COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date:	July 29, 2021	Effective Date:	June 26, 2024
Revision Date:	June 26, 2024	Expiration Date:	June 30, 2026
Revision Type:	Modification, Significant		

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: 32-00040

Federal Tax Id - Plant Code: 81-0806945

Owner Information

Name: SEWARD GENERATION LLC
Mailing Address: 595 PLANT RD
NEW FLORENCE, PA 15944-8927

Plant Information

Plant: SEWARD GENERATING STATION/SEWARD
Location: 32 Indiana County 32919 East Wheatfield Township
SIC Code: 4911 Trans. & Utilities - Electric Services

Responsible Official

Name: JIM PANARO
Title: EXEC VICE PRESIDENT
Phone: (814) 322 - 2294 Email: Jim.panaro@resfuel.com

Permit Contact Person

Name: MARK CRAWFORD
Title: ENVIRONMENTAL COORDINATOR
Phone: (814) 446 - 7162 Email: mark.crawford@resfuel.com

[Signature] _____
LORI MCNABB, ACTING NORTHWEST REGION AIR PROGRAM MANAGER

SECTION A. Table of Contents

SECTION A. Table of Contents

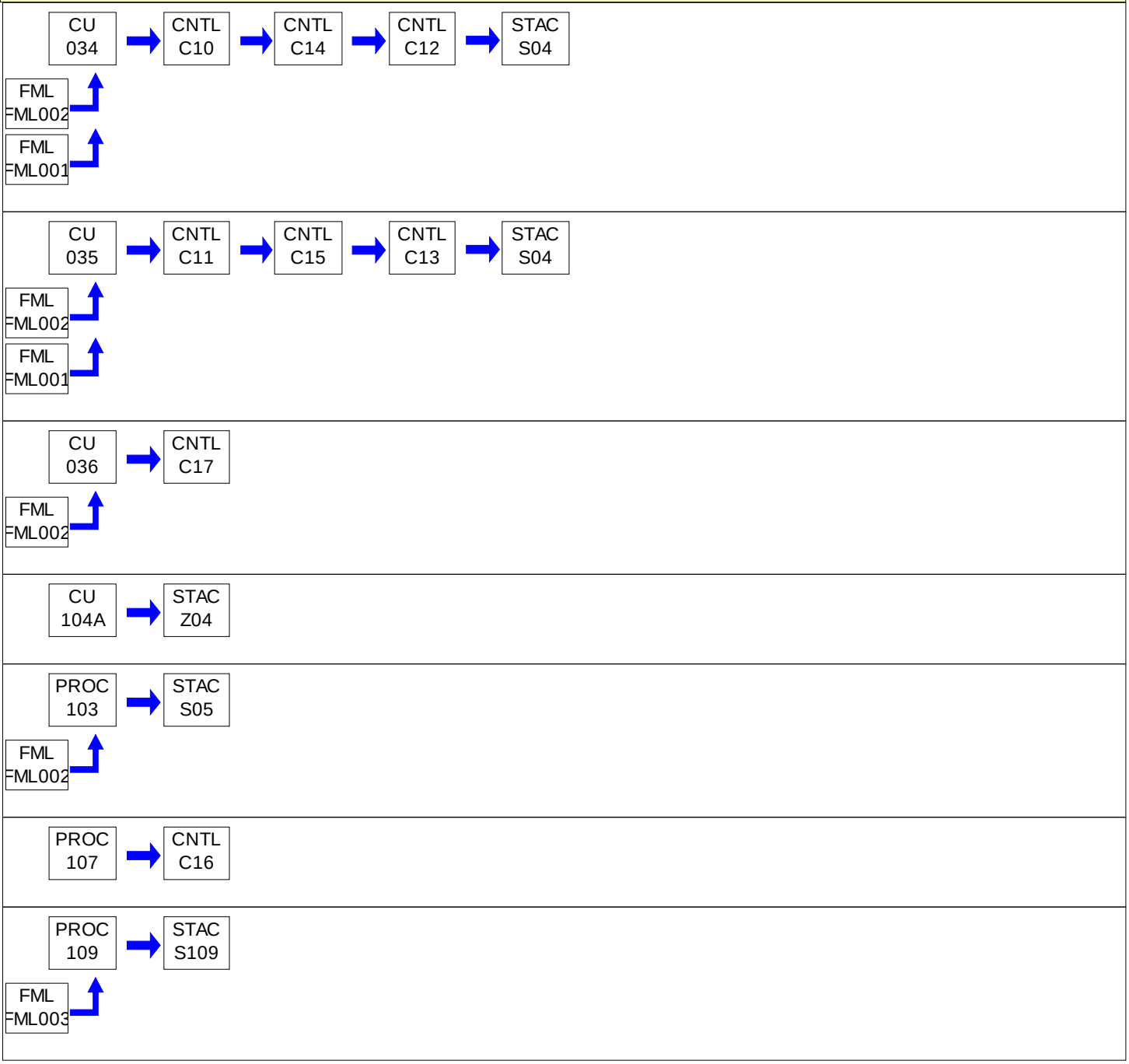
SECTION A. Site Inventory List

Source ID	Source Name	Capacity/Throughput		Fuel/Material
034	CFB BOILER 1	2,532.000	MMBTU/HR	
			N/A	WASTE COAL / BITUMINO
			N/A	#2 Oil
035	CFB BOILER 2	2,532.000	MMBTU/HR	
			N/A	WASTE COAL / BITUMINO
			N/A	#2 Oil
036	LIMESTONE DRYERS (4)		N/A	#2 Oil
104A	SPACE HEATERS		N/A	#2 Oil
103	EMERGENCY DIESEL GENERATOR ENGINE (685-BHP)	5.100	MMBTU/HR	
			N/A	#2 Oil
105	COOLING TOWER		N/A	WATER
107	MATERIAL HANDLING & OTHER FUGITIVE DUST SOURCES		N/A	
108	PHASE 3 MATERIAL HANDLING & SIZING EQPT		N/A	
109	DIESEL AIR COMPRESSOR ENGINE 1 (440-BHP)	3.300	MMBTU/HR	
			N/A	#2 Oil
111	EMERGENCY DIESEL FIREWATER PUMP ENGINE (265-BHP)	2.010	MMBTU/HR	
			N/A	
113	PORTABLE WATER PUMP DIESEL ENGINE (85-BHP)	0.690	MMBTU/HR	
			N/A	#2 Oil
114	LIGHT TOWER DIESEL ENGINE (13.6-BHP)	0.160	MMBTU/HR	
			N/A	#2 Oil
115	COLD CLEANING MACHINES (2 @ 30 GAL CAPACITY EACH)		N/A	
C10	UNIT 1 SNCR SYSTEM			
C11	UNIT 2 SNCR SYSTEM			
C12	UNIT 1 BOILER BAGHOUSE			
C13	UNIT 2 BOILER BAGHOUSE			
C14	UNIT 1 FLYASH REINJECTION			
C15	UNIT 2 FLYASH REINJECTION			
C16	MATERIAL HANDLING BAGHOUSE			
C17	LIMESTONE DRYER BAGHOUSES (4)			
FML001	COAL, COAL REFUSE, PET COKE			
FML002	#2 FUEL OIL			
FML003	ULTRA-LOW SULFUR DIESEL (ULSD) FUEL			
S04	CFB BOILERS COMMON STACK			
S05	EMERGENCY DIESEL GENERATOR ENGINE (685-BHP)			
S109	STACK DIESEL AIR COMPRESSOR ENGINE 1 (440-BHP)			
S111	STACK EMERGENCY DIESEL FIREWATER PUMP ENGINE (265-BHP)			
S113	STACK PORTABLE WATER PUMP DIESEL ENGINE (85-BHP)			

SECTION A. Site Inventory List

Source ID	Source Name	Capacity/Throughput	Fuel/Material
S114	STACK LIGHT TOWER DIESEL ENGINE (13.6-BHP)		
Z04	FUGITIVES SPACE HEATERS		
Z115	FUGITIVES COLD CLEANING MACHINES		

PERMIT MAPS



PERMIT MAPS


PROC 111
STAC S111
FML FML002
PROC 113
STAC S113
FML FML003
PROC 114
STAC S114
FML FML003
PROC 115
STAC Z115

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].

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#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.

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(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.

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(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

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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 § 127.513]

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

SECTION B. General Title V Requirements

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.

#025 [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.

(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.

#026 [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.

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) N/A

(8) N/A

(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) An application form for requesting a determination under either subsection (a)(9) or 129.15(c) is available from the Department. In reviewing these applications, the Department may require the applicant to supply information including, but not limited to, a description of proposed control measures, characteristics of emissions, quantity of emissions, and ambient air quality data and analysis showing the impact of the source on ambient air quality. The applicant shall be required to demonstrate that the requirements of subsections (a)(9) and (c) and 123.2 (relating to fugitive particulate matter) or of the requirements of 129.15(c) have been satisfied. Upon such demonstration, the Department will issue a determination, in writing, either as an operating permit condition, for those sources subject to permit requirements under the act, or as an order containing appropriate conditions and limitations.

(c) A person responsible for any source specified in subsections (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.

(d) N/A

SECTION C. Site Level Requirements

 # 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

In accordance with 25 Pa. Code, § 123.31, owner/operator shall not permit the emission of any malodorous air contaminants from any source in such a manner that the malodors, as determined by the Department, are detectable outside the owner/operator's property.

 # 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.

If the opacity limitations given by § 123.41 conflict with any other opacity limitation in this permit, the more stringent limitation applies.

 # 005 [25 Pa. Code §123.42]

Exceptions

The limitations for opacity (relating to limitations) shall not apply to a visible emission in any of the following instances:

(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) N/A.

 # 006 [25 Pa. Code §129.14]

Open burning operations

(a) In air basins. – Not Applicable

(b) Outside of air basins. 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

SECTION C. Site Level Requirements

(c) Exceptions: The requirements of subsections (a) and (b) 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 solely for recreational or ceremonial purposes.

(7) A fire set solely 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.

(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).

(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.

[The Seward Generating Station is not located in an air basin.]

II. TESTING REQUIREMENTS.

 # 007 [25 Pa. Code §127.441]

Operating permit terms and conditions.

If, at any time, the Department has cause to believe that air contaminant emissions from the facility covered by this operating permit are in excess of the limitations specified in, or established pursuant to, any applicable regulation, the Department shall require the permittee to conduct tests deemed necessary to demonstrate compliance. The permittee shall perform such testing in accordance with the applicable provisions of 25 Pa. Code Chapter 139 (relating to sampling and testing) and in accordance with any restrictions or limitations established by the Department at the time the permittee is notified in writing, of the testing requirement.

SECTION C. Site Level Requirements

 # 008 [25 Pa. Code §139.1]

Sampling facilities.

Upon the request of the Department, the person responsible for a source 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.

III. MONITORING REQUIREMENTS.

 # 009 [25 Pa. Code §123.43]

Measuring techniques

Visible emissions may be measured 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.

 # 010 [25 Pa. Code §127.441]

Operating permit terms and conditions.

[Additional authority for this permit condition is derived from 25 Pa. Code Section 127.511]

(a) The permittee shall conduct a daily inspection during daylight hours of sources covered by this permit that are operating at the facility to determine:

(1) the presence of visible emissions.
(2) the presence of visible fugitive emissions.
(3) the presence of malodors beyond the boundaries of the facility.

