 CFR part 65 still apply. Owners and operators who choose to comply with 40 CFR part 65, subpart C, must comply with 40 CFR part 65, subpart A.

(3) Internal floating roof report. If an owner or operator installs an internal floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.43. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

(4) External floating roof report. If an owner or operator installs an external floating roof and, at initial startup, chooses to comply with 40 CFR part 65, subpart C, a report shall be furnished to the Administrator stating that the control equipment meets the specifications of 40 CFR 65.44. This report shall be an attachment to the notification required by 40 CFR 65.5(b).

[52 FR 11429, Apr. 8, 1987, as amended at 54 FR 32973, Aug. 11, 1989; 65 FR 78275, Dec. 14, 2000; 68 FR 59332, Oct. 15, 2003]

 # 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.114b]

Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984

Alternative means of emission limitation.

(a) If, in the Administrator's judgment, an alternative means of emission limitation will achieve a reduction in emissions at least equivalent to the reduction in emissions achieved by any requirement in § 60.112b, the Administrator will publish in the Federal Register a notice permitting the use of the alternative means for purposes of compliance with that requirement.

(b) Any notice under paragraph (a) of this section will be published only after notice and an opportunity for a hearing.

(c) Any person seeking permission under this section shall submit to the Administrator a written application including:

SECTION D. Source Level Requirements

(1) An actual emissions test that uses a full-sized or scale-model storage vessel that accurately collects and measures all VOC emissions from a given control device and that accurately simulates wind and accounts for other emission variables such as temperature and barometric pressure.

(2) An engineering evaluation that the Administrator determines is an accurate method of determining equivalence.

(d) The Administrator may condition the permission on requirements that may be necessary to ensure operation and maintenance to achieve the same emissions reduction as specified in § 60.112b.

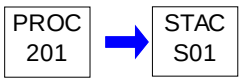
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 201 Source Name: UNIT 1

Source Capacity/Throughput: 1,926.000 MMBTU/HR
1.000 MMCF/HR
1.000 Th Gal/HR #2 Oil

Conditions for this source occur in the following groups: G01
G02
G04
G05



I. RESTRICTIONS.

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

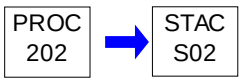
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 202 Source Name: UNIT 2

Source Capacity/Throughput: 1,926.000 MMBTU/HR
1.000 MMCF/HR
1.000 Th Gal/HR #2 Oil

Conditions for this source occur in the following groups: G01
G02
G04
G05



I. RESTRICTIONS.

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II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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IV. RECORDKEEPING REQUIREMENTS.

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V. REPORTING REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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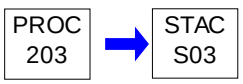
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 203 Source Name: UNIT 3

Source Capacity/Throughput: 1,926.000 MMBTU/HR
1.000 MMCF/HR
1.000 Th Gal/HR #2 Oil

Conditions for this source occur in the following groups: G01
G02
G04
G05



I. RESTRICTIONS.

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II. TESTING REQUIREMENTS.

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V. REPORTING REQUIREMENTS.

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VI. WORK PRACTICE REQUIREMENTS.

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VII. ADDITIONAL REQUIREMENTS.

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

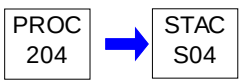
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 204 Source Name: UNIT 4

Source Capacity/Throughput: 1,926.000 MMBTU/HR
1.000 MMCF/HR
1.000 Th Gal/HR #2 Oil

Conditions for this source occur in the following groups: G01
G02
G04
G05



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VII. ADDITIONAL REQUIREMENTS.

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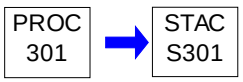
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 301 Source Name: EMERGENCY GENERATOR 1

Source Capacity/Throughput: 28.600 MMBTU/HR
1.000 Th Gal/HR

Conditions for this source occur in the following groups: G03
G04



I. RESTRICTIONS.

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II. TESTING REQUIREMENTS.

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VI. WORK PRACTICE REQUIREMENTS.

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VII. ADDITIONAL REQUIREMENTS.

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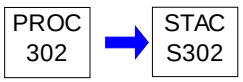
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 302 Source Name: EMERGENCY GENERATOR 2

Source Capacity/Throughput: 28.600 MMBTU/HR
1.000 Th Gal/HR

Conditions for this source occur in the following groups: G03
G04



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II. TESTING REQUIREMENTS.

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VI. WORK PRACTICE REQUIREMENTS.

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VII. ADDITIONAL REQUIREMENTS.

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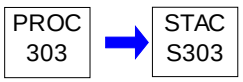
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 303 Source Name: EMERGENCY GENERATOR 3

Source Capacity/Throughput: 28.600 MMBTU/HR
1.000 Th Gal/HR

Conditions for this source occur in the following groups: G03
G04



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VI. WORK PRACTICE REQUIREMENTS.

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VII. ADDITIONAL REQUIREMENTS.

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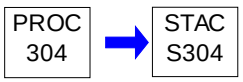
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 304 Source Name: EMERGENCY GENERATOR 4

Source Capacity/Throughput: 28.600 MMBTU/HR
1.000 Th Gal/HR

Conditions for this source occur in the following groups: G03
G04



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VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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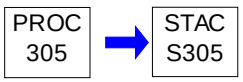
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 305 Source Name: EMERGENCY GENERATOR 5

Source Capacity/Throughput: 28.600 MMBTU/HR
1.000 Th Gal/HR

Conditions for this source occur in the following groups: G03
G04



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II. TESTING REQUIREMENTS.

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VI. WORK PRACTICE REQUIREMENTS.

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VII. ADDITIONAL REQUIREMENTS.

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***** Permit Shield in Effect. *****

SECTION E. Source Group Restrictions.

Group Name: G01

Group Description: Turbines

Sources included in this group

ID	Name
201	UNIT 1
202	UNIT 2
203	UNIT 3
204	UNIT 4

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-3-00975B, Condition #6, hourly emission rates from each turbine during the combustion of natural gas shall be limited to the following:

POLLUTANT	RATE
NOx	64.0 lb/unit hr
CO	31.0 lb/unit hr
SO2	2.8 lb/unit hr
VOCs	3.0 lb/unit hr
PM10	18.0 lb/unit hr

Once compliance has been demonstrated for PA-03-00975D, the hourly emission rates specified above will be superseded by those authorized by Plan Approval PA-03-00975D, below:

Hourly emission rates from each turbine during the combustion of natural gas shall be limited to the following:

POLLUTANT	RATE
NOx	64.0 lb/unit hr
CO	31.0 lb/unit hr
SO2	2.8 lb/unit hr
VOCs	3.2 lb/unit hr
PM10	18.0 lb/unit hr
PM2.5	14.0 lb/unit hr

[Authorized by Plan Approval PA-03-00975D and supersedes 2009 Title V TV-03-00975 restrictions]

 # 002 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with PA-03-00975C, emissions from the gas turbine generating station, including during times of startup, shutdown, and malfunction, shall not exceed the following on a consecutive 12-month basis:

From all Turbines:

297.8 tons of NOx (NITROGEN OXIDES)
161.4 tons of CO (CARBON MONOXIDE)
38.5 tons of SOx (SULFUR OXIDES)
17.7 tons of VOCs (VOLATILE ORGANIC COMPOUNDS)
86.7 tons of PM (TOTAL PARTICULATE MATTER)
86.7 tons of PM-10 (PARTICULATE MATTER < 10 MICRONS)
86.7 tons of PM-2.5 (PARTICULATE MATTER < 2.5 MICRONS)
962,263 tons of GHGs (GREENHOUSE GASES as CARBON DIOXIDE EQUIVALENT (CO2e))

SECTION E. Source Group Restrictions.

[This PA-03-00975C authorized condition supersedes Condition #005 in Section C, Subsection I. - Restrictions of TV-03-00975.]

Once Compliance has been demonstrated with Plan Approval PA-03-00975D, emissions from the gas turbine generating station, including during times of startup, shutdown, and malfunction, shall not exceed the following on a consecutive 12-month rolling total basis:

From all Turbines:

312.7 tons of NOx (NITROGEN OXIDES)
168.6 tons of CO (CARBON MONOXIDE)
38.5 tons of SOx (SULFUR OXIDES)
19.7 tons of VOCs (VOLATILE ORGANIC COMPOUNDS)
90.9 tons of PM (TOTAL PARTICULATE MATTER)
90.9 tons of PM-10 (PARTICULATE MATTER < 10 MICRONS)
70.7 tons of PM-2.5 (PARTICULATE MATTER < 2.5 MICRONS)

[Authorized through Plan Approval PA-03-00975D; This condition will supersede Condition #005 in Section C, Subsection I. - Restrictions of 2009 TV-03-00975 and PA-03-00975C.]

 # 003 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Modified Plan Approval #PA-03-975B, Condition #9, the hourly emission rates established in this permit shall not apply during periods of startup and shutdown. For purposes of this condition, a Startup shall take no more than 2 hours (120 minutes) and a Shutdown shall take no more than 2 hours (120 minutes). Additionally, the hourly emission limits established in Conditions 6 and 7 do not apply during periods of Turbine Re-tuning, Fuel Transfers and Automatic Runbacks. Owner/operator shall operate the CEMS during all periods of turbine operation, and shall include the NOx emitted during times of non-steady state operation towards the allowable annual NOx emissions.

 # 004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-3-00975B, Condition #6, NOx emissions from the turbines shall be limited to 9 ppm, at 15% oxygen, based on a one-hour rolling average, during the combustion of natural gas.

 # 005 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-00975B, Condition #7, NOx emissions from the turbines shall be limited to 56 ppm, at 15% oxygen, based on a one-hour rolling average, during the combustion of low-sulfur diesel fuel. Emission rates from each turbine during the combustion of diesel fuel shall be limited to the following:

POLLUTANT	RATE
NOx	456.0 lb/unit hr
CO	79.0 lb/unit hr
SO2	100.0 lb/unit hr
VOCs	8.0 lb/unit hr
PM10	39.0 lb/unit hr

 # 006 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-975A, Condition #11, the sulfur content of the low-sulfur diesel fuel shall not exceed 0.05 weight percent.

SECTION E. Source Group Restrictions.

 # 007 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-975A, Condition #10, consumption of natural gas shall be reduced by 892 standard cubic feet for every gallon of diesel fuel consumption during the same 12 consecutive month period.

 # 008 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-975A, Condition #9, total consumption of low sulfur diesel fuel in all turbines combined per 12 consecutive month period shall not exceed 11,410,000 gallons when burning 100% fuel oil.

 # 009 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

PA Code Title 25 § 123.13 limits particulate matter from processes to less than 0.04 grains per dry standard cubic foot. BACT determination limits particulate emissions to 0.01 pounds per mmbtu for gas and 0.02 pounds per mmbtu for oil.

 # 010 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

A period of startup for Armstrong shall begin in the minute flame is established and shall continue no longer than two hours (120 minutes) per event.

A period of shutdown for Armstrong shall begin when the unit depart steady state operation with the intend to stop operation of the source and shall continue unit flame out, but no longer than two hours (120 minutes) per event.

 # 011 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Emission rates from each turbine during the periods of start-up and shutdown, turbine retuning, fuel transfers, and automatic runbacks while combusting diesel fuel shall be limited to the following:

POLLUTANT	RATE
NOx	912.0 lb/unit hr
CO	790.0 lb/unit hr
VOCs	40.0 lb/unit hr

 # 012 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Emission rates from each turbine during the periods of start-up and shutdown, turbine retuning, fuel transfers, and automatic runbacks while combusting natural gas shall be limited to the following:

POLLUTANT	RATE
NOx	128.0 lb/unit hr
CO	310.0 lb/unit hr
VOCs	15.0 lb/unit hr

Throughput Restriction(s).

 # 013 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-00975C, Condition #002, total consumption of natural gas in all turbines combined per 12 consecutive month period shall not exceed 15,990,000,000 (15.99 X 10^9) standard cubic feet. [This condition supersedes Condition #010 in Section E, Subsection I. - Restrictions of the TV-03-00975 issued in 2009]

Once compliance has been demonstrated with Plan Approval PA-03-00975D, issued June 12, 2020, the total combined natural gas consumption in all turbines shall not exceed 16,688,000,000 (16.688 X 10^9) standard cubic feet per consecutive 12-month rolling total. [Authorized by Plan Approval PA-03-00975D]

SECTION E. Source Group Restrictions.

[Once compliance has been demonstrated with Plan Approval PA-03-00975D, the higher natural gas consumption limit for turbines will supersede natural gas consumption limits in Condition #010 of the 2009 TV-03-00975 Section E, Subsection I and Plan Approval #PA-03-00975C, Condition #002.]

II. TESTING REQUIREMENTS.

 # 014 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall perform emission testing for CO, VOC, PM, PM10, PM2.5, and HCHO or as requested by the Department, for two (2) of the four (4) combustion turbines according to the requirements of 25 Pa. Code Chapter 139 and the EPA Reference Methods for performance testing. Emissions testing shall be performed on the remaining two (2) combustion turbines within five (5) years of the issuance of Plan Approval PA-03-00975D.