(b) All detected visible emissions, visible fugitive emissions or malodors that have the potential to exceed applicable limits shall be reported to the manager of the facility.

IV. RECORDKEEPING REQUIREMENTS.

 # 011 [25 Pa. Code §127.441]

Operating permit terms and conditions.

[Additional authority for this permit condition is derived from 25 Pa. Code Section 127.]

(a) The permittee shall keep records of the daily facility inspections. Records shall include the name of the person conducting the inspections, the date and time of the inspection, and the results of each inspection. If instances of unpermitted visible emissions, visible fugitive emissions and malodorous air emissions are observed, records shall be kept of the corrective action taken to abate same and/or to prevent future occurrences.

(b) These records shall be maintained in a logbook or equivalent recordkeeping approach, shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

 # 012 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

The Owner/Operator shall maintain monthly records of operating hours and fuel consumption for each source at this facility. Records shall include coal refuse, coal, fuel oil, ammonia, and limestone consumption. These records shall be used to calculate emissions for the sources at the facility and shall be used to determine compliance with emission limitations. The records and calculations shall be maintained on file for not less than five (5) years and shall be made available to the Department upon request.

V. REPORTING REQUIREMENTS.

 # 013 [25 Pa. Code §127.442]

Reporting requirements.

SECTION C. Site Level Requirements

(a) The owner or operator shall report each malfunction that occurs at this facility that poses an imminent and substantial danger to the public health and safety or the environment or which it should reasonably believe may result in citizen complaints to the Department. For purpose of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions that may result in citizen complaints include but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property of the person on whose land the source is being operated.

(b) When the malfunction poses an imminent and substantial danger to the public health and safety or the environment, the notification shall be submitted to the Department no later than one hour after the incident. All other malfunctions that must be reported under subsection (a) shall be reported to the Department no later than the next business day.

(c) The report shall describe the:

(i) name and location of the facility;
(ii) nature and cause of the malfunction;
(iii) time when the malfunction was first observed;
(iv) expected duration of excess emissions; and
(v) estimated rate of emissions.

(d) The owner or operator shall notify the Department immediately when corrective measures have been accomplished.

(e) Subsequent to the malfunction, the owner/operator shall submit a full written report to the Department including the items identified in (c) and corrective measures taken on the malfunction within 15 days, if requested.

(f) The owner/operator shall submit reports on the operation and maintenance of the source to the Regional Air Program Manager at such intervals and in such form and detail as may be required by the Department. Information required in the reports may include, but is not limited to, process weight rates, firing rates, hours of operation, and maintenance schedules.

(g) Malfunctions shall be reported to the Department at the following address:

PADEP
Office of Air Quality
230 Chestnut St.
Meadville, PA 16335
814-332-6940

 # 014 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

Owner/operator shall submit the semi-annual monitoring reports for this facility by January 31 and July 31 of each year. The January 31 semi-annual monitoring report shall cover the period from July 1 through December 31. The July 31 semi-annual monitoring report shall cover the period from January 1 through June 30. However, in accordance with Title 25 PA Code § 127.511(c), in no case shall the semi-annual monitoring report be submitted less often than every six (6) months. This may require that an interim semi-annual monitoring report (covering a period less than six (6) months) be submitted to bring the facility into compliance with this schedule.

 # 015 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

With respect to reporting, the permit shall incorporate the applicable reporting requirements and require the following:

(1) Submittal of reports of required monitoring at least every 6 months. Instances of deviations from permit requirements shall be clearly identified in the reports. Required reports shall be certified by a responsible official.

(2) Reporting of deviations from permit requirements within the time required by the terms and conditions of the permit including those attributable to upset conditions as defined in the permit, the probable cause of the deviations and corrective

SECTION C. Site Level Requirements

actions or preventive 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.

 # 016 [25 Pa. Code §127.513]

Compliance certification.

For the Title V Compliance Certification submitted to the Department, as required under VIII. Compliance Certification of this section:

(a) The owner/operator shall also submit to EPA the Title V Compliance Certification by February 28 of each year. For the submittal, the Title V Compliance Certification may be sent to EPA through mail or electronically in accordance with Condition #022 (Submissions) in Section B. General Title V Requirements of this permit.

(b) In accordance with Title 25 PA Code § 127.513(5)(i), in no case shall the Title V Compliance Certification be submitted less often than annually. This may require that an interim Title V Compliance Certification (covering a period less than one year) be submitted to bring the facility into compliance with this schedule.

 # 017 [25 Pa. Code §135.21]

Emission statements

The owner or operator of each stationary source emitting oxides of nitrogen and/or VOCs 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.

 # 018 [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 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, Toxics, and Radiation
Environmental Protection Agency
Region III
Office of Air Quality
1650 Arch Street
Philadelphia, PA 19103

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

VI. WORK PRACTICE REQUIREMENTS.

 # 019 [25 Pa. Code §127.444]

Compliance requirements.

The owner/operator shall maintain and operate all the sources at this facility in accordance with good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.

 # 020 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Compliance with the emission limits herein shall be demonstrated through engineering calculations based on fuel usage, hours of operation, fuel analysis, CEM data, stack testing, manufacturer's guarantee, AP-42, or other emission factors that are acceptable to the Department.

VIII. COMPLIANCE CERTIFICATION.

The permittee shall submit within thirty days of 01/29/2022 a certificate of compliance with all permit terms and conditions set forth in this Title V permit as required under condition #026 of section B of this permit, and annually thereafter.

SECTION C. Site Level Requirements

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

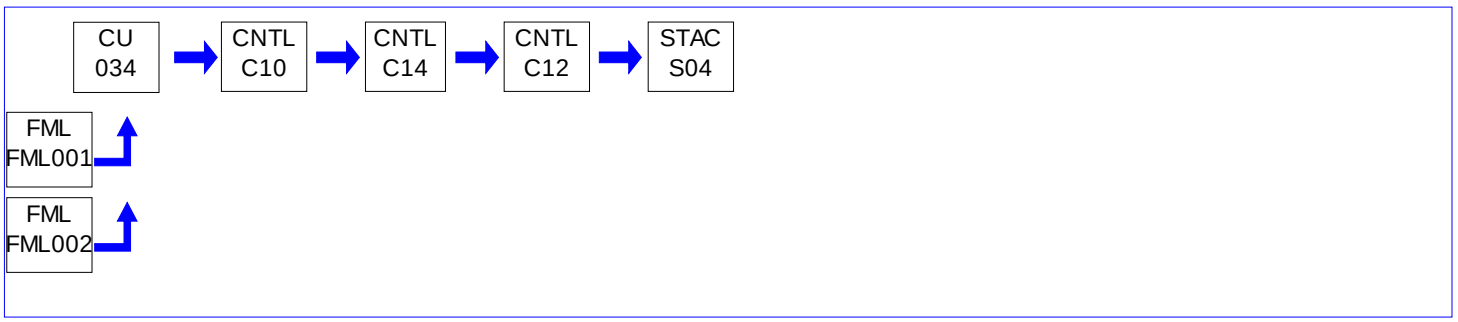
***** Permit Shield In Effect *****

SECTION D. Source Level Requirements

Source ID: 034 Source Name: CFB BOILER 1

Source Capacity/Throughput: 2,532.000 MMBTU/HR
N/A WASTE COAL / BITUMINOUS CO/
N/A #2 Oil

Conditions for this source occur in the following groups: CFB BOILERS
CFB BOILERS - CAM REQTS
CFB BOILERS - CSAPR
CFB BOILERS - GEN REQTS
CFB BOILERS - INDIANA COUNTY SO2 SIP
CFB BOILERS - MACT UTILITY
CFB BOILERS - NSPS EGU
FUEL OIL - COMBUSTION UNITS



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).

SECTION D. Source Level Requirements

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).

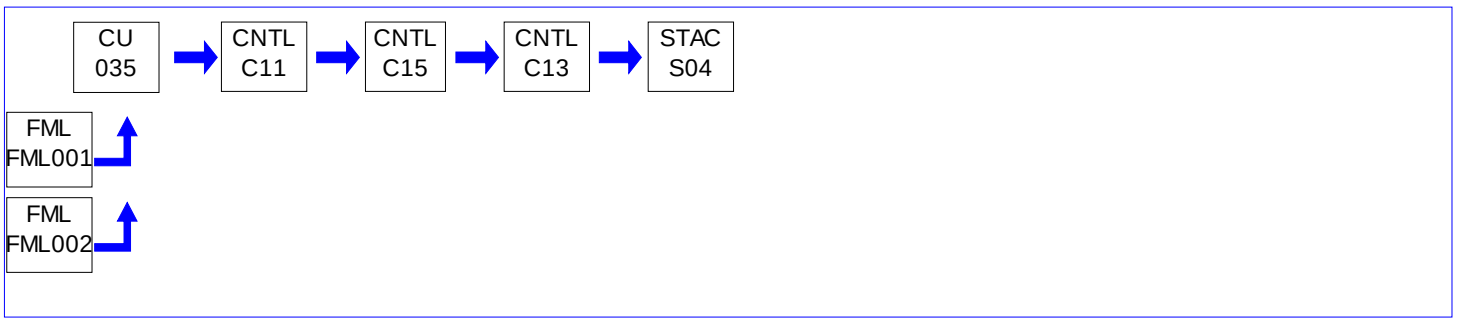
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 035 Source Name: CFB BOILER 2

Source Capacity/Throughput: 2,532.000 MMBTU/HR
N/A WASTE COAL / BITUMINOUS CO/
N/A #2 Oil

Conditions for this source occur in the following groups: CFB BOILERS
CFB BOILERS - CAM REQTS
CFB BOILERS - CSAPR
CFB BOILERS - GEN REQTS
CFB BOILERS - INDIANA COUNTY SO2 SIP
CFB BOILERS - MACT UTILITY
CFB BOILERS - NSPS EGU
FUEL OIL - COMBUSTION UNITS



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).

SECTION D. Source Level Requirements

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).

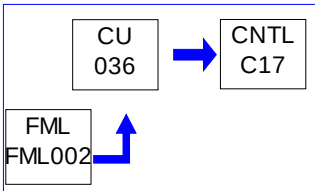
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 036 Source Name: LIMESTONE DRYERS (4)

Source Capacity/Throughput: N/A #2 Oil

Conditions for this source occur in the following groups: FUEL OIL - COMBUSTION UNITS



I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The owner or Operator shall not permit the emission into the outdoor atmosphere of particulate matter emissions from the fuel or limestone handling and processing any stack emissions in a matter that the concentration of particulate matter in the effluent gas exceeds 0.02 gr/dscf.

[40 CFR § 60.672(a)(1), 25 Pa. Code § 127.1, and 25 Pa. Code § 127.12b, from Plan Approval, PA-32-00040B, Condition 12]

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.

 # 002 [25 Pa. Code §129.112]

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)—(k) located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 (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 (n)—(p) or § 129.114 (relating to alternative RACT proposal and petition for alternative compliance schedule):

SECTION D. Source Level Requirements

(1) January 1, 2023, for a source subject to § 129.111(a).

(2) January 1, 2023, 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 § 129.111(b).