[Authorized by Plan Approval PA-03-00975D]

 # 015 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with 25 Pa. Code Chapter 139.11, the Owner/Operator shall perform testing when the turbine(s) are running at no less than 90% of full load. “Base Load” for the ambient condition at any given time satisfies the term “Full Load”.

[Authorized by Plan Approval PA-03-00975D]

 # 016 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Testing for CO, VOC, PM, PM10, PM2.5, and HCHO compliance or as requested by the Department, shall be performed while firing the primary fuel, natural gas. Testing while firing the secondary fuel, diesel fuel, shall only be performed upon Department request or as required by RATA testing.

[Authorized by Plan Approval PA-03-00975D]

 # 017 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In the event that any deadlines set forth in this permit cannot be met, the permittee may request an extension which shall include a justification for the extension, in writing prior to the deadline. The Department may grant an extension for reasonable cause.

[Authorized by Plan Approval PA-03-00975D]

 # 018 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Actions Related to Noncompliance Demonstrated by a Stack Test:

(a) If the results of a stack test, performed as required by this approval, exceed the level specified in any condition of this approval, the Permittee shall take appropriate corrective actions. Within 30 days of the Permittee receiving the stack test results, a written description of the corrective actions shall be submitted to the Department. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the Permittee within 30 days, if the corrective actions taken are deficient. Within 30 days of receipt of the notice of deficiency, the Permittee shall submit a description of additional corrective actions to the Department. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.

(b) If the results of the required stack test exceed any limit defined in this plan approval, the test was not performed in accordance with the stack test protocol or the source and/or air cleaning device was not operated in accordance with the plan approval, then another stack test shall be performed to determine compliance. Within 120 days of the Permittee receiving the original stack test results, a retest shall be performed. The Department may extend the retesting deadline if the Permittee demonstrates, to the Department's satisfaction, that retesting within 120 days is not practicable. Failure of the second test to demonstrate compliance with the limits in the plan approval, not performing the test in accordance with the stack test protocol or not operating the source and/or air cleaning device in accordance with the plan approval may be grounds for immediate revocation of the plan approval to operate the affected source.

SECTION E. Source Group Restrictions.

[Authorized by Plan Approval PA-03-00975D]

 # 019 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

When testing of a source is required on a recurring basis, a single procedural protocol may be submitted for approval; thereafter, a letter, submitted at least 90 calendar days prior to commencing an emission testing program, referencing the previously approved procedural protocol is sufficient if the letter is approved by the Department. If modifications are made to the process(es), if a different stack testing company is used, or if an applicable section of the stack test manual has been revised since the approval, then a new protocol shall be submitted for approval.

[Authorized by Plan Approval PA-03-00975D]

 # 020 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Emission testing on a minimum of two (2) turbines shall begin within 180 days of the issuance of Plan Approval PA-03-00975D (December 12, 2020) or on an alternative schedule as approved by the Department.

[Authorized by Plan Approval PA-03-00975D issued June 12, 2020 but the condition language had to be changed for context in the Title V renewal.]

 # 021 [25 Pa. Code §127.441]

Operating permit terms and conditions.

At the Department's request, the Owner/Operator shall demonstrate compliance with the turbine emission limitations for NOx and CO while using both low-sulfur diesel fuel and natural gas shall be demonstrated through performance stack testing on each turbine.

[This Title V permit condition has been changed because it included outdated submittal procedures for test protocols, notifications, and reports. The new requirements are included in other conditions in this permit.]

III. MONITORING REQUIREMENTS.

 # 022 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-975A, Condition #22, the Owner/Operator shall install, certify, maintain and operate a Department-approved continuous emission monitoring system (CEMS) in accordance with 25 PA Code Chapter 139, the Department's Continuous Source Monitoring Manual and 40 CFR Part 75. At a minimum the system shall measure and record the following for each turbine:

Nitrogen Oxide emissions (as NO2) (Continuous)
% Oxygen (Continuous)
Fuel Flow Monitor (Continuous).

 # 023 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-00975A, Condition #26, the Owner/Operator shall record hours of operation of each of the turbines, and the amount and type of fuel consumed, on a daily basis.

 # 024 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator shall use the procedures found in 40 CFR Part 75 Appendix D in lieu of the use of an exhaust gas flow monitor, provided the fuel flow meter is installed and operated in accordance with 25 Pa. Code Chapter 139 and the Department's Continuous Source Monitoring Manual.

 # 025 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with 40 CFR § 60.344(a), owner/operator shall monitor the sulfur content and nitrogen content of the fuel being fired in each turbine. Upon approval from the USEPA, the following custom fuel monitoring program will be utilized:

SECTION E. Source Group Restrictions.

(PA-03-975A, Condition #21)

A. Natural Gas

Monitoring and recording of fuel nitrogen content will not be required for natural gas combusted in the turbine.

For monitoring and recording fuel sulfur content, sulfur monitoring shall be conducted twice per annum during the first and third quarters. Analysis for the fuel sulfur content of natural gas shall be conducted using one of the approved ASTM methods referenced in 40 CFR § 60.333 or approved alternative.

B. Fuel Oil

The owner/operator shall test the No. 2 distillate fuel oil for sulfur and nitrogen content on each occasion that fuel is transferred (as referenced below) to the storage tank, from any other source. Fuel oil sulfur content shall be determined using ASTM D2880 78 or another approved ASTM method incorporated in 40 CFR 60 by reference. Fuel oil nitrogen content shall be determined by following current ASTM procedures approved by the Administrator of the EPA. Initial test methods and changes to test methods used by the owner/operator to determine sulfur and nitrogen content shall be submitted to and approved by the PADEP.

1. Fuel oil transport/shipment is defined for sampling purposes as a series of truck transport loads.

2. Upon final receipt of delivered fuel oil, the receiving tank(s) at the facility will be sampled for fuel bound nitrogen and sulfur content prior to combustion.

3. If no deliveries of fuel oil have been recorded at the facility prior to the last time fuel oil was combusted no additional sampling and analysis will be conducted and the last analysis will be utilized.

4. If fuel oil is delivered while oil is being combusted, the receiving tank will be sampled after delivery of the last tanker truck.

 # 026 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner/Operator may elect not to monitor the total sulfur content of the gaseous fuel if it can be demonstrated per 40 CFR 60.334(h)(3) that the fuel meets the definition of natural gas provided in 40 CFR 60.331(u). Or, the Owner/Operator may monitor sulfur content of the fuel using the following custom fuel-monitoring schedule as approved by EPA on October 1, 2002. This schedule determines the values based on the design and operation of the affected facility and the characteristics of the fuel supply for the monitoring of sulfur:

a. Analysis for sulfur content of the natural gas shall be conducted as referenced in 40 CFR 60.334(h)(1), using one of the approved ASTM reference methods for the measurement of sulfur in gaseous flues or an approved alternative method. The approved reference methods are: ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see §60.17). Fuel vendor analyses by these methods may be used.

b. Compliance with the fuel sulfur content allowable permit limits, sulfur monitoring shall be conducted twice per year.

c. Should any sulfur analysis required in paragraph b., above, indicate noncompliance with 40 CFR 60.333, the Owner/Operator shall notify the EPA Regional Office Air Division. In such a situation, sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

d. If there is a change in fuel supply, the owner or operator shall notify EPA of such change for re-examination of this custom fuel schedule.

e. Records of sample analysis and fuel supply pertinent to this custom schedule shall be retained for a period of three years or consistent with applicable State permits and be available for inspection by personnel of federal, state and local air pollution control agencies.

SECTION E. Source Group Restrictions.

[This condition was derived from the 2009 Title V renewal condition E.III.017 and streamlined the requirements of of 40 CFR 60.334 for site specific application. For reference, the full citation of 40 CFR 60.334 is included in this permit in its entirety under Group G02.]

IV. RECORDKEEPING REQUIREMENTS.

 # 027 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-00975A, Condition #23, the owner/operator shall record hours of operation of each of the turbines, and the amount and type of fuel consumed, on a daily basis.

V. REPORTING REQUIREMENTS.

 # 028 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Pursuant to 25 Pa. Code § 139.53(a)(3), if the proposed testing did not occur per the required notification, an electronic mail notification shall be sent within 15 calendar days after the expected completion date of the onsite testing to the Department, in accordance with the notification requirements specified in this permit, indicating why the proposed completion date of the on-site testing was not adhered to.

[Authorized by Plan Approval PA-03-00975D]

 # 029 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Pursuant to 25 Pa. Code § 139.53(a)(3), at least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the Department as per the notification requirements specified in this permit. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

[Authorized by Plan Approval PA-03-00975D]

 # 030 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Pursuant to 25 Pa. Code § 139.53(a)(3), a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the onsite testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test.

[Authorized by Plan Approval PA-03-00975D]

 # 031 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Pursuant to 25 Pa. Code Section 139.53(b), a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

(a) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

(b) Permit number(s) and condition(s) which are the basis for the evaluation.

(c) Summary of results with respect to each applicable permit condition.

(d) Statement of compliance or non-compliance with each applicable permit condition.

 # 032 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Pursuant to 25 Pa. Code § 139.3, all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

SECTION E. Source Group Restrictions.

[Authorized by Plan Approval PA-03-00975D]

 # 033 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Pursuant to 25 Pa. Code §§ 139.53(a)(1) and 139.53(a)(3):

a. All submittals, besides notifications, shall be accomplished through PSIMS*Online, available through https://www.depgreenport.state.pa.us/ecomm/Login.jsp, when it becomes available.

b. If internet submittal cannot be accomplished, one paper copy plus one electronic copy of all source test submissions (notifications, protocols, reports, supplemental information, etc.) shall be sent to both PSIMS Administration in Central Office and to Regional Office AQ Program Manager.

(i) Paper copies shall be sent using the following mailing addresses:

CENTRAL OFFICE:
Pennsylvania Department of Environmental Protection
Attn: PSIMS Administrator
P.O. Box 8468
Harrisburg, PA 17105-8468

NORTHWEST REGIONAL OFFICE:
Pennsylvania Department of Environmental Protection
Attn: Air Quality Program Manager
230 Chestnut St.
Meadville, PA 16335

(ii) Electronic copies shall be sent at the following e-mail addresses:

CENTRAL OFFICE:
RA-EPstacktesting@pa.gov
NORTHWEST REGIONAL OFFICE:
RA-EPNWstacktesting@pa.gov

[Authorized by Plan Approval PA-03-00975D]

 # 034 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

At least 90 calendar days prior to commencing an emissions testing program, a test protocol shall be submitted to the Department for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

[Authorized by Plan Approval PA-03-00975D]

 # 035 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.

 # 036 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

In accordance with Plan Approval #PA-03-00975A, Condition #24, the owner/operator shall comply with the applicable reporting requirements of 40 CFR § 60.7, 40 CFR § 60.116b(d) and 40 CFR § 60.334(c).

SECTION E. Source Group Restrictions.

 # 037 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Reporting of excess emissions during periods of startup and shutdown shall be included in the semi-annual compliance report.

 # 038 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

Within 15 calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification indicating the completion date of the on-site testing shall be sent to the Department in accordance with the reporting requirements in this permit.

 # 039 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4]

Subpart A - General Provisions

Address.

In accordance with 40 CFR § 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both the Environmental Protection Agency and the Pennsylvania Department of Environmental Protection at the addresses shown below, unless otherwise noted:

Director, Air, Toxics, and Radiation
Environmental Protection Agency
Region III
EPA Mail Code 3AP20
1650 Arch Street
Philadelphia, PA 19103-2029

PA Department of Environmental Protection
Regional Air Quality Manager
Office of Air Quality
230 Chestnut Street
Meadville, PA 16335

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

 # 040 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The combustion turbines are subject to the Title IV Acid Rain Program of the 1990 Clean Air Act Amendments, and shall comply with all applicable provisions of that Title, including the following:

40 CFR Part 72 Permits Regulations
40 CFR Part 73 Sulfur Dioxide Allowance System
40 CFR Part 75 Continuous Emissions Monitoring
40 CFR Part 77 Excess Emissions

 # 041 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The turbines are subject to the applicable requirements of 40 CFR Part 60, Subpart GG, Standards of Performance for Stationary Gas Turbines.

[The full citation of 40 CFR 60 Subpart GG is included in this permit in its entirety under Group G02.]

***** Permit Shield in Effect. *****

SECTION E. Source Group Restrictions.

Group Name: G02

Group Description: 40 CFR Part 60 Subpart GG

Sources included in this group

ID	Name
201	UNIT 1
202	UNIT 2
203	UNIT 3
204	UNIT 4

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.332]

Subpart GG - Standards of Performance for Stationary Gas Turbines

Standard for nitrogen oxides.

(a) On and after the date on which the performance test required by §60.8 is completed, every owner or operator subject to the provisions of this subpart as specified in paragraphs (b), (c), and (d) of this section shall comply with one of the following, except as provided in paragraphs (e), (f), (g), (h), (i), (j), (k), and (l) of this section.

(1) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

STD = 0.0075*(14.4/Y) + F

where:

STD = allowable ISO corrected (if required as given in §60.335(b)(1)) NOX emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

F = NOX emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(2) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

STD = 0.0150*(14.4/Y) + F

where:

STD = allowable ISO corrected (if required as given in §60.335(b)(1)) NOX emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

F = NOX emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(3) The use of F in paragraphs (a)(1) and (2) of this section is optional. That is, the owner or operator may choose to apply a NOX allowance for fuel-bound nitrogen and determine the appropriate F-value in accordance with paragraph (a)(4) of this section or may accept an F-value of zero.

(4) If the owner or operator elects to apply a NOX emission allowance for fuel-bound nitrogen, F shall be defined

SECTION E. Source Group Restrictions.

according to the nitrogen content of the fuel during the most recent performance test required under §60.8 as follows:

Fuel-bound nitrogen (percent by weight)	F (NOx percent by volume)
N less than or equal to .015	0
N greater than 0.015 and less than or equal to 0.1	0.04 (N)
N greater than 0.1 and less than or equal to 0.25	0.004 + 0.0067 (N – 0.1)
N greater than or equal to 0.25	0.005

Where:

N = the nitrogen content of the fuel (percent by weight).

or:

Manufacturers may develop and submit to EPA custom fuel-bound nitrogen allowances for each gas turbine model they manufacture. These fuel-bound nitrogen allowances shall be substantiated with data and must be approved for use by the Administrator before the initial performance test required by §60.8. Notices of approval of custom fuel-bound nitrogen allowances will be published in the Federal Register.

(b) Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of paragraph (a)(1) of this section.

(c), (d), and (e) [Not applicable.]

(f) Stationary gas turbines using water or steam injection for control of NOX emissions are exempt from paragraph (a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine.

(g), (h) [Not applicable.]

(i) Exemptions from the requirements of paragraph (a) of this section will be granted on a case-by-case basis as determined by the Administrator in specific geographical areas where mandatory water restrictions are required by governmental agencies because of drought conditions. These exemptions will be allowed only while the mandatory water restrictions are in effect.

(j) [Not applicable.]

(k) Stationary gas turbines with a heat input greater than or equal to 10.7 gigajoules per hour (10 million Btu/hour) when fired with natural gas are exempt from paragraph (a)(2) of this section when being fired with an emergency fuel.

(l) [Not applicable.]

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41359, July 8, 2004]

 # 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.333]

Subpart GG - Standards of Performance for Stationary Gas Turbines

Standard for sulfur dioxide.

On and after the date on which the performance test required to be conducted by §60.8 is completed, every owner or operator subject to the provision of this subpart shall comply with one or the other of the following conditions:

(a) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis.

(b) No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which

SECTION E. Source Group Restrictions.

contains total sulfur in excess of 0.8 percent by weight (8000 ppmw).

[44 FR 52798, Sept. 10, 1979, as amended at 69 FR 41360, July 8, 2004]

II. TESTING REQUIREMENTS.

 # 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.335]

Subpart GG - Standards of Performance for Stationary Gas Turbines

Test methods and procedures.

(a) The owner or operator shall conduct the performance tests required in §60.8, using either

(1) EPA Method 20,

(2) ASTM D6522-00 (incorporated by reference, see §60.17), or

(3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to this part, to determine NOX and diluent concentration.

(4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(5) Notwithstanding paragraph (a)(4) of this section, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the following conditions are met:

(i) You may perform a stratification test for NOX and diluent pursuant to

(A) [Reserved]

(B) The procedures specified in section 6.5.6.1(a) through (e) appendix A to part 75 of this chapter.

(ii) Once the stratification sampling is completed, the owner or operator may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NOX concentrations, normalized to 15 percent O2, is within 10 percent of the mean normalized concentration for all traverse points, then you may use 3 points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The 3 points shall be located along the measurement line that exhibited the highest average normalized NOX concentration during the stratification test; or

(B) If each of the individual traverse point NOX concentrations, normalized to 15 percent O2, is within 5 percent of the mean normalized concentration for all traverse points, then you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.

(6) Other acceptable alternative reference methods and procedures are given in paragraph (c) of this section.

(b) The owner or operator shall determine compliance with the applicable nitrogen oxides emission limitation in §60.332 and shall meet the performance test requirements of §60.8 as follows:

(1) For each run of the performance test, the mean nitrogen oxides emission concentration (NOXo) corrected to 15 percent O2 shall be corrected to ISO standard conditions using the following equation. Notwithstanding this requirement, use of the ISO correction equation is optional for: Lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices:

SECTION E. Source Group Restrictions.

NOX = (NOXo)(Pr/Po)0.5 e19 (Ho-0.00633) (288 °K/Ta)1.53

Where:

NOX = emission concentration of NOX at 15 percent O2 and ISO standard ambient conditions, ppm by volume, dry basis,

NOXo = mean observed NOX concentration, ppm by volume, dry basis, at 15 percent O2,

Pr = reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure. Alternatively, you may use 760 mm Hg (29.92 in Hg),

Po = observed combustor inlet absolute pressure at test, mm Hg. Alternatively, you may use the barometric pressure for the date of the test,

Ho = observed humidity of ambient air, g H2O/g air,

e = transcendental constant, 2.718, and

Ta = ambient temperature, °K.

(2) The 3-run performance test required by §60.8 must be performed within 5 percent at 30, 50, 75, and 90-to-100 percent of peak load or at four evenly-spaced load points in the normal operating range of the gas turbine, including the minimum point in the operating range and 90-to-100 percent of peak load, or at the highest achievable load point if 90-to-100 percent of peak load cannot be physically achieved in practice. If the turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel. Notwithstanding these requirements, performance testing is not required for any emergency fuel (as defined in §60.331).

(3) For a combined cycle turbine system with supplemental heat (duct burner), the owner or operator may elect to measure the turbine NOX emissions after the duct burner rather than directly after the turbine. If the owner or operator elects to use this alternative sampling location, the applicable NOX emission limit in §60.332 for the combustion turbine must still be met.

(4) If water or steam injection is used to control NOX with no additional post-combustion NOX control and the owner or operator chooses to monitor the steam or water to fuel ratio in accordance with §60.334(a), then that monitoring system must be operated concurrently with each EPA Method 20, ASTM D6522-00 (incorporated by reference, see §60.17), or EPA Method 7E run and shall be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.332 NOX emission limit.

(5) If the owner operator elects to claim an emission allowance for fuel bound nitrogen as described in §60.332, then concurrently with each reference method run, a representative sample of the fuel used shall be collected and analyzed, following the applicable procedures described in §60.335(b)(9). These data shall be used to determine the maximum fuel nitrogen content for which the established water (or steam) to fuel ratio will be valid.

(6) If the owner or operator elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately (as described in paragraph (b)(7) of this section) or as part of the initial performance test of the affected unit.

(7) If the owner or operator elects to install and certify a NOX CEMS under §60.334(e), then the initial performance test required under §60.8 may be done in the following alternative manner:

(i) Perform a minimum of 9 reference method runs, with a minimum time per run of 21 minutes, at a single load level, between 90 and 100 percent of peak (or the highest physically achievable) load.

(ii) Use the test data both to demonstrate compliance with the applicable NOX emission limit under §60.332 and to provide the required reference method data for the RATA of the CEMS described under §60.334(b).

(iii) The requirement to test at three additional load levels is waived.

SECTION E. Source Group Restrictions.

(8) If the owner or operator elects under §60.334(f) to monitor combustion parameters or parameters indicative of proper operation of NOX emission controls, the appropriate parameters shall be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in §60.334(g).

(9) To determine the fuel bound nitrogen content of fuel being fired (if an emission allowance is claimed for fuel bound nitrogen), the owner or operator may use equipment and procedures meeting the requirements of:

(i) For liquid fuels, ASTM D2597-94 (Reapproved 1999), D6366-99, D4629-02, D5762-02 (all of which are incorporated by reference, see §60.17); or

(ii) For gaseous fuels, shall use analytical methods and procedures that are accurate to within 5 percent of the instrument range and are approved by the Administrator.

(10) If the owner or operator is required under §60.334(i)(1) or (3) to periodically determine the sulfur content of the fuel combusted in the turbine, a minimum of three fuel samples shall be collected during the performance test. Analyze the samples for the total sulfur content of the fuel using:

(i) For liquid fuels, ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference, see §60.17); or

(ii) For gaseous fuels, ASTM D1072-80, 90 (Reapproved 1994); D3246-81, 92, 96; D4468-85 (Reapproved 2000); or D6667-01 (all of which are incorporated by reference, see §60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the prior approval of the Administrator.

(11) The fuel analyses required under paragraphs (b)(9) and (b)(10) of this section may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) Instead of using the equation in paragraph (b)(1) of this section, manufacturers may develop ambient condition correction factors to adjust the nitrogen oxides emission level measured by the performance test as provided in §60.8 to ISO standard day conditions.

[69 FR 41363, July 8, 2004, as amended at 71 FR 9458, Feb. 24, 2006; 79 FR 11250, Feb. 27, 2014]

III. MONITORING REQUIREMENTS.

 # 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.334]

Subpart GG - Standards of Performance for Stationary Gas Turbines

Monitoring of operations.

(a) Except as provided in paragraph (b) of this section, the owner or operator of any stationary gas turbine subject to the provisions of this subpart and using water or steam injection to control NOX emissions shall install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine.

(b) The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOX concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to part 75 of this chapter and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as follows:

SECTION E. Source Group Restrictions.

(1) Each CEMS must be installed and certified according to PS 2 and 3 (for diluent) of 40 CFR part 60, appendix B, except the 7-day calibration drift is based on unit operating days, not calendar days. Appendix F, Procedure 1 is not required. The relative accuracy test audit (RATA) of the NOX and diluent monitors may be performed individually or on a combined basis, i.e., the relative accuracy tests of the CEMS may be performed either:

(i) On a ppm basis (for NOX) and a percent O2 basis for oxygen; or

(ii) On a ppm at 15 percent O2 basis; or

(iii) On a ppm basis (for NOX) and a percent CO2 basis (for a CO2 monitor that uses the procedures in Method 20 to correct the NOX data to 15 percent O2).

(2) As specified in §60.13(e)(2), during each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

(3) For purposes of identifying excess emissions, CEMS data must be reduced to hourly averages as specified in §60.13(h).

(i) For each unit operating hour in which a valid hourly average, as described in paragraph (b)(2) of this section, is obtained for both NOX and diluent, the data acquisition and handling system must calculate and record the hourly NOX emissions in the units of the applicable NOX emission standard under §60.332(a), i.e., percent NOX by volume, dry basis, corrected to 15 percent O2 and International Organization for Standardization (ISO) standard conditions (if required as given in §60.335(b)(1)). For any hour in which the hourly average O2 concentration exceeds 19.0 percent O2, a diluent cap value of 19.0 percent O2 may be used in the emission calculations.

(ii) A worst case ISO correction factor may be calculated and applied using historical ambient data. For the purpose of this calculation, substitute the maximum humidity of ambient air (Ho), minimum ambient temperature (Ta), and minimum combustor inlet absolute pressure (Po) into the ISO correction equation.

(iii) If the owner or operator has installed a NOX CEMS to meet the requirements of part 75 of this chapter, and is continuing to meet the ongoing requirements of part 75 of this chapter, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology provided for at 40 CFR part 75, subpart D, is not required for purposes of identifying excess emissions. Instead, periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in §60.7(c).

(c), (d), (e), and (f) [Not applicable.]

(g) The steam or water to fuel ratio or other parameters that are continuously monitored as described in paragraphs (a), (d) or (f) of this section shall be monitored during the performance test required under §60.8, to establish acceptable values and ranges. The owner or operator may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. The owner or operator shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NOX emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s) as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations and other relevant information shall be included in the monitoring plan. For affected units that are also subject to part 75 of this chapter and that use the low mass emissions methodology in §75.19 of this chapter or the NOX emission measurement methodology in appendix E to part 75, the owner or operator may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a quality-assurance plan, as described in §75.19 (e)(5) or in section 2.3 of appendix E and section 1.3.6 of appendix B to part 75 of this chapter.

(h) The owner or operator of any stationary gas turbine subject to the provisions of this subpart:

(1) Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in paragraph (h)(3) of

SECTION E. Source Group Restrictions.

this section. The sulfur content of the fuel must be determined using total sulfur methods described in §60.335(b)(10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see §60.17), which measure the major sulfur compounds may be used; and

(2) Shall monitor the nitrogen content of the fuel combusted in the turbine, if the owner or operator claims an allowance for fuel bound nitrogen (i.e., if an F-value greater than zero is being or will be used by the owner or operator to calculate STD in §60.332). The nitrogen content of the fuel shall be determined using methods described in §60.335(b)(9) or an approved alternative.