(b) Not applicable.

(c) The owner and operator of a source listed in this subsection that is located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 shall install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices:

(1) Not applicable.

(2) A VOC air contamination source that has the potential to emit less than 2.7 TPY of VOC.

(3) Not applicable.

(4) A boiler or other combustion source with an individual rated gross heat input less than 20 million Btu/ hour.

(5)-(11) Not applicable.

(d)-(k) Not applicable.

(l) 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)—(k) prior to November 12, 2022, under §§ 129.91—129.95 (relating to stationary sources of NOx and VOCs) or under §§ 129.96—129.100 (relating to additional RACT requirements for major 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.

(m)-(q) Not applicable.

[This requirement also satisifies the requirements of 25 Pa. Code §129.97]

 # 003 [25 Pa. Code §129.115]

Written notification, compliance demonstration and recordkeeping and reporting requirements

(a) This requirement was met on December 21, 2022.

(b)-(e) Not applicable.

(f) The owner and operator of an air contamination source subject to this section and §§ 129.111—129.114 shall keep records to demonstrate compliance with §§ 129.111—129.114 and submit reports to the Department or appropriate approved local air pollution control agency in accordance with the applicable regulations in 25 Pa. Code, Part I, Subpart C, Article III (relating to air resources) and as specified in the operating permit or plan approval for the air contamination source as follows:

(1) The records shall include sufficient data and calculations to demonstrate that the requirements of §§ 129.111—129.114 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.

(3) The records necessary to determine compliance shall be reported to the Department or appropriate approved local air pollution control agency on a schedule specified in the applicable regulation or as otherwise specified in the operating permit or plan approval for the air contamination source.

SECTION D. Source Level Requirements

(g)-(j) Not applicable.

(k) 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.

[This requirement also satisfies the requirements of 25 Pa. Code §129.100]

VII. ADDITIONAL REQUIREMENTS.

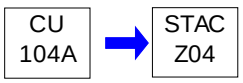
No additional requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) and/or Section E (Source Group Restrictions).

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

SECTION D. Source Level Requirements

Source ID: 104A Source Name: SPACE HEATERS

Source Capacity/Throughput: N/A #2 Oil



I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §123.13]

Processes

No person may permit the emission into the outdoor atmosphere of particulate matter, at any time, in excess of the rate in such a manner that the concentration of particulate matter in the effluent gas exceeds .04 grains per dry standard cubic foot.

 # 002 [25 Pa. Code §123.21]

General

No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO2, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (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.

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 D. Source Level Requirements

Source ID: 103 Source Name: EMERGENCY DIESEL GENERATOR ENGINE (685-BHP)

Source Capacity/Throughput: 5.100 MMBTU/HR
N/A #2 Oil

Conditions for this source occur in the following groups: DIESEL ENGINES - EXISTING

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: 105 Source Name: COOLING TOWER

Source Capacity/Throughput: N/A WATER

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.

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 D. Source Level Requirements

Source ID: 107 Source Name: MATERIAL HANDLING & OTHER FUGITIVE DUST SOURCES

Source Capacity/Throughput: N/A

PROC 107 → CNTL C16

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

There shall be no fugitive emissions contrary to 25 Pa. Code § § 123.1 and 123.2.

[From Plan Approval, PA-32-00040B, Condition 9.]

 # 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.672]

Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

Standard for particulate matter.

(a) Affected facilities must meet the stack emission limits and compliance requirements in Table 2 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.8. The requirements in Table 2 of this subpart apply for affected facilities with capture systems used to capture and transport particulate matter to a control device.

(b) [Compliance with PA 32-00040B's 'No Fugitive Emissions' assures compliance this section.]

(c) [Reserved]

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a) and (b) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) Fugitive emissions from the building openings (except for vents as defined in §60.671) must not exceed 7 percent opacity; and

[The 7% opacity limit is streamlined out by PA 32-00040B's No Fugitive Emissions.]

(2) Vents (as defined in §60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of this subpart.

(f) Any baghouse that controls emissions from only an individual, enclosed storage bin is exempt from the applicable stack PM concentration limit (and associated performance testing) in Table 2 of this subpart but must meet the applicable stack opacity limit and compliance requirements in Table 2 of this subpart. This exemption from the stack PM concentration limit does not apply for multiple storage bins with combined stack emissions.

 # 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 000 Table 2]

Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

Stack Emission Limits for Affected Facilities With Capture Systems

FOR:

Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008

SECTION D. Source Level Requirements

THE OWNER OR OPERATOR MUST MEET A PM LIMIT OF:
0.05 g/dscm (0.022 gr/dscf)

AND THE OWNER OR OPERATOR MUST MEET AN OPACITY LIMIT OF:
7 percent for dry control devices

THE OWNER OR OPERATOR MUST DEMONSTRATE COMPLIANCE WITH THESE LIMITS BY CONDUCTING:
An initial performance test according to §60.8 of this part and §60.675 of this subpart.

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.

 # 004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The truck loading and unloading areas and the plant delivery roads shall be paved with asphalt, concrete, or an equivalent surface approved by the Department.

[From Plan Approval, PA-32-00040B, Condition 33.]

 # 005 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Road dust shall be controlled by a road sweeper and the use of water sprays, oils, or other dust surfactants including 250 feet of public highway on either side of the access road.

[From Plan Approval, PA-32-00040B, Condition 34.]

 # 006 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The plant shall post and shall enforce a speed limit of 15 mph or less on all in-plant roads.

[From Plan Approval, PA-32-00040B, Condition 37.]

 # 007 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

A pressurized water truck shall be on site and in use when the facility is operating on an as needed basis acceptable to the Department.

SECTION D. Source Level Requirements

[From Plan Approval, PA-32-00040B, Condition 35.]

 # 008 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

All front-end loaders used to transfer and load coal and limestone shall maintain a minimal amount of drop from the front-end loader into bins or trucks so as to prevent fugitive emissions.

[From Plan Approval, PA-32-00040B, Condition 38.]

 # 009 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

All conveyor belts shall be partially enclosed, and all screens and crushers shall be fully enclosed so as to prevent fugitive emissions from becoming airborne.

[From Plan Approval, PA-32-00040B, Condition 39.]

 # 010 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Ash silos shall discharge through an ash conditioner which shall moisten the ash before it is loaded into trucks for disposal. Tanker truck pneumatic loading of dry ash is permitted.

[From Plan Approval, PA-32-00040B, Condition 40.]

 # 011 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Coal and limestone shall not be stockpiled or loaded in any area that is not enclosed or adequately watered by the pressurized water truck and/or sprinkler system.

[From Plan Approval, PA-32-00040B, Condition 41.]

 # 012 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The plant shall post a sign stating and shall enforce the requirement that “All loaded trucks entering or exiting plant property shall be properly tarpaulin covered.’ The plant shall deny all non-tarped trucks access to the weigh station.

[From Plan Approval, PA-32-00040B, Condition 36.]

VII. ADDITIONAL REQUIREMENTS.

 # 013 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The following provisions of § 40 CFR 60 Subpart OOO apply to Source 107 and are incorporated by reference.

(a) § 60.671 (Definitions)
(b) § 60.673 (Reconstruction)
(c) § 60.674 (Monitoring of operations) [This section will apply once this source is reconstructed or modified, and the changes do not qualify for the exemption described in § 60.670(d)(1).]
(d) § 60.675 (Test methods and procedures) [Provisions for the one-time performance test requirement]
(e) § 60.676 (Reporting and recordkeeping) [Provisions to demonstrate compliance with §§ 60.670(d), 60.674, and 60.675]
(d) Table 1 to § 60 Subpart OOO (Exceptions to Applicability of Subpart A to Subpart OOO)
(e) Table 3 to § 60 Subpart OOO (Fugitive Emission LImits)

 # 014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.670]

Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

SECTION D. Source Level Requirements

Applicability and designation of affected facility.

(a)
(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) [Not Applicable]

(b) - (c) [Not Applicable]

(d)
(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, modification, or reconstruction after August 31, 1983, is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that do not apply to owners and operators of affected facilities subject to this subpart or that apply with certain exceptions.

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

SECTION D. Source Level Requirements

Source ID: 108 Source Name: PHASE 3 MATERIAL HANDLING & SIZING EQPT

Source Capacity/Throughput: N/A

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Emissions from the Phase III Material Handling and Fuel Sizing Equipment (Source #108) shall be no greater than 11 tons/year of PM10 in any consecutive 12-month period.

[From Plan Approval, PA-32-00040B, Condition 15A.]

 # 002 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner or Operator shall not permit the emission into the outdoor atmosphere of particulate matter emissions from the fuel handling and processing in a manner that the concentration of particulate matter in the effluent gas exceeds 0.02 gr/dscf.

[From Plan Approval, PA-32-00040B, Condition 12.]

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.

 # 003 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

All front-end loaders used to transfer and load coal shall maintain a minimal amount of drop from the front-end loader into bins or trucks so as to prevent fugitive emissions.

[From Plan Approval, PA-32-00040B, Condition 38.]

 # 004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Coal shall not be stockpiled or loaded in any area that is not enclosed or adequately watered by the pressurized water truck and/or sprinkler system.

SECTION D. Source Level Requirements

[From Plan Approval, PA-32-00040B, Condition 41.]

VII. ADDITIONAL REQUIREMENTS.

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

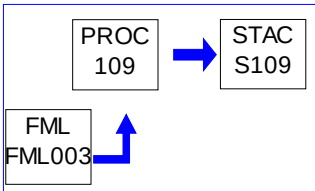
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 109 Source Name: DIESEL AIR COMPRESSOR ENGINE 1 (440-BHP)

Source Capacity/Throughput: 3.300 MMBTU/HR
N/A #2 Oil

Conditions for this source occur in the following groups: DIESEL ENGINES - NEW



I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Total NOx emissions from this Diesel Air Compressor Engine 1 (Source ID 109) shall be limited to less than 100 lbs/hr, 1000 lbs/day, 2.75 tons per ozone season, and 6.6 tons in any consecutive 12-month period.

[From Plan Approval, PA-32-00040B, Condition 15B.]

The operators of the Seward Generating Station shall keep adequate monthly records of operation of this engine to ensure that these requirements are met.

 # 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]

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

What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI interna

(a) [Not Applicable]

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

[Pursuant to § 60.4201(a), for engines with maximum engine power less than or equal to 2,237 kw (3,000 hp) must be certified to emission standards in § 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and § 40 CFR part 1039, appendix I. The engine designated as Source 109 is certified to meet these emission standards.]

APPENDIX I TO PART 1039—SUMMARY OF PREVIOUS EMISSION STANDARDS

The following standards, which EPA originally adopted under 40 CFR part 89, apply to nonroad compression-ignition engines produced before the model years specified in §1039.1:

(a) - (b) [Not Applicable. Tier 1 & Tier 2 standards.]

(c) Tier 3 standards apply as summarized in the following table:

TABLE 3 TO APPENDIX I—TIER 3 EMISSION STANDARDS
[Standards below apply to Source 109 based on its rated power. Omitted values for 37<=kW<75, and 75<=kW<130.]

RATED POWER (kW):	130<=kW<=560
STARTING MODEL YEAR:	2006
NOx + NMHC:	4.0 g/kW-hr
CO:	3.5 g/kW-hr

SECTION D. Source Level Requirements

PM: 0.20 g/kW-hr

(d) Tier 1 through Tier 3 standards applied only for discrete-mode steady-state testing. There were no not-to-exceed standards or transient testing.

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§ 1039.105 WHAT SMOKE STANDARDS MUST MY ENGINES MEET?

(a) The smoke standards in this section apply to all engines subject to emission standards under this part, except for the following engines:

(1) Single-cylinder engines.

(2) Constant-speed engines.

(3) Engines certified to a PM emission standard or FEL of 0.07 g/kW-hr or lower.

(b) Measure smoke as specified in §1039.501(c). Smoke from your engines may not exceed the following standards:

(1) 20 percent during the acceleration mode.

(2) 15 percent during the lugging mode.

(3) 50 percent during the peaks in either the acceleration or lugging modes.

(c) - (f) [Not Applicable]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

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).

SECTION D. Source Level 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) 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: 111 Source Name: EMERGENCY DIESEL FIREWATER PUMP ENGINE (265-BHP)

Source Capacity/Throughput: 2.010 MMBTU/HR
N/A

Conditions for this source occur in the following groups: DIESEL ENGINES - EXISTING

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).

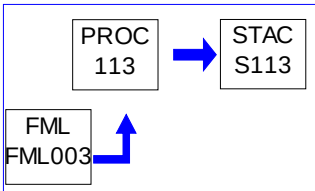
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 113 Source Name: PORTABLE WATER PUMP DIESEL ENGINE (85-BHP)

Source Capacity/Throughput: 0.690 MMBTU/HR
N/A #2 Oil

Conditions for this source occur in the following groups: DIESEL ENGINES - NEW



I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]

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

What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI interna

(a) [Not Applicable]

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

[Pursuant to § 60.4201(a), for engines with maximum engine power less than or equal to 2,237 kw (3,000 hp) must be certified to emission standards in § 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and § 40 CFR part 1039, appendix I. The engine designated as Source 113 is certified to meet these emission standards.]

APPENDIX I TO PART 1039—SUMMARY OF PREVIOUS EMISSION STANDARDS

The following standards, which EPA originally adopted under 40 CFR part 89, apply to nonroad compression-ignition engines produced before the model years specified in §1039.1:

(a) - (b) [Not Applicable. Tier 1 & Tier 2 standards.]

(c) Tier 3 standards apply as summarized in the following table:

TABLE 3 TO APPENDIX I—TIER 3 EMISSION STANDARDS
[Standards below apply to Source 113 based on its rated power. Omitted values for 75<=kW<130 and 130<=kW<=560 .]

RATED POWER (kW):	37<=kW<75
STARTING MODEL YEAR:	2008
NOx + NMHC:	4.7 g/kW-hr
CO:	5.0 g/kW-hr
PM:	0.40 g/kW-hr

(d) Tier 1 through Tier 3 standards applied only for discrete-mode steady-state testing. There were no not-to-exceed standards or transient testing.

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§ 1039.105 WHAT SMOKE STANDARDS MUST MY ENGINES MEET?

(a) The smoke standards in this section apply to all engines subject to emission standards under this part, except for the following engines:

SECTION D. Source Level Requirements

(1) Single-cylinder engines.

(2) Constant-speed engines.

(3) Engines certified to a PM emission standard or FEL of 0.07 g/kW-hr or lower.

(b) Measure smoke as specified in §1039.501(c). Smoke from your engines may not exceed the following standards:

(1) 20 percent during the acceleration mode.

(2) 15 percent during the lugging mode.

(3) 50 percent during the peaks in either the acceleration or lugging modes.

(c) - (f) [Not Applicable]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

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. *****

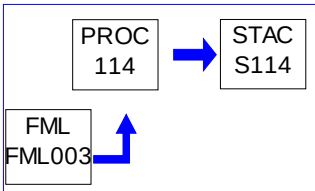
SECTION D. Source Level Requirements

Source ID: 114 Source Name: LIGHT TOWER DIESEL ENGINE (13.6-BHP)

Source Capacity/Throughput: 0.160 MMBTU/HR

N/A #2 Oil

Conditions for this source occur in the following groups: DIESEL ENGINES - NEW



I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]

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

What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI interna

(a) [Not Applicable]

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

[Pursuant to § 60.4201(a), for engines with maximum engine power less than or equal to 2,237 kw (3,000 hp) must be certified to emission standards in § 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and § 40 CFR part 1039, appendix I. The engine designated as Source 114 is certified to mee Tier 4 emission standards.

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§ 1039.102 WHAT EXHAUST EMISSION STANDARDS AND PHASE-IN ALLOWANCES APPLY FOR MY ENGINES IN MODEL YEAR 2014 AND EARLIER?

TABLE 1 OF §1039.102—TIER 4 EXHAUST EMISSION STANDARDS (G/KW-HR): KW <19

[Standards below apply to Source 114 based on its rated power. Omitted values for kW <8.]

RATED POWER (kW):	8<=kW<19
STARTING MODEL YEAR:	2008-2014
NOx + NMHC:	7.5 g/kW-hr
CO:	6.6 g/kW-hr
PM:	0.40 g/kW-hr

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§ 1039.105 WHAT SMOKE STANDARDS MUST MY ENGINES MEET?

(a) The smoke standards in this section apply to all engines subject to emission standards under this part, except for the following engines:

(1) Single-cylinder engines.

(2) Constant-speed engines.

(3) Engines certified to a PM emission standard or FEL of 0.07 g/kW-hr or lower.

(b) Measure smoke as specified in §1039.501(c). Smoke from your engines may not exceed the following standards:

SECTION D. Source Level Requirements

(1) 20 percent during the acceleration mode.

(2) 15 percent during the lugging mode.

(3) 50 percent during the peaks in either the acceleration or lugging modes.

(c) - (f) [Not Applicable]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

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: 115 Source Name: COLD CLEANING MACHINES (2 @ 30 GAL CAPACITY EACH)

Source Capacity/Throughput: N/A

PROC 115 → STAC Z115

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.

 # 001 [25 Pa. Code §129.63]

Degreasing operations

(a) Cold cleaning machines. Except for those subject to the Federal National emissions standards for hazardous air pollutants (NESHAP) for halogenated solvent cleaners under 40 CFR Part 63 (relating to National emission standards for hazardous air pollutants for source categories), this subsection applies to cold cleaning machines that use 2 gallons or more of solvents containing greater than 5% VOC content by weight for the cleaning of metal parts.

(1) Immersion cold cleaning machines shall have a freeboard ratio of 0.50 or greater.

(2) Immersion cold cleaning machines and remote reservoir cold cleaning machines shall:

(i) Have a permanent, conspicuous label summarizing the operating requirements in paragraph (3). In addition, the label shall include the following discretionary good operating practices:

(A) Cleaned parts should be drained at least 15 seconds or until dripping ceases, whichever is longer. Parts having cavities or blind holes shall be tipped or rotated while the part is draining. During the draining, tipping or rotating, the parts should be positioned so that solvent drains directly back to the cold cleaning machine.

(B) When a pump-agitated solvent bath is used, the agitator should be operated to produce a rolling motion of the solvent with no observable splashing of the solvent against the tank walls or the parts being cleaned.

SECTION D. Source Level Requirements

(C) Work area fans should be located and positioned so that they do not blow across the opening of the degreaser unit.

(ii) Be equipped with a cover that shall be closed at all times except during cleaning of parts or the addition or removal of solvent. For remote reservoir cold cleaning machines which drain directly into the solvent storage reservoir, a perforated drain with a diameter of not more than 6 inches shall constitute an acceptable cover.

(3) Cold cleaning machines shall be operated in accordance with the following procedures:

(i) Waste solvent shall be collected and stored in closed containers. The closed containers may contain a device that allows pressure relief, but does not allow liquid solvent to drain from the container.

(ii) Flushing of parts using a flexible hose or other flushing device shall be performed only within the cold cleaning machine. The solvent spray shall be a solid fluid stream, not an atomized or shower spray.

(iii) Sponges, fabric, wood, leather, paper products and other absorbent materials may not be cleaned in the cold cleaning machine.

(iv) Air agitated solvent baths may not be used.

(v) Spills during solvent transfer and use of the cold cleaning machine shall be cleaned up immediately.

(4) After December 22, 2002, a person may not use, sell or offer for sale for use in a cold cleaning machine any solvent with a vapor pressure of 1.0 millimeter of mercury (mm Hg) or greater and containing greater than 5% VOC by weight, measured at 20°C (68°F) containing VOCs.

(5) On and after December 22, 2002, a person who sells or offers for sale any solvent containing VOCs for use in a cold cleaning machine shall provide, to the purchaser, the following written information:

(i) The name and address of the solvent supplier.

(ii) The type of solvent including the product or vendor identification number.

(iii) The vapor pressure of the solvent measured in mm hg at 20°C (68°F).

(6) A person who operates a cold cleaning machine shall maintain for at least 2 years and shall provide to the Department, on request, the information specified in paragraph (5). An invoice, bill of sale, certificate that corresponds to a number of sales, Material Safety Data Sheet (MSDS), or other appropriate documentation acceptable to the Department may be used to comply with this section.

(7) N/A.

(b) – (e) N/A.

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: CFB BOILERS

Group Description: RACT III

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §129.112]

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

(a)-(f) See Work Practice Requirements.

(g) Except as specified in subsection (c), the owner and operator of a NOx air contamination source listed in this subsection that is located at a major NOx emitting facility or a VOC air contamination source listed in this subsection that is located at a major VOC emitting facility subject to § 129.111 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 specified in the following paragraphs:

(1) The owner or operator of:

(i)-(v) Not applicable.

(vi) A circulating fluidized bed combustion unit firing waste products of coal mining, physical coal cleaning and coal preparation operations that contain coal, matrix material, clay and other organic and inorganic material with a rated heat input equal to or greater than 250 million Btu/hour shall comply with the following presumptive RACT requirements and RACT emission limitations as applicable:

(A) 0.16 lb NOx/million Btu heat input when firing primarily bituminous waste such as gob.

(B) Not applicable.

(C) Control the NOx emissions each operating day by operating the installed air pollution control technology and combustion controls at all times consistent with the technological limitations, manufacturer's specifications, good engineering and maintenance practices and good air pollution control practices for controlling emissions.

(vii) Not applicable.

(2)-(4) Not applicable.

(h)-(q) See Work Practice 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).

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).

VI. WORK PRACTICE REQUIREMENTS.

 # 002 [25 Pa. Code §129.112]

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)—(k) located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 (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 (n)—(p) or § 129.114 (relating to alternative RACT proposal and petition for alternative compliance schedule):

(1) January 1, 2023, for a source subject to § 129.111(a).

(2) Not applicable.

(b) The owner and operator of a source listed in this subsection that is located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 shall comply with the applicable presumptive RACT requirements in paragraph (1) and recordkeeping and reporting requirements in paragraph (2).

(1) Not applicable.

(2) The applicable recordkeeping and reporting requirements of § 129.115(f) and (i) (relating to written notification, compliance demonstration and recordkeeping and reporting requirements).