(3) Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

(4) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and for which a custom fuel monitoring schedule has previously been approved, the owner or operator may, without submitting a special petition to the Administrator, continue monitoring on this schedule.

(i) The frequency of determining the sulfur and nitrogen content of the fuel shall be as follows:

(1) Fuel oil. For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). If an emission allowance is being claimed for fuel-bound nitrogen, the nitrogen content of the oil shall be determined and recorded once per unit operating day.

(2) Gaseous fuel. Any applicable nitrogen content value of the gaseous fuel shall be determined and recorded once per unit operating day. For owners and operators that elect not to demonstrate sulfur content using options in paragraph (h)(3) of this section, and for which the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel shall be determined and recorded once per unit operating day.

(3) Custom schedules. Notwithstanding the requirements of paragraph (i)(2) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (i)(3)(i) and (i)(3)(ii) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in §60.333.

(i) The two custom sulfur monitoring schedules set forth in paragraphs (i)(3)(i)(A) through (D) and in paragraph (i)(3)(ii) of this section are acceptable, without prior Administrative approval:

(A) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (i)(3)(i)(B), (C), or (D) of this section, as applicable.

(B) If none of the 30 daily measurements of the fuel's total sulfur content exceeds 0.4 weight percent (4000 ppmw), subsequent sulfur content monitoring may be performed at 12 month intervals. If any of the samples taken at 12-month intervals has a total sulfur content between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), follow the procedures

SECTION E. Source Group Restrictions.

in paragraph (i)(3)(i)(C) of this section. If any measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section.

(C) If at least one of the 30 daily measurements of the fuel's total sulfur content is between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), but none exceeds 0.8 weight percent (8000 ppmw), then:

(1) Collect and analyze a sample every 30 days for three months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(2) of this section.

(2) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(3) of this section.

(3) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, continue to monitor at this frequency.

(D) If a sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), immediately begin daily monitoring according to paragraph (i)(3)(i)(A) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than 0.8 weight percent (8000 ppmw), are obtained. At that point, the applicable procedures of paragraph (i)(3)(i)(B) or (C) of this section shall be followed.

(ii) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

(A) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf (i.e., the maximum total sulfur content of natural gas as defined in §60.331(u)), no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

(B) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds 0.4 weight percent (4000 ppmw), then the minimum required sampling frequency shall be one sample at 12 month intervals.

(C) If any sample result exceeds 0.4 weight percent sulfur (4000 ppmw), but none exceeds 0.8 weight percent sulfur (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(C) of this section.

(D) If the sulfur content of any of the 720 hourly samples exceeds 0.8 weight percent (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(D) of this section.

(j) For each affected unit that elects to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows:

(1) Nitrogen oxides.

(i) For turbines using water or steam to fuel ratio monitoring:

(A) An excess emission shall be any unit operating hour for which the average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.332, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine shall also be considered an excess emission.

(B) A period of monitor downtime shall be any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.

SECTION E. Source Group Restrictions.

(C) Each report shall include the average steam or water to fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), gas turbine load, and (if applicable) the nitrogen content of the fuel during each excess emission. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

(ii) If the owner or operator elects to take an emission allowance for fuel bound nitrogen, then excess emissions and periods of monitor downtime are as described in paragraphs (j)(1)(ii)(A) and (B) of this section.

(A) An excess emission shall be the period of time during which the fuel-bound nitrogen (N) is greater than the value measured during the performance test required in §60.8 and used to determine the allowance. The excess emission begins on the date and hour of the sample which shows that N is greater than the performance test value, and ends with the date and hour of a subsequent sample which shows a fuel nitrogen content less than or equal to the performance test value.

(B) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour that a required sample is taken, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

(iii) For turbines using NOX and diluent CEMS:

(A) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NOX concentration exceeds the applicable emission limit in §60.332(a)(1) or (2). For the purposes of this subpart, a “4-hour rolling average NOX concentration” is the arithmetic average of the average NOX concentration measured by the CEMS for a given hour (corrected to 15 percent O2 and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NOX concentrations immediately preceding that unit operating hour.

(B) A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour, for either NOX concentration or diluent (or both).

(C) Each report shall include the ambient conditions (temperature, pressure, and humidity) at the time of the excess emission period and (if the owner or operator has claimed an emission allowance for fuel bound nitrogen) the nitrogen content of the fuel during the period of excess emissions. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

(iv) For owners or operators that elect, under paragraph (f) of this section, to monitor combustion parameters or parameters that document proper operation of the NOX emission controls:

(A) An excess emission shall be a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.

(B) A period of monitor downtime shall be a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

(2) Sulfur dioxide. If the owner or operator is required to monitor the sulfur content of the fuel under paragraph (h) of this section:

(i) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

(ii) If the option to sample each delivery of fuel oil has been selected, the owner or operator shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The owner or operator shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions

SECTION E. Source Group Restrictions.

according to paragraph (j)(2)(i) of this section. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option.

(iii) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

(3) Ice fog. Each period during which an exemption provided in §60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

(4) Emergency fuel. Each period during which an exemption provided in §60.332(k) is in effect shall be included in the report required in §60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported.

(5) All reports required under §60.7(c) shall be postmarked by the 30th day following the end of each 6-month period.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41360, July 8, 2004; 71 FR 9457, Feb. 24, 2006]

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

 # 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.330]
Subpart GG - Standards of Performance for Stationary Gas Turbines
Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities: All stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired.

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after October 3, 1977, is subject to the requirements of this part except as provided in paragraphs (e) and (j) of §60.332.

[44 FR 52798, Sept. 10, 1979, as amended at 52 FR 42434, Nov. 5, 1987; 65 FR 61759, Oct. 17, 2000]

 # 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.331]
Subpart GG - Standards of Performance for Stationary Gas Turbines
Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) Stationary gas turbine means any simple cycle gas turbine, regenerative cycle gas turbine or any gas turbine portion of

SECTION E. Source Group Restrictions.

a combined cycle steam/electric generating system that is not self propelled. It may, however, be mounted on a vehicle for portability.

(b) Simple cycle gas turbine means any stationary gas turbine which does not recover heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine, or which does not recover heat from the gas turbine exhaust gases to heat water or generate steam.

(c) Regenerative cycle gas turbine means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine.

(d) Combined cycle gas turbine means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to heat water or generate steam.

(e) Emergency gas turbine means any stationary gas turbine which operates as a mechanical or electrical power source only when the primary power source for a facility has been rendered inoperable by an emergency situation.

(f) Ice fog means an atmospheric suspension of highly reflective ice crystals.

(g) ISO standard day conditions means 288 degrees Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

(h) Efficiency means the gas turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output based on the lower heating value of the fuel.

(i) Peak load means 100 percent of the manufacturer's design capacity of the gas turbine at ISO standard day conditions.

(j) Base load means the load level at which a gas turbine is normally operated.

(k) Fire-fighting turbine means any stationary gas turbine that is used solely to pump water for extinguishing fires.

(l) Turbines employed in oil/gas production or oil/gas transportation means any stationary gas turbine used to provide power to extract crude oil/natural gas from the earth or to move crude oil/natural gas, or products refined from these substances through pipelines.

(m) A Metropolitan Statistical Area or MSA as defined by the Department of Commerce.

(n) Offshore platform gas turbines means any stationary gas turbine located on a platform in an ocean.

(o) Garrison facility means any permanent military installation.

(p) Gas turbine model means a group of gas turbines having the same nominal air flow, combuster inlet pressure, combuster inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.

(q) Electric utility stationary gas turbine means any stationary gas turbine constructed for the purpose of supplying more than one-third of its potential electric output capacity to any utility power distribution system for sale.

(r) Emergency fuel is a fuel fired by a gas turbine only during circumstances, such as natural gas supply curtailment or breakdown of delivery system, that make it impossible to fire natural gas in the gas turbine.

(s) Unit operating hour means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.

(t) Excess emissions means a specified averaging period over which either:

(1) The NOX emissions are higher than the applicable emission limit in §60.332;
(2) The total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in §60.333; or
(3) The recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter

SECTION E. Source Group Restrictions.

monitoring plan for the affected unit.

(u) Natural gas means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Natural gas contains 20.0 grains or less of total sulfur per 100 standard cubic feet. Equivalents of this in other units are as follows: 0.068 weight percent total sulfur, 680 parts per million by weight (ppmw) total sulfur, and 338 parts per million by volume (ppmv) at 20 degrees Celsius total sulfur. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.

(v) Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.

(w) Lean premix stationary combustion turbine means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture for combustion in the combustor. Mixing may occur before or in the combustion chamber. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.

(x) Diffusion flame stationary combustion turbine means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.

(y) Unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41359, July 8, 2004]

***** Permit Shield in Effect. *****

SECTION E. Source Group Restrictions.

Group Name: G03

Group Description: Emergency Generators

Sources included in this group

ID	Name
301	EMERGENCY GENERATOR 1
302	EMERGENCY GENERATOR 2
303	EMERGENCY GENERATOR 3
304	EMERGENCY GENERATOR 4
305	EMERGENCY GENERATOR 5

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

In accordance 40 CFR 60.4205(b), the emergency engines are subject to the 40 CFR 60.4202 and 40 CFR 89.112, Table 1, emission standards for nonroad engines rated at greater than 560 KW as follows:

Tier 2

NMHC + NOx = 6.4 g/KW-hr

CO = 3.5 g/KW-hr

PM = 0.20 g/KW-hr

 # 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4202]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufa

(a) Not Applicable.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1)Not Applicable.

(2) For 2011 model year and later, the certification emission standards for new nonroad CI engines for engines of the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants.

(c) [Reserved]

(d) Not Applicable.

(e) Not Applicable.

(f) Not Applicable.

(g) Not Applicable.

(h) Not Applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016]

SECTION E. Source Group Restrictions.

 # 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4205]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal cor

(a) Not Applicable.

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in § 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Not Applicable.

(d) Not Applicable.

(e) Not Applicable.

(f) Not Applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

 # 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§ 60.4204 and 60.4205 over the entire life of the engine.

[76 FR 37969, June 28, 2011]

 # 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4207]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to

(a) Not Applicable.

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) Not Applicable.

(e) Not Applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013]

 # 006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6590]

Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

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.

SECTION E. Source Group Restrictions.

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

(ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(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) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) Reconstructed stationary RICE. (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after December 19, 2002.

(ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in § 63.2 and reconstruction is commenced on or after June 12, 2006.

(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) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not 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).

(ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

(2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of § 63.6645(f) and the requirements of §§ 63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.

(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) Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(ii) Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

SECTION E. Source Group Restrictions.

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not 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).

(iv) Existing limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions;

(v) Existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(c) Stationary RICE subject to Regulations under 40 CFR Part 60. An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

(1) A new or reconstructed stationary RICE located at an area source;

(2) A new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(3) A new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake HP located at a major source of HAP emissions;

(4) A new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(5) 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 which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis;

(6) A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions;

(7) A new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions.

[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]

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

 # 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4209]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

SECTION E. Source Group Restrictions.

(b) Not Applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

IV. RECORDKEEPING REQUIREMENTS.

 # 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4214]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Not Applicable.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

(d) If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 60.4211(f)(2)(ii) and (iii) or that operates for the purposes specified in § 60.4211(f)(3)(i), you must submit an annual report according to the requirements in paragraphs (d)(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.

(iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.

(v) Hours operated for the purposes specified in § 60.4211(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(2)(ii) and (iii).

(vi) Number of hours the engine is contractually obligated to be available for the purposes specified in § 60.4211(f)(2)(ii) and (iii).

(vii) Hours spent for operation for the purposes specified in § 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(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). 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 § 60.4.

(e) Not Applicable.

SECTION E. Source Group Restrictions.

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016]

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

 # 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?

a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.

(b) Not Applicable.

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b) or § 60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in § 60.4205(c), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b), or § 60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section.

(d) Not Applicable.

(e) Not Applicable.

(f) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE 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 (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) 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 ICE in emergency situations.

(2) You may operate your emergency stationary ICE 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 paragraph (f)(3) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2).

(i) Emergency stationary ICE 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

SECTION E. Source Group Restrictions.

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 ICE beyond 100 hours per calendar year.

(ii) Vacated by USEPA.

(iii) Vacated by USEPA.

(3) Emergency stationary ICE 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 paragraph (f)(3)(i) of this section, the 50 hours per calendar 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) 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 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.

(ii) [Reserved]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) Not Applicable.

(2) Not Applicable.

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) Not Applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7,

SECTION E. Source Group Restrictions.

2016]

VII. ADDITIONAL REQUIREMENTS.

 # 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines,

(ii) The model year listed in table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005 where the stationary CI ICE are:

(i) Manufactured after April 1, 2006 and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 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 applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

 # 011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4218]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What parts of the General Provisions apply to me?

In accordance with 60.4218, Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

Table 8 to Subpart IIII of Part 60 - Applicability of General Provisions to Subpart IIII

[As stated in § 60.4218, you must comply with the following applicable General Provisions:]

General Provisions
citation

SECTION E. Source Group Restrictions.

Subject of citation	Applies to subpart	Explanation
§ 60.1 General applicability of the General Provisions	Yes	
§ 60.2 Definitions	Yes	Additional terms defined in § 60.4219.
§ 60.3 Units and abbreviations	Yes	
§ 60.4 Address	Yes	
§ 60.5 Determination of construction or modification	Yes	
§ 60.6 Review of plans	Yes	
§ 60.7 Notification and Recordkeeping	Yes	Except that § 60.7 only applies as specified in § 60.4214(a).
§ 60.8 Performance tests	Yes	Except that § 60.8 only applies to stationary CI ICE with a displacement of (=30 liters per cylinder and engines that are not certified.
§ 60.9 Availability of information	Yes	
§ 60.10 State Authority	Yes	
§ 60.11 Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§ 60.12 Circumvention	Yes	
§ 60.13 Monitoring requirements	Yes	Except that § 60.13 only applies to stationary CI ICE with a displacement of (=30 liters per cylinder.
§ 60.14 Modification	Yes	
§ 60.15 Reconstruction	Yes	
§ 60.16 Priority list	Yes	
§ 60.17 Incorporations by reference	Yes	
§ 60.18 General control device requirements	No	
§ 60.19 General notification and reporting requirements	Yes	

 # 012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4219]

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

What definitions apply to this subpart?

Emergency stationary internal combustion engine means any stationary reciprocating internal combustion engine that meets all of the criteria in paragraphs (1) through (3) of this definition. All emergency stationary ICE must comply with the requirements specified in § 60.4211(f) in order to be considered emergency stationary ICE. If the engine does not comply with the requirements specified in § 60.4211(f), then it is not considered to be an emergency stationary ICE under this subpart.

(1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc.

(2) The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in § 60.4211(f).

(3) The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in § 60.4211(f)(2)(ii) or (iii) and § 60.4211(f)(3)(i).

***** Permit Shield in Effect. *****

SECTION E. Source Group Restrictions.

Group Name: G04

Group Description: RACT II

Sources included in this group

ID	Name
201	UNIT 1
202	UNIT 2
203	UNIT 3
204	UNIT 4
301	EMERGENCY GENERATOR 1
302	EMERGENCY GENERATOR 2
303	EMERGENCY GENERATOR 3
304	EMERGENCY GENERATOR 4
305	EMERGENCY GENERATOR 5

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §129.96]

Applicability

(a) The NOx requirements of this section and § § 129.97—129.100 apply Statewide to the owner and operator of a major NOx emitting facility and the VOC requirements of this section and § § 129.97—129.100 apply Statewide to the owner and operator of a major VOC emitting facility that were in existence on or before July 20, 2012, for which a requirement or emission limitation, or both, has not been established in § § 129.51—129.52c, 129.54—129.69, 129.71—129.73, 129.75, 129.77, 129.101—129.107 and 129.301—129.310.

(b) The NOx requirements of this section and § § 129.97—129.100 apply Statewide to the owner and operator of a NOx emitting facility and the VOC requirements of this section and § § 129.97—129.100 apply Statewide to the owner and operator of a VOC emitting facility when the installation of a new source or a modification or change in operation of an existing source after July 20, 2012, results in the source or facility meeting the definition of a major NOx emitting facility or a major VOC emitting facility and for which a requirement or an emission limitation, or both, has not been established in § § 129.51—129.52c, 129.54—129.69, 129.71—129.73, 129.75, 129.77, 129.101—129.107 and 129.301—129.310.

(c) This section and § § 129.97—129.100 do not apply to the owner and operator of a NOx air contamination source located at a major NOx emitting facility that has the potential to emit less than 1 TPY of NOx or a VOC air contamination source located at a major VOC emitting facility that has the potential to emit less than 1 TPY of VOC.

(d) This section and § § 129.97—129.100 do not apply to the owner and operator of a facility which is not a major NOx emitting facility or a major VOC emitting facility on or before January 1, 2017.

Authority
The provisions of this § 129.96 issued under section 5(a)(1) and (8) of the Air Pollution Control Act (35 P.S. § 4005(a)(1) and (8)).

Source
The provisions of this § 129.96 adopted April 22, 2016, effective April 23, 2016, 46 Pa.B. 2036.

Cross References
This section cited in 25 Pa. Code § 121.1 (relating to definitions); 25 Pa. Code § 129.97 (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule); 25 Pa. Code § 129.98 (relating to facility-wide or system-wide NOx emissions averaging plan general requirements); 25 Pa. Code § 129.99 (relating to alternative RACT proposal and petition for alternative compliance schedule); and 25 Pa. Code § 129.100 (relating to compliance demonstration and recordkeeping requirements).

SECTION E. Source Group Restrictions.

 # 002 [25 Pa. Code §129.97]

Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule.

(a) The owner and operator of a source listed in one or more of subsections (b)—(h) located at a major NOx emitting facility or major VOC emitting facility subject to § 129.96 (relating to applicability) shall comply with the applicable presumptive RACT requirement or RACT emission limitation, or both, beginning with the specified compliance date as follows, unless an alternative compliance schedule is submitted and approved under subsections (k)—(m) or § 129.99 (relating to alternative RACT proposal and petition for alternative compliance schedule):

(1) January 1, 2017, for a source subject to § 129.96(a).

(2) January 1, 2017, or 1 year after the date the source meets the definition of a major NOx emitting facility or major VOC emitting facility, whichever is later, for a source subject to § 129.96(b).

(b) Not Applicable.

(c) The owner and operator of a source specified in this subsection, which is located at a major NOx emitting facility or major VOC emitting facility subject to § 129.96 shall install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices:

(1) A NOx air contamination source that has the potential to emit less than 5 TPY of NOx.

(2) Not Applicable.

(3) - (7) Not Applicable

(8) An emergency standby engine operating less than 500 hours in a 12-month rolling period.

(d) Not Applicable.

(e) Not Applicable.

(f) Not Applicable.

(g) Except as specified under subsection (c), the owner and operator of a NOx air contamination source specified in this subsection, which is located at a major NOx emitting facility or a VOC air contamination source specified in this subsection, which is located at a major VOC emitting facility subject to § 129.96 may not cause, allow or permit NOx or VOCs to be emitted from the air contamination source in excess of the applicable presumptive RACT emission limitation:

(1) Not Applicable

(2) A combustion turbine:

(i), (ii), and (iii) Not Applicable.

(iv) For a simple cycle or regenerative cycle combustion turbine with a rated output equal to or greater than 6,000 bhp when firing:

(A) Natural gas or a noncommercial gaseous fuel, 42 ppmvd NOx @ 15% oxygen.

(B) Fuel oil, 96 ppmvd NOx @ 15% oxygen.

(C) Natural gas or a noncommercial gaseous fuel, 9 ppmvd VOC (as propane) @ 15% oxygen.

(D) Fuel oil, 9 ppmvd VOC (as propane) @ 15% oxygen.

(3) Not Applicable.

SECTION E. Source Group Restrictions.

(4) Not Applicable.

(h) Not Applicable.

(i) The requirements and emission limitations of this section supersede the requirements and emission limitations of a RACT permit issued to the owner or operator of an air contamination source subject to one or more of subsections (b)—(h) prior to April 23, 2016, under § § 129.91—129.95 (relating to stationary sources of NOx and VOCs) to control, reduce or minimize NOx emissions or VOC emissions, or both, from the air contamination source unless the permit contains more stringent requirements or emission limitations, or both.

(j) The requirements and emission limitations of this section supersede the requirements and emission limitations of § § 129.201—129.205, 145.111—145.113 and 145.141—145.146 (relating to additional NOx requirements; emissions of NOx from stationary internal combustion engines; and emissions of NOx from cement manufacturing) unless the requirements or emission limitations of § § 129.201—129.205, § § 145.111—145.113 or § § 145.141—145.146 are more stringent.

(k) Not Applicable.

(l) Not Applicable.

(m) Not Applicable.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

 # 003 [25 Pa. Code §129.100]

Compliance demonstration and recordkeeping requirements.

(a) Except as provided in subsection (c), the owner and operator of an air contamination source subject to a NOx requirement or RACT emission limitation or VOC requirement or RACT emission limitation, or both, listed in § 129.97 (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation by performing the following monitoring or testing procedures:

(1) For an air contamination source with a CEMS, monitoring and testing in accordance with the requirements of Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources) using a 30-day rolling average, except municipal waste combustors.

(i) A 30-day rolling average emission rate for an air contamination source that is a combustion unit shall be expressed in pounds per million Btu and calculated in accordance with the following procedure:

(A) Sum the total pounds of pollutant emitted from the combustion unit for the current operating day and the previous 29 operating days.

(B) Sum the total heat input to the combustion unit in million Btu for the current operating day and the previous 29

SECTION E. Source Group Restrictions.

operating days.

(C) Divide the total number of pounds of pollutant emitted by the combustion unit for the 30 operating days by the total heat input to the combustion unit for the 30 operating days.

(ii) A 30-day rolling average emission rate for each applicable RACT emission limitation shall be calculated for an affected air contamination source for each consecutive operating day.

(iii) Each 30-day rolling average emission rate for an affected air contamination source must include the emissions that occur during the entire operating day, including emissions from start-ups, shutdowns and malfunctions.

(2) Not Applicable.

(3) Not Applicable.

(4) For an air contamination source without a CEMS, monitoring and testing in accordance with a Department-approved emissions source test that meets the requirements of Chapter 139, Subchapter A (relating to sampling and testing methods and procedures). The source test shall be conducted one time in each 5-year calendar period.

(b) Except as provided in § 129.97(k) and § 129.99(i) (relating to alternative RACT proposal and petition for alternative compliance schedule), the owner and operator of an air contamination source subject to subsection (a) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation in accordance with the procedures in subsection (a) not later than:

(1) January 1, 2017, for a source subject to § 129.96(a) (relating to applicability).

(2) January 1, 2017, or 1 year after the date that the source meets the definition of a major NOx emitting facility or major VOC emitting facility, whichever is later, for a source subject to § 129.96(b).

(c) An owner or operator of an air contamination source subject to this section, § § 129.96 and 129.97 and § 129.98 (relating to facility-wide or system-wide NOx emissions averaging plan general requirements) may request a waiver from the requirement to demonstrate compliance with the applicable emission limitation listed in § 129.97 if the following requirements are met:

(1) The request for a waiver is submitted, in writing, to the Department not later than:

(i) October 24, 2016, for a source subject to § 129.96(a).

(ii) October 24, 2016, or 6 months after the date that the source meets the definition of a major NOx emitting facility or major VOC emitting facility, whichever is later, for a source subject to § 129.96(b).

(2) The request for a waiver demonstrates that a Department-approved emissions source test was performed in accordance with the requirements of Chapter 139, Subchapter A, on or after:

(i) April 23, 2015, for a source subject to § 129.96(a).

(ii) April 23, 2015, or within 12 months prior to the date that the source meets the definition of a major NOx emitting facility or major VOC emitting facility, whichever is later, for a source subject to § 129.96(b).

(3) The request for a waiver demonstrates to the satisfaction of the Department that the test results show that the source's rate of emissions is in compliance with the source's applicable NOx emission limitation or VOC emission limitation.

(4) The Department approves, in writing, the request for a waiver.

(d) The owner and operator of an air contamination source subject to this section and § § 129.96—129.99 shall keep records to demonstrate compliance with § § 129.96—129.99 in the following manner:

SECTION E. Source Group Restrictions.

(1) The records must include sufficient data and calculations to demonstrate that the requirements of § § 129.96—129.99 are met.

(2) Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.

(e) Beginning with the compliance date specified in § 129.97(a), the owner or operator of an air contamination source claiming that the air contamination source is exempt from the applicable NOx emission rate threshold specified in § 129.99(b) and the requirements of § 129.97 based on the air contamination source's potential to emit shall maintain records that demonstrate to the Department or appropriate approved local air pollution control agency that the air contamination source is not subject to the specified emission rate threshold.

(f) Beginning with the compliance date specified in § 129.97(a), the owner or operator of an air contamination source claiming that the air contamination source is exempt from the applicable VOC emission rate threshold specified in § 129.99(c) and the requirements of § 129.97 based on the air contamination source's potential to emit shall maintain records that demonstrate to the Department or appropriate approved local air pollution control agency that the air contamination source is not subject to the specified emission rate threshold.

(g) Not Applicable.
(h) Not Applicable.

(i) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

***** Permit Shield in Effect. *****

SECTION E. Source Group Restrictions.