(3) Compliance with the applicable presumptive RACT requirements in paragraph (1) and recordkeeping and reporting requirements in paragraph (2) assures compliance with the provisions in §§ 129.93(b)(2), (3), (4) and (5) and 129.97(b)(1), (2) and (3) (relating to presumptive RACT emissions limitations; and presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule).

(c) Not applicable.

(d) Except as specified in subsection (c), the owner and operator of a combustion unit, brick kiln, cement kiln, lime kiln, glass melting furnace or combustion source located at a major VOC emitting facility subject to § 129.111 shall install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices for the control of the VOC emissions from the combustion unit, brick kiln, cement kiln, lime kiln, glass melting furnace or combustion source.

(e)-(f) Not applicable.

(g) See Emission Restriction.

(h)-(k) Not applicable.

(l) 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)—(k) prior to November 12, 2022, under §§ 129.91—129.95 (relating to stationary sources of NOx and VOCs) or under §§ 129.96—129.100 (relating to additional RACT requirements for major 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.

(m) The requirements and emission limitations of this section supersede the requirements and emission limitations of §§ 129.201—129.205, 129.301—129.310, 145.111—145.113 and 145.141—145.146 unless the requirements or emission limitations of §§ 129.201—129.205, §§ 129.301—129.310, §§ 145.111—145.113 or §§ 145.141—145.146 are more stringent.

SECTION E. Source Group Restrictions.

(n)-(q) Not applicable.

 # 003 [25 Pa. Code §129.115]

Written notification, compliance demonstration and recordkeeping and reporting requirements

(a) This requirement was met on December 21, 2022.

(b) Except as specified in subsection (d), the owner and operator of an air contamination source subject to a NOx RACT requirement or RACT emission limitation or VOC RACT requirement or RACT emission limitation, or both, listed in § 129.112 (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-operating day rolling average, except for municipal waste combustors subject to § 129.112(f), combustion units or process heaters subject to § 129.112(g)(1) and direct-fired heaters, furnaces, ovens or other combustion sources subject to § 129.112(k).

(i) A 30-operating 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.

(ii) Each 30-operating 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)-(3) Not applicable.

(4) For a combustion unit or process heater subject to § 129.112(g)(1) with a CEMS, monitoring and testing in accordance with the requirements in Chapter 139, Subchapter C, using a daily average.

(i) The daily average shall be calculated by summing the total pounds of pollutant emitted for the calendar day and dividing that value by the total heat input to the source for the same calendar day.

(ii) The daily average for the source shall include all emissions that occur during the entire day.

(5)-(6) Not applicable.

(c) Not applicable.

(d) Except as specified in § 129.112(n) and § 129.114(l) (relating to alternative RACT proposal and petition for alternative compliance schedule), the owner and operator of an air contamination source subject to subsection (b) 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, 2023, for a source subject to § 129.111(a) (relating to applicability).

(2) Not applicable.

(e) Not applicable.

(f) The owner and operator of an air contamination source subject to this section and § § 129.111—129.114 shall keep records to demonstrate compliance with § § 129.111—129.114 and submit reports to the Department or appropriate approved local air pollution control agency in accordance with the applicable regulations in 25 Pa. Code, Part I, Subpart C, Article III (relating to air resources) and as specified in the operating permit or plan approval for the air contamination source as follows:

(1) The records shall include sufficient data and calculations to demonstrate that the requirements of § § 129.111—129.114 are met.

SECTION E. Source Group Restrictions.

(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.

(3) The records necessary to determine compliance shall be reported to the Department or appropriate approved local air pollution control agency on a schedule specified in the applicable regulation or as otherwise specified in the operating permit or plan approval for the air contamination source.

(g)-(j) Not applicable.

(k) 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.

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: CFB BOILERS - CAM REQTS

Group Description: CAM Requirements

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

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.

[Additional authority for permit condition (a) is also derived from 40 CFR § § 64.3 & 64.6.]

(a) The permittee shall adhere to the following range to provide reasonable assurance of compliance with the filterable PM10 emission limit. A departure from the specified indicator range shall be defined as an excursion:

(1) Filterable PM10 emissions are calculated by the DAHS using opacity, exhaust flow, CO2 concentration data and the Opacity vs. Particulate Correlation curve. An excursion of the calculated filterable PM-10 emission rate is defined as a 3-hour block average, where the rate is greater than 0.009 Lbs per MMBtu.

[Additional authority for permit conditions (b)-(d) is also derived from 40 CFR §64.3.]

(b) The permittee shall utilize approved QA/QC practices that are adequate to ensure continuing validity of data and proper performance of the devices.

(1) The permittee shall, for opacity measuring devices, maintain detector(s) or sensor(s) at locations approved by the Department for obtaining data that are representative of the baghouses exhaust gas opacity.

(2) The permittee shall develop verification procedures to confirm the operational status of new or modified monitoring equipment prior to commencement of the monitoring process.

SECTION E. Source Group Restrictions.

(3) The permittee shall calibrate and check the accuracy of monitoring equipment taking into account the manufacturer's specifications at approved time intervals.

(c) The permittee shall maintain all monitoring equipment and stock parts necessary for routine repairs onsite.

(d) The permittee shall ensure that at least 90% of the monitoring data in a calendar month, or at least 95% of the monitoring data in a calendar quarter, has been properly and accurately collected.

[Additional authority for permit condition (e) is also derived from 40 CFR §64.4.]

(e) The permittee shall submit an implementation plan and schedule if the opacity indicator requires installation, testing or other necessary activities. The schedule for completing installation and beginning operation of the monitoring may not exceed 180 days after the issuance date of this permit.

 # 002 [25 Pa. Code §127.441]

Operating permit terms and conditions.

[Additional authority for permit conditions (a)-(e) is also derived from 40 CFR §64.8]

(a) The permittee shall develop and implement a quality improvement plan (QIP) as expeditiously as practicable if six or more excursions occur in a six-month reporting period.

(b) In general, the QIP should be developed within 60 days and the permittee shall provide a copy of the QIP to the Department. Furthermore, the permittee shall notify the Department if the period for completing the improvements contained within the QIP exceeds 180 days from the date on which the need to implement the QIP was determined. If the QIP requirement is triggered in accordance with paragraph (a) of this section, the QIP shall be developed within sixty (60) days thereafter and a final copy of the QIP shall be submitted to the Department at that time.

(c) In accordance with 40 CFR §64.8, the QIP shall include procedures for evaluating the control performance problems. Based on the results of the evaluation procedures, the permittee shall modify the QIP, and provide a copy to the Department, to include procedures for conducting more frequent or improved monitoring in conjunction with one or more of the following:

(1) Improved preventative maintenance practices

(2) Process operation changes

(3) Appropriate improvements to control methods

(4) Other steps appropriate to correct performance

(d) Following implementation of a QIP, the Department will require revisions to the QIP if the plan has failed to either:

(1) Address the cause of the control device performance problem; or

(2) Provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

(e) Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under any Federal, State, or Local laws or any other applicable requirements under the Clean Air Act.

[Additional authority for permit condition (f) is also derived from 40 CFR §64.9.]

(f) The permittee shall record actions taken to implement the QIP during a reporting period and all related actions including, but not limited to inspections, repairs and maintenance performed on the monitoring equipment.

SECTION E. Source Group Restrictions.

 # 003 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

[Additional authority for permit conditions (a)-(c) is also derived from 40 CFR § § 64.3 & 64.6.]

(a) The permittee shall use the opacity readings to obtain data and monitor the emission control equipment performance.

(b) The permittee shall use a Continuous Opacity Monitor (COM) to measure opacity downstream of the baghouses.

(c) The permittee shall monitor the aforementioned performance indicator on a continuous basis.

[Additional authority for permit conditions (a)-(c) is also derived from 40 CFR §64.3.]

(d) For the purposes of determining an excursion, the permittee shall collect opacity data points over one hour blocks.

 # 004 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

[Additional authority for permit conditions (a)-(d) is also derived from 40 CFR §64.9.]

(a) The permittee shall continuously record opacity, exhaust flow and CO2 concentration readings using the data acquisition system (DAS).

(b) The permittee shall record all excursions and corrective actions taken in response to an excursion and the time elapsed until the corrective actions have been taken.

(c) The permittee shall record all inspections, repair and maintenance performed on the monitoring equipment.

(d) The permittee shall maintain records of all monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable). The permittee shall also record the dates, times and durations, possible causes and corrective actions taken for the incidents.

[Additional authority for permit condition (e) is also derived from 40 CFR §70.6 (a) (3) (ii) (b).]

(e) The permittee shall keep all records for a period of five (5) years and make records available to the Department upon request.

 # 005 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

[Additional authority for permit condition (a) is also derived from 40 CFR §64.9 & §70.6 (a) (3) (iii) (A).]

The permittee shall report all excursions and corrective actions taken, the dates, times, durations and possible causes, every six (6) months.

 # 006 [40 CFR Part 64 Compliance Assurance Monitoring for Major Stationary Sources §40 CFR 64.2]

Sections of PART 64

Applicability

[Authority for this condition is also derived from 40 CFR Part 64, Compliance Assurance Monitoring (CAM)]

Compliance Assurance Monitoring (CAM) Protocol

The purpose of this protocol is to outline procedures for the development, verification, operation, and ongoing maintenance of a continuous monitoring approach sufficient to demonstrate a reasonable assurance that Unit 1 and Unit 2 Boiler Baghouses (Source IDs C12 and C13) used to control the PM emissions from the CFB Boilers (Source IDs 034 and 035) operate in compliance with the filterable PM10 emission limit.

Monitoring designed and operated in accordance with this protocol for a baghouse controlling PM emissions with an exhaust stack equipped with a continuous opacity monitoring system (COM) satisfies the requirements of the CAM rule's monitoring design criteria in 40 CFR Part 64.

SECTION E. Source Group Restrictions.

I. Indicator - Opacity of the single, combined baghouse exhaust

Measurement Approach - Continuous Opacity Monitoring System (COM)

II. Indicator Range

(a) The opacity indicator must be established at or below an opacity level where the baghouses have demonstrated at least a 10 percent margin of compliance with the filterable PM10 limit.

(b) Hourly average opacity value must be established to prevent momentary parameter changes from causing an excursion.

III. Performance Criteria

(a) Data Representativeness

(1) The % opacity measured by the COMs is proportional to the amount of particulate matter (PM) in the combined exhaust stream of the baghouses. Opacity shall be correlated to the mass emission rate through an approved particulate testing program which has been performed during routine, normal operations. Properly maintained baghouses emit particulate at a constant rate. This emission rate cannot be changed by modification of operational parameters. Therefore, the correlation of the particulate emission rate with opacity of the flue gas will be based on a single test.

(2) The % opacity will also act as a direct indication of the integrity of the baghouses and the various components involved. Further, baghouse integrity is representative of the particulate emission rate. The COM is located in the single flue, combined exhaust stack. The COM shall have a minimum accuracy as specified in PADEP's Continuous Source Monitoring Manual.

(b) Verification of Operational Status

(1) The operation of the COM shall be verified by a display in the control room and the presence of a valid opacity signal on the COM readout and the results of the initial performance evaluation conducted as per 25 Pa. Code 139.

(2) The COM data must account for, at a minimum, 90% of all hours of operation in a calendar month, or 95% of all hours of operation in a calendar quarter.