Group Name: G05

Group Description: CSAPR - Cross-State Air Pollution Rule (§ 40 CFR 97)

Sources included in this group

ID	Name
201	UNIT 1
202	UNIT 2
203	UNIT 3
204	UNIT 4

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

 # 001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

CSAPR Trading Program Title V Requirements

Description of CSAPR Monitoring Provisions

The CSAPR unit(s), and the unit-specific monitoring provisions at this source, are identified in the following table(s). These unit(s) are subject to the requirements for the CSAPR NOx Annual Trading Program, CSAPR SO2 Group 1 Trading Program and CSAPR NOx Ozone Season Group 2 Trading Program.

Table A - Four (4) Identical Turbines
Unit ID: 1 Source ID 201 Peaking, natural gas and fuel oil-fired turbine
Unit ID: 2 Source ID 202 Peaking, natural gas and fuel oil-fired turbine
Unit ID: 3 Source ID 203 Peaking, natural gas and fuel oil-fired turbine
Unit ID: 4 Source ID 204 Peaking, natural gas and fuel oil-fired turbine

1. Does the continuous emission monitoring system (CEMS) meet its requirements pursuant to 40 CFR Part 75, Subpart B (for SO2 monitoring) and 40 CFR Part 75, Subpart H (for NOx monitoring)?

SECTION E. Source Group Restrictions.

Parameter

SO2 N/A
NOx Yes
Heat Input N/A

2. Does the CEMS have EPA-approved alternative monitoring system requirements pursuant to 40 CFR Part 75, Subpart E?

Parameter

SO2 No
NOx No
Heat Input No

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CASPR NOx Annual Trading Program), 97.630 through 97.635 (CSAPR SO2 Group 1 Trading Program), and 97.830 through 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.

2. Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at http://www.epa.gov/airmarkets/emissions/monitoringplans.html.

3. Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 (CSAPR NOx Annual Trading Program), 97.635 (CSAPR SO2 Group 1 Trading Program), and 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

4. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (CSAPR NOx Annual Trading Program), 97.630 through 97.634 (CSAPR SO2 Group 1 Trading Program) and 97.830 through 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NOx Annual Trading Program), 97.635 (CSAPR SO2 Group 1 Trading Program), and 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NOx Annual Trading Program), 97.630 through 97.634 (CSAPR SO2 Group 1 Trading Program) and 97.830 through 97.835 (CSAPR NOx Ozone Season Group 2 Trading Program), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add to or change this unit's monitoring system description.

[This restriction is attributable to 40 CFR Part 97, Subpart AAAAA—CSAPR NOX Annual Trading Program, Subpart CCCCC—CSAPR SO2 Group 1 Trading Program, and Subpart EEEEE—CSAPR NOx Ozone Season Group 2 Trading Program.]

 # 002 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.404]

Subpart AAAAA - CSAPR NOX Annual Trading Program

Applicability.

(a) Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) are subject to the applicable requirements of 40 CFR Part 97, Subpart AAAAA - CSAPR NOx Annual Trading Program. As determined by 97.410 and adjusted on an annual basis by EPA, Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) are allocated the following CSAPR NOx Annual allowances for the year 2020:

SECTION E. Source Group Restrictions.

NOx Annual Allocation (tons)

Year	Unit 1 - Source 201	Unit 2 - Source 202	Unit 3 - Source 203	Unit 4 - Source 204
2020	13	14	14	16

(b) In accordance with 40 CFR § § 97.421, EPA will announce in a notice of data availability and record in the Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) Annual NOx Compliance Account, the allowance allocations for control periods beyond the year 2020.

(c) The allowances in subsection (a) of this condition are subject to change. Any changes will be promulgated by US EPA in a notice of data availability. Upon promulgation, the new allowances replace the amounts in subsection (a) by rule.

 # 003 [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.

(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.

(b)EMISSIONS MONITORTING, REPORTING, AND RECORDKEEPING REQUIREMENTS.

(1) The owners and operators, and the designated representative, of each CSAPR NOX Annual source and each CSAPR 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 CSAPR NOX Annual allowances under §§ 97.411(a)(2) and (b) and 97.412 and to determine compliance with the CSAPR 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.

(c) NOX EMISSIONS REQUIREMENTS.

(1) CSAPR NOX ANNUAL EMISSIONS LIMITATION.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall hold, in the source's compliance account, CSAPR NOX Annual allowances available for deduction for such control period under § 97.424(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Annual units at the source.

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

(A) The owners and operators of the source and each CSAPR NOX Annual unit at the source shall hold the CSAPR NOX Annual allowances required for deduction under § 97.424(d); and

(B) The owners and operators of the source and each CSAPR NOX 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) CSAPR NOX ANNUAL ASSURANCE PROVISIONS.

(i) If total NOX emissions during a control period in a given year from all CSAPR NOX Annual units at CSAPR NOX Annual

SECTION E. Source Group Restrictions.

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) CSAPR 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 CSAPR NOX Annual units at CSAPR 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 CSAPR 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 the year of such control period.

(iii) Total NOX emissions from all CSAPR NOX Annual units at CSAPR 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 CSAPR NOX Annual units at CSAPR 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 CSAPR NOX Annual units at CSAPR 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 CSAPR 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 CSAPR 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.

(i) A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under § 97.430(b) and for each control period thereafter.

(ii) A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(2) of this section for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under § 97.430(b) and for each control period thereafter.

(4) VINTAGE OF CSAPR NOX ANNUAL ALLOWANCES HELD FOR COMPLIANCE.

(i) A CSAPR 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 CSAPR NOX Annual allowance that was allocated or auctioned for such control period or a control period in a prior year.

SECTION E. Source Group Restrictions.

(ii) A CSAPR 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 CSAPR NOX Annual allowance that was allocated or auctioned 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 CSAPR 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.

(6) LIMITED AUTHORIZATION. A CSAPR NOX Annual 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 CSAPR NOX 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 CSAPR NOX Annual allowance does not constitute a property right.

(d) TITLE V PERMIT REQUIREMENTS.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR 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.

(e) ADDITIONAL RECORDKEEPING AND REPORTING REQUIREMENTS.

(1) Unless otherwise provided, the owners and operators of each CSAPR NOX Annual source and each CSAPR 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 CSAPR 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 CSAPR NOX Annual Trading Program.

(2) The designated representative of a CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall make all submissions required under the CSAPR 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.

SECTION E. Source Group Restrictions.

(f) LIABILITY.

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

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

(g) EFFECT ON OTHER AUTHORITIES. No provision of the CSAPR 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 CSAPR NOX Annual source or CSAPR 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.

[76 FR 48379, Aug. 8, 2011, as amended at 77 FR 10334, Feb. 21, 2012; 79 FR 71672, Dec. 3, 2014; 81 FR 74606, Oct. 26, 2016]

 # 004 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.430]

Subpart AAAAA - CSAPR NOX Annual Trading Program

General monitoring, recordkeeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a CSAPR NOX Annual unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subpart H of part 75 of this chapter. For purposes of applying such requirements, the definitions in § 97.402 and in § 72.2 of this chapter shall apply, the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “CSAPR NOX Annual unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively as defined in § 97.402, and the term “newly affected unit” shall be deemed to mean “newly affected CSAPR NOX Annual unit”. The owner or operator of a unit that is not a CSAPR NOX Annual unit but that is monitored under § 75.72(b)(2)(ii) of this chapter shall comply with the same monitoring, recordkeeping, and reporting requirements as a CSAPR NOX Annual unit.

(a) REQUIREMENTS FOR INSTALLATION, CERTIFICATION, AND DATA ACCOUNTING. The owner or operator of each CSAPR NOX Annual unit shall:

(1) Install all monitoring systems required under this subpart for monitoring NOX mass emissions and individual unit heat input (including all systems required to monitor NOX emission rate, NOX concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with §§ 75.71 and 75.72 of this chapter);

(2) Successfully complete all certification tests required under § 97.431 and meet all other requirements of this subpart and part 75 of this chapter applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

(b) COMPLIANCE DEADLINES. Except as provided in paragraph (e) of this section, the owner or operator of a CSAPR NOX Annual unit shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the later of the following dates and shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the later of the following dates:

(1) January 1, 2015; or

(2) 180 calendar days after the date on which the unit commences commercial operation.

(3) The owner or operator of a CSAPR NOX Annual unit for which construction of a new stack or flue or installation of add-on NOX emission controls is completed after the applicable deadline under paragraph (b)(1) or (2) of this section shall meet the requirements of § 75.4(e)(1) through (4) of this chapter, except that:

(i) Such requirements shall apply to the monitoring systems required under § 97.430 through § 97.435, rather than the

SECTION E. Source Group Restrictions.

monitoring systems required under part 75 of this chapter;

(ii) NOX emission rate, NOX concentration, stack gas moisture content, stack gas volumetric flow rate, and O2 or CO2 concentration data shall be determined and reported, rather than the data listed in § 75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under § 75.4(e)(2) of this chapter shall be submitted under § 97.435, rather than § 75.66 of this chapter.

(c) REPORTING DATA. The owner or operator of a CSAPR NOX Annual unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for NOX concentration, NOX emission rate, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine NOX mass emissions and heat input in accordance with § 75.31(b)(2) or (c)(3) of this chapter, section 2.4 of appendix D to part 75 of this chapter, or section 2.5 of appendix E to part 75 of this chapter, as applicable.

(d) PROHIBITIONS.

(1) No owner or operator of a CSAPR NOX Annual unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with § 97.435.

(2) No owner or operator of a CSAPR NOX Annual unit shall operate the unit so as to discharge, or allow to be discharged, NOX to the atmosphere without accounting for all such NOX in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR NOX Annual unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOX mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR NOX Annual unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under § 97.405 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with § 97.431(d)(3)(i).

(e) LONG-TERM COLD STORAGE. The owner or operator of a CSAPR NOX Annual unit is subject to the applicable provisions of § 75.4(d) of this chapter concerning units in long-term cold storage.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74607, Oct. 26, 2016]

 # 005 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.434]

Subpart AAAAA - CSAPR NOX Annual Trading Program

Recordkeeping and reporting.

(a) GENERAL PROVISIONS. The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements under §75.73 of this chapter, and the requirements of §97.414(a).

SECTION E. Source Group Restrictions.

(b) MONITORING PLANS. The owner or operator of a CSAPR NOX Annual unit shall comply with the requirements of §75.73(c) and (e) of this chapter.

(c) CERTIFICATION APPLICATIONS. The designated representative shall submit an application to the Administrator within 45 days after completing all initial certification or recertification tests required under §97.431, including the information required under §75.63 of this chapter.

(d) QUARTERLY REPORTS. The designated representative shall submit quarterly reports, as follows:

(1) The designated representative shall report the NOX mass emissions data and heat input data for a CSAPR NOX Annual unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the later of:

(i) The calendar quarter covering January 1, 2015 through March 31, 2015; or
(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under §97.430(b).

(2) The designated representative shall submit each quarterly report to the Administrator within 30 days after the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in §75.73(f) of this chapter.

(3) For CSAPR NOX Annual units that are also subject to the Acid Rain Program, CSAPR NOX Ozone Season Group 1 Trading Program, CSAPR NOX Ozone Season Group 2 Trading Program, CSAPR SO2 Group 1 Trading Program, or CSAPR SO2 Group 2 Trading Program, quarterly reports shall include the applicable data and information required by subparts F through H of part 75 of this chapter as applicable, in addition to the NOX mass emission data, heat input data, and other information required by this subpart.

(4) The Administrator may review and conduct independent audits of any quarterly report in order to determine whether the quarterly report meets the requirements of this subpart and part 75 of this chapter, including the requirement to use substitute data.

(i) The Administrator will notify the designated representative of any determination that the quarterly report fails to meet any such requirements and specify in such notification any corrections that the Administrator believes are necessary to make through resubmission of the quarterly report and a reasonable time period within which the designated representative must respond. Upon request by the designated representative, the Administrator may specify reasonable extensions of such time period. Within the time period (including any such extensions) specified by the Administrator, the designated representative shall resubmit the quarterly report with the corrections specified by the Administrator, except to the extent the designated representative provides information demonstrating that a specified correction is not necessary because the quarterly report already meets the requirements of this subpart and part 75 of this chapter that are relevant to the specified correction.
(ii) Any resubmission of a quarterly report shall meet the requirements applicable to the submission of a quarterly report under this subpart and part 75 of this chapter, except for the deadline set forth in paragraph (d)(2) of this section.

(e) COMPLIANCE CERTIFICATION. The designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of this subpart and part 75 of this chapter, including the quality assurance procedures and specifications; and

(2) For a unit with add-on NOX emission controls and for all hours where NOX data are substituted in accordance with §75.34(a)(1) of this chapter, the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to part 75 of this chapter and the substitute data values do not systematically underestimate NOX emissions.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74607, Oct. 26, 2016]

SECTION E. Source Group Restrictions.

 # 006 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.604]

Subpart CCCCC - CSAPR SO2 Group 1 Trading Program

Applicability.