(c) QA/QC Practices

Install and evaluate the COM per 25 Pa. Code 139.

To assure the accuracy of readings from the COM, the permittee shall perform daily drift checks, a quarterly calibration audit, and an annual RATA.

(d) Data Collection Procedures & Averaging Periods

(1) An electronic data handling and acquisition system (DAHS) shall collect data points from the COM approximately every 10 seconds. These % opacity data points are reduced to 1-minute averages and then to 1-hour averages. Overall averaging period is in one-hour blocks.

(2) An electronic DAHS shall collect data points from the flow meter and CO2 CEM approximately every second. The flow rate minute averages shall be calculated from the 1-second data. Hourly data shall be calculated from the minute data. Monitor response time shall be less than 15 minutes.

(3) An electronic DAHS shall collect a minimum of 4 equally-spaced data points every hour as per the requirements of 40 CFR §64.3 (b) (4) (ii). PM emission rates will be calculated using the Opacity vs. Particulate Correlation curve and indicator inputs, with hourly average PM emission rates used to calculate 3-hour block averages to demonstrate with reasonable assurance that the filterable PM10 emission limits are being met.

SECTION E. Source Group Restrictions.

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

SECTION E. Source Group Restrictions.

Group Name: CFB BOILERS - CSAPR

Group Description: Cross-State Air Pollution Rule (§ 40 CFR 97)

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

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.

The requirements of 25 Pa. Code §§ 123.102 to123.111 and 123.113, which pertained to the NOx Budget Rule, were replaced by the CAIR requirements and subsequently by the CSAPR requirements and have been removed from this permit. The requirements of 25 Pa. Code §§ 145.204, 145.205, 145.212, 145.213, 145.221, 145.222, 145.223 and the requirements of § 40 CFR 97.106, 97.206, and 97.306, which pertained to the CAIR requirements, were replaced by the CSAPR requirements and have been removed from this permit.

 # 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) #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) 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, #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) are allocated the following CSAPR NOx Annual allowances for the years 2021 through 2024:

Year	NOx Annual Allocation (tons)	
	#1 CFB Boiler (Source ID 034)	#2 CFB Boiler (Source ID 035)

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2021	1,205	1,210
2022	1,205	1,210
2023	1,205	1,210
2024	1,205	1,210

[Data allowances are available at EPA's Air Markets Program Data (https://ampd.epa.gov/ampd/).]

(b) In accordance with 40 CFR § § 97.421, EPA will announce in a notice of data availability and record in the #1 CFB Boiler and #2 CFB Boiler Annual NOx 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.

 # 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.

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(i) If total NOX emissions during a control period in a given year from all CSAPR NOX Annual units at CSAPR NOX Annual 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

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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.

(ii) A CSAPR NOX Annual 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 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

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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.

(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-

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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 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.

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(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).

(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 NOX Ozone Season Group 3 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

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(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]

 # 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) #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) 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, #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) are allocated the following CSAPR SO2 Group 1 allowances for the years 2021 through 2024:

Year	SO2 Group 1 Annual Allocation (tons)	
	#1 CFB Boiler (Source ID 034)	#2 CFB Boiler (Source ID 035)
2021	1,853	1,632
2022	1,853	1,632
2023	1,853	1,632
2024	1,853	1,632

[Data allowances are available at EPA's Air Markets Program Data (https://ampd.epa.gov/ampd/).]

(b) In accordance with 40 CFR § § 97.621, EPA will announce in a notice of data availability and record in the #1 CFB Boiler and #2 CFB Boiler Annual SO2 Group 1 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.

 # 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.

SECTION E. Source Group Restrictions.

(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.

(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

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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 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 (c)(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.

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(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 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

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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:

(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:

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(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).

(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, CSAPR NOX Ozone Season Group 2 Trading Program, or CSAPR NOX Ozone Season Group 3 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

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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]

 # 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) #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) 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, #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) are allocated the following CSAPR NOx Ozone Season (May 1 through September 30) allowances for year 2020:

Year	NOx Ozone Season Group 2 Annual Allocation (tons)	
	#1 CFB Boiler (Source ID 034)	#2 CFB Boiler (Source ID 035)
2020	233	227

(b) The following sections of § 97 Subpart EEEEE are incorporated by reference. Compliance with equivalent sections of § 97 Subpart GGGGG also ensures compliance with these sections.

(1) § 97.806 (Standard requirements).

(2) § 97.830 (General monitoring, recordkeeping, & reporting).

(3) § 97.834 (Recordkeeping & reporting).

[Effective June 29, 2021, § 97 Subpart GGGGG replaces § 97 Subpart EEEEE for Pennsylvania. The NOx ozone season allocations above will be used in calculating supplemental allowances for 2021 ozone season, specifically from May 1 through June 28, 2021 period.]

 # 011 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR §97.1004]

Subpart GGGGG - CSAPR NOX Ozone Season Group 3 Trading Program

Applicability.

(a) #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) are subject to the applicable requirements of 40 CFR Part 97, Subpart GGGGG - CSAPR NOx Ozone Season Group 3 Trading Program. As determined by 97.1010 and adjusted on an annual basis by EPA, #1 CFB Boiler (Source ID 034) and #2 CFB Boiler (Source ID 035) are allocated the following CSAPR NOx Ozone Season (May 1 through September 30) allowances for the years 2021 through 2024:

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Year	NOx Ozone Season Group 2 Annual Allocation (tons)	
	#1 CFB Boiler (Source ID 034)	#2 CFB Boiler (Source ID 035)
2021	154	169
2022	153	168
2023	153	168
2024	153	168

(b) In accordance with 40 CFR § § 97.1021, EPA will announce in a notice of data availability and record in the #1 CFB Boiler and #2 CFB Boiler Annual NOx Ozone Season Group 3 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.

[Effective June 29, 2021, § 97 Subpart GGGGG replaces § 97 Subpart EEEEE for Pennsylvania.]

 # 012 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR §97.1006]

Subpart GGGGG - CSAPR NOX Ozone Season Group 3 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 §§ 97.1013 through 97.1018.

(b) EMISSIONS MONITORING, REPORTING, AND RECORDKEEPING REQUIREMENTS.

(1) The owners and operators, and the designated representative, of each CSAPR NOX Ozone Season Group 3 source and each CSAPR NOX Ozone Season Group 3 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§ 97.1030 through 97.1035.

(2) The emissions data determined in accordance with §§ 97.1030 through 97.1035 shall be used to calculate allocations of CSAPR NOX Ozone Season Group 3 allowances under §§ 97.1011(a)(2) and (b) and 97.1012 and to determine compliance with the CSAPR NOX Ozone Season Group 3 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 §§ 97.1030 through 97.1035 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 OZONE SEASON GROUP 3 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 3 source and each CSAPR NOX Ozone Season Group 3 unit at the source shall hold, in the source's compliance account, CSAPR NOX Ozone Season Group 3 allowances available for deduction for such control period under § 97.1024(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Ozone Season Group 3 units at the source.

(ii) If total NOX emissions during a control period in a given year from the CSAPR NOX Ozone Season Group 3 units at a CSAPR NOX Ozone Season Group 3 source are in excess of the CSAPR NOX Ozone Season Group 3 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 Ozone Season Group 3 unit at the source shall hold the CSAPR NOX Ozone Season Group 3 allowances required for deduction under § 97.1024(d); and

(B) The owners and operators of the source and each CSAPR NOX Ozone Season Group 3 unit at the source shall

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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 OZONE SEASON GROUP 3 ASSURANCE PROVISIONS.

(i) If total NOX emissions during a control period in a given year from all base CSAPR NOX Ozone Season Group 3 units at base CSAPR NOX Ozone Season Group 3 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 3 allowances available for deduction for such control period under § 97.1025(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with § 97.1025(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 3 units at base CSAPR NOX Ozone Season Group 3 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 3 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 3 units at base CSAPR NOX Ozone Season Group 3 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 3 trading budget under § 97.1010(a) and the State's variability limit under §97.1010(b), and, for the control period in 2021 only, the product (rounded to the nearest allowance) of 1.21 multiplied by the supplemental amount of CSAPR NOX Ozone Season Group 3 allowances determined for the State under § 97.1010(d).

(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 3 units at base CSAPR NOX Ozone Season Group 3 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 3 units at base CSAPR NOX Ozone Season Group 3 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 3 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 3 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 Ozone Season Group 3 unit shall be subject to the requirements under paragraph (c)(1) of this

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section for the control period starting on the later of May 1, 2021 or the deadline for meeting the unit's monitor certification requirements under § 97.1030(b) and for each control period thereafter.

(ii) A base CSAPR NOX Ozone Season Group 3 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, 2021 or the deadline for meeting the unit's monitor certification requirements under § 97.1030(b) and for each control period thereafter.

(4) VINTAGE OF CSAPR NOX OZONE SEASON GROUP 3 ALLOWANCES HELD FOR COMPLIANCE.

(i) A CSAPR NOX Ozone Season Group 3 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 3 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 3 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 3 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 3 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 3 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 3 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 3 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 3 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 §§ 97.1030 through 97.1035 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 3 source and each CSAPR NOX Ozone Season Group 3 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 § 97.1016 for the designated representative for the source and each CSAPR

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NOX Ozone Season Group 3 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 § 97.1016 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 3 Trading Program.

(2) The designated representative of a CSAPR NOX Ozone Season Group 3 source and each CSAPR NOX Ozone Season Group 3 unit at the source shall make all submissions required under the CSAPR NOX Ozone Season Group 3 Trading Program, except as provided in § 97.1018. 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 3 Trading Program that applies to a CSAPR NOX Ozone Season Group 3 source or the designated representative of a CSAPR NOX Ozone Season Group 3 source shall also apply to the owners and operators of such source and of the CSAPR NOX Ozone Season Group 3 units at the source.

(2) Any provision of the CSAPR NOX Ozone Season Group 3 Trading Program that applies to a CSAPR NOX Ozone Season Group 3 unit or the designated representative of a CSAPR NOX Ozone Season Group 3 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 3 Trading Program or exemption under § 97.1005 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NOX Ozone Season Group 3 source or CSAPR NOX Ozone Season Group 3 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

 # 013 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR §97.1030]

Subpart GGGGG - CSAPR NOX Ozone Season Group 3 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 3 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 § 97.1002 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 3 unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively as defined in § 97.1002, and the term “newly affected unit” shall be deemed to mean “newly affected CSAPR NOX Ozone Season Group 3 unit”. The owner or operator of a unit that is not a CSAPR NOX Ozone Season Group 3 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 3 unit.

(a) REQUIREMENTS FOR INSTALLATION, CERTIFICATION, AND DATA ACCOUNTING. The owner or operator of each CSAPR NOX Ozone Season Group 3 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 § 97.1031 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

SECTION E. Source Group Restrictions.

(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 3 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, 2021;

(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 § 97.1034(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 3 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 § 97.1030 through §97.1035, 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 § 97.1035, rather than §75.66 of this chapter.

(c) REPORTING DATA. The owner or operator of a CSAPR NOX Ozone Season Group 3 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 3 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 § 97.1035.

(2) No owner or operator of a CSAPR NOX Ozone Season Group 3 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 3 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 3 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 § 97.1005 that is in effect;

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(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 § 97.1031(d)(3)(i).