(a) Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) are subject to the applicable requirements of 40 CFR Part 97, Subpart CCCCC - CSAPR SO2 Group 1 Trading Program. As determined by 97.610 and adjusted on an annual basis by EPA, Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) are allocated the following CSAPR SO2 Group 1 allowances for the year 2020:

SO2 Group 1 Annual Allocation (tons)

Year	Unit 1 - Source 201	Unit 2 - Source 202	Unit 3 - Source 203	Unit 4 - Source 204
2020	3	3	3	4

 # 007 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.606]

Subpart CCCCC - CSAPR SO2 Group 1 Trading Program

Standard requirements.

(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.

(b) EMISSIONS MONITORTING, REPORTING, AND RECORDKEEPING REQUIREMENTS.

(1) The owners and operators, and the designated representative, of each CSAPR SO2 Group 1 source and each CSAPR SO2 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 CSAPR SO2 Group 1 allowances under §§ 97.611(a)(2) and (b) and 97.612 and to determine compliance with the CSAPR SO2 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.

(c) SO2 EMISSIONS REQUIREMENTS.

(1) CSAPR SO2 GROUP 1 EMISSION LIMITATION.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall hold, in the source's compliance account, CSAPR SO2 Group 1 allowances available for deduction for such control period under § 97.624(a) in an amount not less than the tons of total SO2 emissions for such control period from all CSAPR SO2 Group 1 units at the source.

(ii) If total SO2 emissions during a control period in a given year from the CSAPR SO2 Group 1 units at a CSAPR SO2 Group 1 source are in excess of the CSAPR SO2 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 CSAPR SO2 Group 1 unit at the source shall hold the CSAPR SO2 Group 1 allowances required for deduction under § 97.624(d); and

(B) The owners and operators of the source and each CSAPR SO2 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) CSAPR SO2 GROUP 1 ASSURANCE PROVISIONS.

SECTION E. Source Group Restrictions.

(i) If total SO2 emissions during a control period in a given year from all CSAPR SO2 Group 1 units at CSAPR SO2 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 SO2 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) CSAPR SO2 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 SO2 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 SO2 emissions exceeds the respective common designated representative's assurance level; and

(B) The amount by which total SO2 emissions from all CSAPR SO2 Group 1 units at CSAPR SO2 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 CSAPR SO2 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 the year of such control period.

(iii) Total SO2 emissions from all CSAPR SO2 Group 1 units at CSAPR SO2 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 SO2 emissions exceed the sum, for such control period, of the State SO2 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 SO2 emissions from all CSAPR SO2 Group 1 units at CSAPR SO2 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 SO2 emissions from the CSAPR SO2 Group 1 units at CSAPR SO2 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 CSAPR SO2 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 CSAPR SO2 Group 1 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.

(i) A CSAPR SO2 Group 1 unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under § 97.630(b) and for each control period thereafter.

(ii) A CSAPR SO2 Group 1 unit shall be subject to the requirements under paragraph (c)(2) of this section for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under § 97.630(b) and for each control period thereafter.

(4)VINTAGE OF CSAPR SO2 GROUP 1 ALLOWANCES HELD FOR COMPLIANCE.

(i) A CSAPR SO2 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 CSAPR SO2 Group 1 allowance that was allocated or auctioned for such control

SECTION E. Source Group Restrictions.

period or a control period in a prior year.

(ii) A CSAPR SO2 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 CSAPR SO2 Group 1 allowance that was allocated or auctioned 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 CSAPR SO2 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 CSAPR SO2 Group 1 allowance is a limited authorization to emit one ton of SO2 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 CSAPR SO2 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 CSAPR SO2 Group 1 allowance does not constitute a property right.

(d) TITLE V PERMIT REQUIREMENTS.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO2 Group 1 allowances in accordance with this subpart.

(2) A description of whether a unit is required to monitor and report SO2 emissions using a continuous emission monitoring system (under subpart B 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.

(e) ADDITIONAL RECORDKEEPING AND REPORTING REQUIREMENTS.

(1) Unless otherwise provided, the owners and operators of each CSAPR SO2 Group 1 source and each CSAPR SO2 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 CSAPR SO2 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 CSAPR SO2 Group 1 Trading Program.

(2) The designated representative of a CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall make all submissions required under the CSAPR SO2 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

SECTION E. Source Group Restrictions.

requirements under a title V operating permit program in parts 70 and 71 of this chapter.

(f) LIABILITY.

(1) Any provision of the CSAPR SO2 Group 1 Trading Program that applies to a CSAPR SO2 Group 1 source or the designated representative of a CSAPR SO2 Group 1 source shall also apply to the owners and operators of such source and of the CSAPR SO2 Group 1 units at the source.

(2) Any provision of the CSAPR SO2 Group 1 Trading Program that applies to a CSAPR SO2 Group 1 unit or the designated representative of a CSAPR SO2 Group 1 unit shall also apply to the owners and operators of such unit.

(g) EFFECT ON OTHER AUTHORITIES. No provision of the CSAPR SO2 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 CSAPR SO2 Group 1 source or CSAPR SO2 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.

[76 FR 48432, Aug. 8, 2011, as amended at 77 FR 10338, Feb. 21, 2012; 79 FR 71672, Dec. 3, 2014; 81 FR 74616, Aug. 8, 2011;]

 # 008 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.630]

Subpart CCCCC - CSAPR SO2 Group 1 Trading Program

General monitoring, recordkeeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a CSAPR SO2 Group 1 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subparts F and G of part 75 of this chapter. For purposes of applying such requirements, the definitions in § 97.602 and in § 72.2 of this chapter shall apply, the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “CSAPR SO2 Group 1 unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively as defined in § 97.602, and the term “newly affected unit” shall be deemed to mean “newly affected CSAPR SO2 Group 1 unit”. The owner or operator of a unit that is not a CSAPR SO2 Group 1 unit but that is monitored under § 75.16(b)(2) of this chapter shall comply with the same monitoring, recordkeeping, and reporting requirements as a CSAPR SO2 Group 1 unit.

(a) REQUIREMENTS FOR INSTALLATION, CERTIFICATION, AND DATA ACCOUNTING. The owner or operator of each CSAPR SO2 Group 1 unit shall:

(1) Install all monitoring systems required under this subpart for monitoring SO2 mass emissions and individual unit heat input (including all systems required to monitor SO2 concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with §§ 75.11 and 75.16 of this chapter);

(2) Successfully complete all certification tests required under § 97.631 and meet all other requirements of this subpart and part 75 of this chapter applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

(b) COMPLIANCE DEADLINES. Except as provided in paragraph (e) of this section, the owner or operator of a CSAPR SO2 Group 1 unit shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the later of the following dates and shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the later of the following dates:

(1) January 1, 2015; or

(2) 180 calendar days after the date on which the unit commences commercial operation.

(3) The owner or operator of a CSAPR SO2 Group 1 unit for which construction of a new stack or flue or installation of add-on SO2 emission controls is completed after the applicable deadline under paragraph (b)(1) or (2) of this section shall meet the requirements of § 75.4(e)(1) through (4) of this chapter, except that:

SECTION E. Source Group Restrictions.

(i) Such requirements shall apply to the monitoring systems required under § 97.630 through § 97.635, rather than the monitoring systems required under part 75 of this chapter;

(ii) SO2 concentration, stack gas moisture content, stack gas volumetric flow rate, and O2 or CO2 concentration data shall be determined and reported, rather than the data listed in § 75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under § 75.4(e)(2) of this chapter shall be submitted under § 97.635, rather than § 75.66 of this chapter.

(c) REPORTING DATA. The owner or operator of a CSAPR SO2 Group 1 unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for SO2 concentration, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine SO2 mass emissions and heat input in accordance with § 75.31(b)(2) or (c)(3) of this chapter or section 2.4 of appendix D to part 75 of this chapter, as applicable.

(d) PROHIBITIONS.

(1) No owner or operator of a CSAPR SO2 Group 1 unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with § 97.635.

(2) No owner or operator of a CSAPR SO2 Group 1 unit shall operate the unit so as to discharge, or allow to be discharged, SO2 to the atmosphere without accounting for all such SO2 in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR SO2 Group 1 unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording SO2 mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR SO2 Group 1 unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under § 97.605 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with § 97.631(d)(3)(i).

(e) LONG-TERM COLD STORAGE. The owner or operator of a CSAPR SO2 Group 1 unit is subject to the applicable provisions of § 75.4(d) of this chapter concerning units in long-term cold storage.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74617, Oct. 26, 2016]

 # 009 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.634]

Subpart CCCCC - CSAPR SO2 Group 1 Trading Program

Recordkeeping and reporting.

(a) GENERAL PROVISIONS.The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements in subparts F and G of part 75 of this chapter, and the requirements of § 97.614(a).

SECTION E. Source Group Restrictions.

(b) MONITORING PLANS. The owner or operator of a CSAPR SO2 Group 1 unit shall comply with the requirements of § 75.62 of this chapter.

(c) CERTIFICATION APPLICATIONS. The designated representative shall submit an application to the Administrator within 45 days after completing all initial certification or recertification tests required under § 97.631, including the information required under § 75.63 of this chapter.

(d) QUARTERLY REPORTS. The designated representative shall submit quarterly reports, as follows:

(1) The designated representative shall report the SO2 mass emissions data and heat input data for a CSAPR SO2 Group 1 unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the later of:

(i) The calendar quarter covering January 1, 2015 through March 31, 2015; or

(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under § 97.630(b).

(2) The designated representative shall submit each quarterly report to the Administrator within 30 days after the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in § 75.64 of this chapter.

(3) For CSAPR SO2 Group 1 units that are also subject to the Acid Rain Program, CSAPR NOX Annual Trading Program, CSAPR NOX Ozone Season Group 1 Trading Program, or CSAPR NOX Ozone Season Group 2 Trading Program, quarterly reports shall include the applicable data and information required by subparts F through H of part 75 of this chapter as applicable, in addition to the SO2 mass emission data, heat input data, and other information required by this subpart.

(4) The Administrator may review and conduct independent audits of any quarterly report in order to determine whether the quarterly report meets the requirements of this subpart and part 75 of this chapter, including the requirement to use substitute data.

(i) The Administrator will notify the designated representative of any determination that the quarterly report fails to meet any such requirements and specify in such notification any corrections that the Administrator believes are necessary to make through resubmission of the quarterly report and a reasonable time period within which the designated representative must respond. Upon request by the designated representative, the Administrator may specify reasonable extensions of such time period. Within the time period (including any such extensions) specified by the Administrator, the designated representative shall resubmit the quarterly report with the corrections specified by the Administrator, except to the extent the designated representative provides information demonstrating that a specified correction is not necessary because the quarterly report already meets the requirements of this subpart and part 75 of this chapter that are relevant to the specified correction.

(ii) Any resubmission of a quarterly report shall meet the requirements applicable to the submission of a quarterly report under this subpart and part 75 of this chapter, except for the deadline set forth in paragraph (d)(2) of this section.

(e) COMPLIANCE CERTIFICATION. The designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of this subpart and part 75 of this chapter, including the quality assurance procedures and specifications; and

(2) For a unit with add-on SO2 emission controls and for all hours where SO2 data are substituted in accordance with § 75.34(a)(1) of this chapter, the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to part 75 of this chapter and the substitute data values do not systematically underestimate SO2 emissions.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74618, Oct. 26, 2016]

SECTION E. Source Group Restrictions.

 # 010 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.804]
Subpart EEEEE - CSAPR NOX Ozone Season Group 2 Trading Program
Applicability.

(a) Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) are subject to the applicable requirements of 40 CFR Part 97, Subpart EEEEE - CSAPR NOx Ozone Season Group 2 Trading Program. As determined by 97.810 and adjusted on an annual basis by EPA, Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) are allocated the following CSAPR NOx Ozone Season (May 1 through September 30) allowances for the year 2020:

NOx Ozone Season Group 2 Annual Allocation (tons)

Year	Unit 1 - Source 201	Unit 2 - Source 202	Unit 3 - Source 203	Unit 4 - Source 204
2020	29	28	27	27

(b) In accordance with 40 CFR § § 97.821, EPA will announce in a notice of data availability and record in the Unit 1 (Source ID 201), Unit 2 (Source ID 202), Unit 3 (Source 203) and Unit 4 (Source ID 204) Annual NOx Ozone Season Group 2 Compliance Account, the allowance allocations for control periods beyond the year 2024.

(c) The allowances in subsection (a) of this condition are subject to change. Any changes will be promulgated by US EPA in a notice of data availability. Upon promulgation, the new allowances replace the amounts in subsection (a) by rule.

 # 011 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.806]
Subpart EEEEE - CSAPR NOX Ozone Season Group 2 Trading Program
Standard requirements.

(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 §§ 97.813 through 97.818.

(b) EMISSIONS MONITORTING, REPORTING, AND RECORDKEEPING REQUIREMENTS.

(1) The owners and operators, and the designated representative, of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§ 97.830 through 97.835.