 # 014 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR §97.1034]

Subpart GGGGG - CSAPR NOX Ozone Season Group 3 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 § 97.1014(a).

(b) MONITORING PLANS. The owner or operator of a CSAPR NOX Ozone Season Group 3 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 § 97.1031, 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 3 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 3 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 3 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, 2021 through June 30, 2021;

(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under § 97.1030(b); or

(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

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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 3 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.

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

SECTION E. Source Group Restrictions.

Group Name: CFB BOILERS - GEN REQTS

Group Description: PA 32-00040B, RACT II, § 40 CFR Part 72

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 32-040D]

When the sulfur content of the fuel is 5.0 lb/mmbtu or more, emissions of sulfur oxides, expressed as SO2 lb/mmbtu, shall be reduced in the boiler and flyash reinjection system, by at least 95% on a 12-month rolling average. A 12-month rolling average will be considered valid if it contains at least nine (9) valid monthly averages. Compliance shall be based on the average of valid monthly averages. A valid monthly average consists of any month in which the source operated with a sulfur content of the fuel of 5.0 lb/mmbtu or more for at least 75% of the days in that month. Days when the source did not operate for 18 hours or more when the sulfur content of the fuel is 5.0 lb/mmbtu or more are invalid for purposes of this condition. Additional SO2 removal efficiency stated in the applications shall be achieved by fuel beneficiation.

 # 002 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 32-040D]
(a) When the sulfur content of the fuel is less than 5.0 lb/mmbtu, emissions of sulfur oxides, expressed as SO2 lb/mmbtu, shall be less than 0.58 lb/mmbtu on a 30-day rolling average, and compliance shall be based on the average of 30 consecutive operating days when the sulfur content of the fuel is less than 5.0 lb/mmbtu. When the sulfur content of the fuel is 5.0 lb/mmbtu or more, emissions of sulfur oxides, expressed as SO2 lb/mmbtu, shall be less than 0.60 lb/mmbtu on a 30-day rolling average, and compliance shall be based on the average of 30 consecutive operating days when the sulfur content of the fuel is 5.0 lb/mmbtu or more.

[Plan Approval 32-040B]
(b) Combined emissions for the boilers (Sources 034 and 035) shall be limited as follows:

Pollutant	lb/MMBtu
NOx	0.15
Filterable PM10	0.01
SO2	see part (a) above
CO	0.15
NMVOC (as propane)	0.005

in accordance with applicable BAT, BACT, and LAER requirements.

Compliance with emissions limitations for NOx and SO2 is demonstrated through use of CEMS, in accordance with 25 Pa. Code Chapter 139 and are based on a 30-day rolling average lb/mmmBtu. Compliance with Filterable PM10, CO, and NMVOC emissions limitations shall be determined by the average of three source tests conducted in accordance with the DEP Source Testing Manual. Filterable PM10 emissions shall be determined in accordance with EPA Method 201A, or alternative as approved by the Department.

[From Plan Approval, PA-32-00040B, Condition 13. Compliance with PA 32-00040B's 0.15-lb/mmbtu NOx limit assures compliance with § 129.97(g)(1)(vi)(A) of RACT II.]

 # 003 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Ammonia slip from the CFB boilers shall be no greater than 10 ppmv in combined Stack S04. Continuing compliance with this condition shall be demonstrated by adhering to good operating practices. (25 Pa. Code § 127.441)

SECTION E. Source Group Restrictions.

[From Plan Approval, PA-32-00040B, Condition 10.]

 # 004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Combined emissions for the boilers (Sources 034 and 035) shall be limited as follows:

Pollutant	lbs/hr
NOx	759.6
Filterable PM10	50.6
SO2	3038.4
CO	759.6
NMVOC (as propane)	25.4
NH3	32.9

in accordance with applicable BAT, BACT, and LAER requirements.

Compliance with emissions limitations for NOx and SO2 is demonstrated through use of CEMS, in accordance with 25 Pa. Code Chapter 139, and are based on a 30-day rolling lb/hr average. Compliance with Filterable PM10, CO, NMVOC, and NH3 emissions limitations shall be determined by the average of three source tests conducted in accordance with the DEP Source Testing Manual. Filterable PM10 emissions shall be determined in accordance with EPA Method 201A, or alternative as approved by the Department.

[From Plan Approval, PA-32-00040B, Condition 13.]

[Compliance with Section E. Source Group Restrictions Group Name CFB Boilers-Indiana County SO2 SIP Condition #001 assures compliance with the SO2 emission limit of this condition]

 # 005 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner or Operator shall not permit the emission to the outdoor atmosphere of visible emissions from the boilers, in such a manner that the opacity of the emission is equal to or greater than 10% for a period, or periods aggregating more than 3 minutes in any one hour, or 30% at any time.

[From Plan Approval, PA-32-00040B, Condition 8.]

 # 006 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Combined emissions for the boilers (Sources 034 and 035), shall be limited as follows:

Pollutant	tons/year
NOx	3,327
Filterable PM10	222
SO2	13,308
CO	3,327
NMVOC (as propane)	111
NH3	144

during each consecutive 12-month period, updated monthly.

[From Plan Approval, PA-32-00040B, Condition 13.]

[Compliance with Section E. Source Group Restrictions Group Name CFB Boilers-Indiana County SO2 SIP Condition #001 assures compliance with the SO2 emission limit of this condition]

SECTION E. Source Group Restrictions.

 # 007 [25 Pa. Code §129.97]

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

NOx emissions from Sources 034 and 035 shall not exceed 0.16 lb/mmbtu heat input (30-day rolling average that include emissions from startups, shutdown and malfunctions).

[Pursuant to § 129.97(g)(1)(vi)(A) for circulating fluidized bed combustion unit with a rated heat input equal to or greater than 250 mmbtu/hr]

II. TESTING REQUIREMENTS.

 # 008 [25 Pa. Code §127.441]

Operating permit terms and conditions.

(a) The permittee shall conduct an initial source test for filterable PM-10 from the combined stack of Boiler #1 and Boiler #2, within four (4) calendar quarters of the issuance of this Operating Permit and subsequent source tests shall be conducted at least every two (2) years. Stack testing conducted within the two (2) year period prior to the issuance of this TVOP may be used to meet the requirements of this condition. However, should either CFB Boiler qualify as a Low Emitting EGU (LEE) for filterable particulate under 40 CFR 63.10005(h), subsequent testing for particulate and PM10 shall take place within every three (3) year period, for as long as the unit continues to qualify as a LEE for filterable particulate under 40 CFR Part 63, Subpart UUUUU. Should the unit cease to qualify as a LEE for filterable particulate, under this subpart, a two (2) year testing cycle shall be reestablished.

[If LEE status for filterable particulate matter (FPM) is lost, a two (2) year testing cycle will be reestablished for PA 32-00040B's filterable PM10 while quarterly testing for § 63 Subpart UUUUU's FPM.]

(b) Source testing shall be conducted on the combined stack of Boiler #1 and Boiler #2 for CO, VOC, and NH3 at least every five years. Testing for CO shall be conducted by EPA Method 10 or Department approved equivalent. Testing for VOC shall be conducted by EPA Method 25A or Department approved equivalent. Testing for NH3 shall be conducted by EPA Method CTM-027 or Department approved equivalent.

(c) All testing shall be performed while Source IDs 034 and 035 are operating at no less than 90% of the maximum rated heat input, or under such other conditions, within the capacity of the equipment, as may be requested by the Department. Soot blowing and ash removal in the boiler must be conducted at normal intervals and testing may not be scheduled to avoid such periods as they are considered to be normal operations.

(d) All testing shall be conducted in accordance with any applicable federal regulations (such as New Source Performance Standards (NSPS), Subpart Da) and the most current version of the Source Testing Manual of the Department. The following federal reference methods, or other test methods approved by the Department prior to testing, shall be used.

(1) 40 CFR 60, Appendix A, Methods 1-4 shall be used to determine the volumetric flow rate.

(2) 40 CFR 60, Appendix A, Methods 5 (i.e., modified to meet the requirements of NESHAP) and 201A shall be used to determine filterable particulate matter (FPM) and filterable PM10 concentrations (grains/dscf) and emission rates (lbs/hour and lbs/MMBTU).

(3) 40 CFR 60, Appendix A, Method 19 shall be used to determine the emission rates in lbs/MMBTU.

(e) Source test submittals shall be as follows:

(1) 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 in accordance with paragraph (e)(8) of this condition. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(2) 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 in accordance with paragraph (e)(8)(B) of this condition. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department (Source Testing Section).

SECTION E. Source Group Restrictions.

(3) The following process parameters shall be recorded at a minimum of 15-minute intervals during each test run (if possible). This data (including the units) and a summary thereof, averaged over each test run, must be included in the test report. Any exceptions to this recordkeeping requirement shall receive prior approval from the Department.

(A) Heat input rate of coal [MMBTU/hour]
(B) Coal feed rate to the boiler [tons/hour]
(C) Steam flow [lbs/hour]
(D) Steam temperature [°F]
(E) Steam pressure [psig]
(F) Soot blowing and/or ash removal (Yes/No)
(G) Oxygen level at the economizer [%]
(H) FF – Unit differential pressure [inches H2O]
(I) FF – Compartment differential pressures [inches H2O]
(J) Current draw of draft fans [amps]
(K) Output of powered electrical generator [mw]

(4) A complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program.

(5) 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 noncompliance 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.

(6) All submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(7) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(8) Pursuant to 25 Pa. Code §§ 139.52(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.

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

SECTION E. Source Group Restrictions.

Attn: Air Quality Program Manager
230 Chestnut St.
Meadville, PA 16335

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

CENTRAL OFFICE:
RA-EPstacktesting@pa.gov

NORTHWEST REGIONAL OFFICE:
RA-EPNWstacktesting@pa.gov

(f) 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.

(g) Alternative methodology may also be used, subject to Department approval.

III. MONITORING REQUIREMENTS.

 # 009 [25 Pa. Code §123.25]

Monitoring requirements

(a) (This section is applicable to the CFB Boilers at the Seward Station.):

(b) A source subject to this section shall install, operate and maintain continuous SO2 monitoring systems in compliance with Chapter 139 Subchapter C (relating to requirements for continuous in-stack monitoring for stationary sources). Results of emission monitoring shall be submitted to the Department on a regular basis in compliance with Chapter 139 Subchapter C.

(c) Continuous SO2 monitoring systems installed under this section shall meet the minimum data availability requirements in Chapter 139 Subchapter C.

(d) N/A.

(e) The Department may use the data from the SO2 monitoring devices or from the alternative monitoring systems required by this section to enforce the emission limitations for SO2 defined in this article.

(f) N/A/.

(g) The Department may use the data from the SO2 monitoring systems or from the alternative monitoring systems required by this section to determine compliance with the applicable emission limitations for SO2 established in this article.

 # 010 [25 Pa. Code §123.46]

Monitoring requirements

(a) (This section is applicable to the CFB Boilers at the Seward Station.):

(b) All sources subject to the provisions of this section shall install, operate and maintain continuous opacity monitoring devices in compliance with Chapter 139, Subchapter C (relating to requirements for continuous in-stack monitoring for stationary sources). Results of opacity monitoring shall be submitted to the Department on a regular basis in compliance with the requirements of Chapter 139, Subchapter C.