(2) The emissions data determined in accordance with §§ 97.830 through 97.835 shall be used to calculate allocations of CSAPR NOX Ozone Season Group 2 allowances under §§ 97.811(a)(2) and (b) and 97.812 and to determine compliance with the CSAPR NOX Ozone Season Group 2 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 §§ 97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NOX EMISSIONS REQUIREMENTS.

(1) CSAPR NOX ANNUAL EMISSIONS LIMITATION.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NOX Ozone Season Group 2 allowances available for deduction for such control period under § 97.824(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Ozone Season Group 2 units at the source.

(ii) If total NOX emissions during a control period in a given year from the CSAPR NOX Ozone Season Group 2 units at a CSAPR NOX Ozone Season Group 2 source are in excess of the CSAPR NOX Ozone Season Group 2 emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

SECTION E. Source Group Restrictions.

(A) The owners and operators of the source and each CSAPR NOX Ozone Season Group 2 unit at the source shall hold the CSAPR NOX Ozone Season Group 2 allowances required for deduction under § 97.824(d); and

(B) The owners and operators of the source and each CSAPR NOX Ozone Season Group 2 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) CSAPR NOXNOX ANNUAL ASSURANCE PROVISIONS.

(i) If total NOX emissions during a control period in a given year from all base CSAPR NOX Ozone Season Group 2 units at base CSAPR NOX Ozone Season Group 2 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) CSAPR NOX Ozone Season Group 2 allowances available for deduction for such control period under § 97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with § 97.825(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 base CSAPR NOX Ozone Season Group 2 units at base CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 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 the year of such control period.

(iii) Total NOX emissions from all base CSAPR NOX Ozone Season Group 2 units at base CSAPR NOX Ozone Season Group 2 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 Group 2 trading budget under § 97.810(a) and the State's variability limit under § 97.810(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total NOX emissions from all base CSAPR NOX Ozone Season Group 2 units at base CSAPR NOX Ozone Season Group 2 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 base CSAPR NOX Ozone Season Group 2 units at base CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 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.

SECTION E. Source Group Restrictions.

(i) A CSAPR NOX Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under § 97.830(b) and for each control period thereafter.

(ii) A base CSAPR NOX Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(2) of this section for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under § 97.830(b) and for each control period thereafter.

(4) VINTAGE OF CSAPR NOX ANNUAL ALLOWANCES HELD FOR COMPLIANCE.

(i) A CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year.

(ii) A CSAPR NOX Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (c)(2)(i) through (iii) of this section for a control period in a given year must be a CSAPR NOX Ozone Season Group 2 allowance that was allocated or auctioned 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 CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 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 CSAPR NOX Ozone Season Group 2 allowance does not constitute a property right.

(d) TITLE V PERMIT REQUIREMENTS.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOX Ozone Season Group 2 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 §§ 97.830 through 97.835 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.

(e) ADDITIONAL RECORDKEEPING AND REPORTING REQUIREMENTS.

(1) Unless otherwise provided, the owners and operators of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 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 § 97.816 for the designated representative for the source and each CSAPR NOX

SECTION E. Source Group Restrictions.

Ozone Season Group 2 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 § 97.816 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 CSAPR NOX Ozone Season Group 2 Trading Program.

(2) The designated representative of a CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NOX Ozone Season Group 2 Trading Program, except as provided in § 97.818. 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.

(f) LIABILITY.

(1) Any provision of the CSAPR NOX Ozone Season Group 2 Trading Program that applies to a CSAPR NOX Ozone Season Group 2 source or the designated representative of a CSAPR NOX Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NOX Ozone Season Group 2 units at the source.

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

(g) EFFECT ON OTHER AUTHORITIES. No provision of the CSAPR NOX Ozone Season Group 2 Trading Program or exemption under § 97.805 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NOX Ozone Season Group 2 source or CSAPR NOX Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

[81 FR 74621, Oct. 26, 2016]

 # 012 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.830]

Subpart EEEEE - CSAPR NOX Ozone Season Group 2 Trading Program

General monitoring, recordkeeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a CSAPR NOX Ozone Season Group 2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subpart H of part 75 of this chapter. For purposes of applying such requirements, the definitions in § 97.802 and in § 72.2 of this chapter shall apply, the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “CSAPR NOX Ozone Season Group 2 unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively as defined in § 97.802, and the term “newly affected unit” shall be deemed to mean “newly affected CSAPR NOX Ozone Season Group 2 unit”. The owner or operator of a unit that is not a CSAPR NOX Ozone Season Group 2 unit but that is monitored under § 75.72(b)(2)(ii) of this chapter shall comply with the same monitoring, recordkeeping, and reporting requirements as a CSAPR NOX Ozone Season Group 2 unit.

(a) REQUIREMENTS FOR INSTALLATION, CERTIFICATION, AND DATA ACCOUNTING. The owner or operator of each CSAPR NOX Ozone Season Group 2 unit shall:

(1) Install all monitoring systems required under this subpart for monitoring NOX mass emissions and individual unit heat input (including all systems required to monitor NOX emission rate, NOX concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with §§ 75.71 and 75.72 of this chapter);

SECTION E. Source Group Restrictions.

(2) Successfully complete all certification tests required under § 97.831 and meet all other requirements of this subpart and part 75 of this chapter applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

(b) COMPLIANCE DEADLINES. Except as provided in paragraph (e) of this section, the owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the latest of the following dates and shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the latest of the following dates:

(1) May 1, 2017;

(2) 180 calendar days after the date on which the unit commences commercial operation; or

(3) Where data for the unit are reported on a control period basis under § 97.834(d)(1)(ii)(B), and where the compliance date under paragraph (b)(2) of this section is not in a month from May through September, May 1 immediately after the compliance date under paragraph (b)(2) of this section.

(4) The owner or operator of a CSAPR NOX Ozone Season Group 2 unit for which construction of a new stack or flue or installation of add-on NOX emission controls is completed after the applicable deadline under paragraph (b)(1), (2), or (3) of this section shall meet the requirements of § 75.4(e)(1) through (4) of this chapter, except that:

(i) Such requirements shall apply to the monitoring systems required under § 97.830 through § 97.835, rather than the monitoring systems required under part 75 of this chapter;

(ii) NOX emission rate, NOX concentration, stack gas moisture content, stack gas volumetric flow rate, and O2 or CO2 concentration data shall be determined and reported, rather than the data listed in § 75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under § 75.4(e)(2) of this chapter shall be submitted under § 97.835, rather than § 75.66 of this chapter.

(c) REPORTING DATA. The owner or operator of a CSAPR NOX Ozone Season Group 2 unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for NOX concentration, NOX emission rate, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine NOX mass emissions and heat input in accordance with § 75.31(b)(2) or (c)(3) of this chapter, section 2.4 of appendix D to part 75 of this chapter, or section 2.5 of appendix E to part 75 of this chapter, as applicable.

(d) PROHIBITIONS.

(1) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with § 97.835.

(2) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall operate the unit so as to discharge, or allow to be discharged, NOX to the atmosphere without accounting for all such NOX in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOX mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this

SECTION E. Source Group Restrictions.

subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under § 97.805 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with § 97.831(d)(3)(i).

(e)LONG-TERM COLD STORAGE. The owner or operator of a CSAPR NOX Ozone Season Group 2 unit is subject to the applicable provisions of § 75.4(d) of this chapter concerning units in long-term cold storage.

[81 FR 74621, Oct. 26, 2016]

 # 013 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.834]

Subpart EEEEE - CSAPR NOX Ozone Season Group 2 Trading Program

Recordkeeping and reporting.

(a)GENERAL PROVISIONS. The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements under § 75.73 of this chapter, and the requirements of § 97.814(a).

(b) MONITORING PLANS.The owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall comply with the requirements of § 75.73(c) and (e) of this chapter.

(c) CERTIFICATION APPLICATIONS. The designated representative shall submit an application to the Administrator within 45 days after completing all initial certification or recertification tests required under § 97.831, including the information required under § 75.63 of this chapter.

(d) QUARTERLY REPORTS. The designated representative shall submit quarterly reports, as follows:

(1)(i) If a CSAPR NOX Ozone Season Group 2 unit is subject to the Acid Rain Program or the CSAPR NOX Annual Trading Program or if the owner or operator of such unit chooses to report on an annual basis under this subpart, then the designated representative shall meet the requirements of subpart H of part 75 of this chapter (concerning monitoring of NOX mass emissions) for such unit for the entire year and report the NOX mass emissions data and heat input data for such unit for the entire year.

(ii) If a CSAPR NOX Ozone Season Group 2 unit is not subject to the Acid Rain Program or the CSAPR NOX Annual Trading Program, then the designated representative shall either:

(A) Meet the requirements of subpart H of part 75 of this chapter for such unit for the entire year and report the NOX mass emissions data and heat input data for such unit for the entire year in accordance with paragraph (d)(1)(i) of this section; or

(B) Meet the requirements of subpart H of part 75 of this chapter (including the requirements in § 75.74(c) of this chapter) for such unit for the control period and report the NOX mass emissions data and heat input data (including the data described in § 75.74(c)(6) of this chapter) for such unit only for the control period of each year.

(2) The designated representative shall report the NOX mass emissions data and heat input data for a CSAPR NOX Ozone Season Group 2 unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter indicated under paragraph (d)(1) of this section beginning by the latest of:

(i) The calendar quarter covering May 1, 2017 through June 30, 2017;

(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under § 97.830(b); or

SECTION E. Source Group Restrictions.

(iii) For a unit that reports on a control period basis under paragraph (d)(1)(ii)(B) of this section, if the calendar quarter under paragraph (d)(2)(ii) of this section does not include a month from May through September, the calendar quarter covering May 1 through June 30 immediately after the calendar quarter under paragraph (d)(2)(ii) of this section.

(3) The designated representative shall submit each quarterly report to the Administrator within 30 days after the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in § 75.73(f) of this chapter.

(4) For CSAPR NOX Ozone Season Group 2 units that are also subject to the Acid Rain Program, CSAPR NOX Annual Trading Program, CSAPR SO2 Group 1 Trading Program, or CSAPR SO2 Group 2 Trading Program, quarterly reports shall include the applicable data and information required by subparts F through H of part 75 of this chapter as applicable, in addition to the NOX mass emission data, heat input data, and other information required by this subpart.

(5) The Administrator may review and conduct independent audits of any quarterly report in order to determine whether the quarterly report meets the requirements of this subpart and part 75 of this chapter, including the requirement to use substitute data.

(i) The Administrator will notify the designated representative of any determination that the quarterly report fails to meet any such requirements and specify in such notification any corrections that the Administrator believes are necessary to make through resubmission of the quarterly report and a reasonable time period within which the designated representative must respond. Upon request by the designated representative, the Administrator may specify reasonable extensions of such time period. Within the time period (including any such extensions) specified by the Administrator, the designated representative shall resubmit the quarterly report with the corrections specified by the Administrator, except to the extent the designated representative provides information demonstrating that a specified correction is not necessary because the quarterly report already meets the requirements of this subpart and part 75 of this chapter that are relevant to the specified correction.

(ii) Any resubmission of a quarterly report shall meet the requirements applicable to the submission of a quarterly report under this subpart and part 75 of this chapter, except for the deadline set forth in paragraph (d)(3) of this section.

(e) COMPLIANCE CERTIFICATION. The designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of this subpart and part 75 of this chapter, including the quality assurance procedures and specifications;

(2) For a unit with add-on NOX emission controls and for all hours where NOX data are substituted in accordance with § 75.34(a)(1) of this chapter, the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to part 75 of this chapter and the substitute data values do not systematically underestimate NOX emissions; and

(3) For a unit that is reporting on a control period basis under paragraph (d)(1)(ii)(B) of this section, the NOX emission rate and NOX concentration values substituted for missing data under subpart D of part 75 of this chapter are calculated using only values from a control period and do not systematically underestimate NOX emissions.

[81 FR 74621, Oct. 26, 2016]

***** Permit Shield in Effect. *****

SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this Title V facility.

SECTION G. Emission Restriction Summary.

No emission restrictions listed in this section of the permit.

SECTION H. Miscellaneous.

This Title V Operating Permit renewal authorizes the operation of four (4) General Electric GE 7 GA dual-fuel, 165.1 MW, simple cycle combustion turbines with LNB and water injection (Source IDs 201, 202, 203, & 204), two (2) natural gas heaters rated at 9.8 MMBtu, turbine foggers, and two (2) 2.25 million gallon fuel storage tanks (Source ID 105) at the facility and includes changes authorized by Plan Approvals PA-03-00975C, PA-03-00975D, and other RFDs.

Turbine Foggers:

The recent installation and operation of foggers on Combustion Turbine Units 3 and 4 to allow for increased output during hot weather was authorized on December 9, 2015 and did not result in an emission increase.

The Title V Permit was administratively amended on February 6, 2023 to incorporate the change in responsible official.

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