(c) N/A.

(d) The Department may use the data from the monitoring devices or from the alternative monitoring systems required by this section to enforce the visible emission limitations defined in this article.

(e) N/A.

SECTION E. Source Group Restrictions.

 # 011 [25 Pa. Code §123.51]

Monitoring requirements

(a) This section applies to combustion units with a rated heat input of 250 million Btus per hour or greater and with an annual average capacity factor of greater than 30%.

(b) Sources subject to this section shall install, operate and maintain continuous nitrogen oxides monitoring systems and other monitoring systems to convert data to required reporting units in compliance with Chapter 139, Subchapter C (relating to requirements for continuous in-stack monitoring for statutory sources).

(c) Sources subject to this section shall submit results on a regular schedule and in a format acceptable to the Department and in compliance with Chapter 139, Subchapter C.

(d) Continuous nitrogen oxides monitoring systems installed under the requirements of this section shall meet the minimum data availability requirements in Chapter 139, Subchapter C.

(e) - (f) N/A.

 # 012 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner or Operator shall install, operate, and maintain a monitoring system for as-fired coal analysis in accordance with the requirements of 25 PA Code Chapter 139 or an alternate method approved by the Department. Sulfur analysis shall be determined on a daily basis with the results used to calculate monthly averages.

[From Plan Approval, PA-32-00040B, Condition 22.]

[Similar to § 60.49Da(b)(3) of § 60 Subpart Da, the as-fired coal analysis is used in place of a continuous SO2 inlet monitor, prior to the SO2 control device, to determine SO2 reduction.]

 # 013 [25 Pa. Code §129.100]

Compliance demonstration and recordkeeping requirements.

The permittee shall demonstrate compliance with the NOx RACT emission limitation in accordance with the requirements of 25 Pa. Code Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources) using a 30-day rolling average (i.e., using CEMS).

(i) A 30-day rolling average emission rate 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 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.

[§ 129.100(a)(1) of RACT II.]

IV. RECORDKEEPING REQUIREMENTS.

 # 014 [25 Pa. Code §129.100]

Compliance demonstration and recordkeeping requirements.

SECTION E. Source Group Restrictions.

The permittee shall keep records to demonstrate compliance with § 129.96 - 129.99 in the following manner.

(a) The records must include sufficient data & calculations to demonstrate that RACT emission limitations for NOx are met.

(b) Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.

(c) 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.

[Paragraphs (a), (b), & c of this condition are § 129.100(d)(1), (d)(2), and (i), respectively, of RACT II.]

V. REPORTING REQUIREMENTS.

 # 015 [25 Pa. Code §135.4]

Report format

In accordance with the Department's "Continuous Source Testing Manual," the owner or operator shall submit to the Department calendar quarterly reports of Continuous Emission Monitoring Systems (CEMs) containing the following:

(1) Information on the source and emissions in accordance with the appropriate reporting format approved by the Department.

(2) The results of all performance tests, audits and recalibrations conducted during the quarter. The report certified by the responsible official shall be submitted to the Division of Source Testing and Monitoring, Continuous Testing Section at the following address, within thirty (30) days following the end of each quarter in accordance with the Department's Continuous Source Monitoring Manual requirements.

(3) Subsequent data report changes must be submitted in in accordance with the Department's Continuous Source Monitoring Manual requirements.

[Additional authority for this permit condition is derived from 25 Pa. Code §§ 127.531 and 127.511.]

[From Department's Continuous Source Monitoring Manual, Recordkeeping and Reporting Section, Subsections I.B.]

VI. WORK PRACTICE REQUIREMENTS.

 # 016 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The Owner or Operator shall install, maintain, and operate the boilers in accordance with the manufacturer's specifications.

[From Plan Approval, PA-32-00040B, Condition 31. Compliance with this condition assures compliance with § 129.97(d) of RACT II.]

 # 017 [25 Pa. Code §129.97]

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

The selective noncatalytic reduction system shall be operated with the injection of reagents including ammonia or other NOx-reducing agents when the temperature at the area of the reagent injection is equal to or greater than 1,600°F.

[§ 129.97(g)(1)(ix) of RACT II]

VII. ADDITIONAL REQUIREMENTS.

 # 018 [25 Pa. Code §127.531]

Special conditions related to acid rain.

(a) This section describes the permit program for acid deposition control in accordance with Titles IV and V of the Clean Air Act (42 U.S.C.A. 7641 and 7642 and 7661--7661f). The provisions of this section shall be interpreted in a manner consistent with the Clean Air Act and the regulations thereunder.

SECTION E. Source Group Restrictions.

(b) The owner or operator or the designated representative of each affected source under section 405 of the Clean Air Act (42 U.S.C.A. 7651d) shall submit a permit application and compliance plan for the affected source to the Department within 120 days from notice by the Department to submit an application but no later than January 1, 1996, for sulfur dioxide, and no later than January 1, 1998, for NOx, that meets the requirements of this chapter, the Clean Air Act and the regulations thereunder.

(c) In the case of affected sources for which an application and plan are timely received, the permit application and the compliance plan, including amendments thereto, shall be binding on the owner or operator or the designated representative of the owner or operator and shall be enforceable as a permit for purposes of this section until a permit is issued by the Department.

(d) A permit issued under this section shall require the source to achieve compliance as soon as possible but no later than the date required by the Clean Air Act or the regulations thereunder for the source.

(e) At any time after the submission of a permit application and compliance plan, the applicant may submit a revised application and compliance plan. In considering a permit application and compliance plan under this section, the Department will coordinate with the Pennsylvania Public Utility Commission consistent with the requirements established by the EPA.

(f) In addition to the other requirements of this chapter, permits issued under this section shall prohibit the following:

(1) Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide that the owner or operator or designated representative holds for the unit.

(2) Exceeding applicable emission rates or standards, including ambient air quality standards.

(3) The use of an allowance prior to the year for which it is allocated.

(4) Contravention of other provisions of the permit.

(g) Each permit issued to a source under Title IV of the Clean Air Act shall contain a condition prohibiting emissions exceeding any allowances that the source lawfully holds under Title IV of the Clean Air Act or the regulations thereunder.

(1) A permit revision will not be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, if the increases do not require a permit revision under another applicable requirement.

(2) A limit will not be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with another applicable requirement.

(3) An allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

 # 019 [40 CFR Part 72 Regulations on Permits §40 CFR 72.1]

Subpart A--Acid Rain Program General Provisions

Purpose and scope.

The CFB Boilers 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

The entire Title IV permit is attached to this Title V permit.

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

SECTION E. Source Group Restrictions.

Group Name: CFB BOILERS - INDIANA COUNTY SO2 SIP

Group Description: Contingency Measures - Indiana County SO2 SIP, § 52 Subpart NN

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

a) Combined emission for the boilers (Source ID 034 and 035) shall be limited to:

i) 2,895 pounds per hour based on a 30-day operating hours average rolling by one day; and
ii) 12,680 tons per year on a 12-month rolling basis.

b) Compliance with the 30-day operating hours average shall be demonstrated beginning 30 operating days after the date of the Consent Order and Agreement (COA) signed on August 17, 2023.

c) SO2 emissions from Source ID 034 and 035 shall be monitored using the SO2 CEMs on the common exhaust stack for Source ID 034 and 035 in order to determine 30-day operating hours average rolling by one day emission rate for each operating day.

d) For the purposes of calculating compliance with the SO2 lb/hr emission restriction, "operating day" shall be defined as a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in either unit, including periods of startup, shutdown, and process upset. For each operating day, a new SO2 lb/hr 30-day operating hours average rolling by one day average emission rate shall be calculated as the average of all the hourly emission data, using only hours during which fuel is combusted from the preceding 30 operating days. Individual hours shall be validated according to the validation requirements of the Department's CSMM. Invalid CEMS data shall be excluded from the calculation.

e) Seward shall report the hourly SO2 lb/hr emission rate data from the SO2 CEMs to demonstrate compliance using the Department's Online CEMS reporting system. The Online CEMS reporting system will calculate the 30-day operating hours average rolling by one day emission rate averages. Seward shall report the emission rate data in accordance with the submittal requirements contained in the Department's CSMM. Hourly SO2 lb/hr emission averages will be subject to the CEMs data availability requirements in Chapter 139.

[Authorization from Consent Order and Agreement signed August 17, 2023]

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).

SECTION E. Source Group Restrictions.

V. REPORTING REQUIREMENTS.

 # 002 [25 Pa. Code §127.441]

Operating permit terms and conditions.

[Contingency measures for Seward Generating Station as established in SIP Revision for Indiana, PA Non-attainment area for 2010 1-hr SO2 NAAQS, dated October 2017. These contingency measures are cited in § 52.2020(d)(3) & § 52.2033(f) of § 52 Subpart NN (Pennsylvania).]

(a) If SO2 emissions from the combined SO2 Emitting Sources at the Seward Station exceed 99% of the SO2 emission limits set forth in Title V Operating Permit 32-00040, Seward shall, within 48 hours, undertake a full system audit of the SO2 Emitting Sources, and will submit a written report to the Department within 15 days. A malfunction report prepared pursuant to Title V Operating Permit 32-00040, Section C, Condition 014 shall satisfy this requirement. The full system audit shall consist of a review of the parameters routinely monitored by the Continuous Emissions Monitoring Systems and the Digital Data Acquisition Systems installed on the SO2 Emitting Sources and their control devices to determine whether or not the units and control devices were operating in accordance with specifications set forth in the approved plan approval application and good air pollution control practices. If the SO2 Emitting Sources and their control devices were not operating in accordance with specifications set forth in the approved plan approval application and good air pollution control practices, then Seward shall identify corrective actions to be implemented to ensure that the limits in Title V Operating Permit 32-00040 are not exceeded. Only one audit in a seven-operating day period is required if combined SO2 emissions from the SO2 Emitting Sources exceed 99% of the SO2 emission limits in Title V Operating Permit 32-00040. The audit and associated records shall be maintained on site.

(b) If the Strongstown monitor (AIRS ID 42-063-0004) measures a 1-hour concentration exceeding 75 ppb (which constitutes a daily exceedance of the 1-hour SO2 NAAQS), the Department will notify Seward both verbally and in writing. Seward shall identify whether any of the SO2 Emitting Sources at the Seward Station were running at the time of the exceedance, and within a reasonable time period leading up to the exceedance, not to exceed 24 hours. If any of the SO2 Emitting Sources at the Seward Station were running at the time of the exceedance, and within a reasonable time period leading up to the exceedance, not to exceed 24 hours, Seward must then analyze the meteorological data on the day the daily exceedance occurred to ensure that the daily exceedance was not due to SO2 emissions from the Seward Station. The meteorological data analysis should include trajectories run at three different heights (one at stack height and two more within the boundary layer) by the National Oceanic and Atmospheric Administration's Hysplit program or an equivalent program, and an analysis of Johnstown Airport's meteorological data and modeled upper air data using the National Weather Service's Bufkit or equivalent program. The overall goal of the meteorological data analysis is to investigate if emissions from any of the Seward Station could have potentially mixed down to the Strongstown SO2 monitor. Seward's finding must be submitted in writing to the Department within 30 days of being notified of the exceedance. In lieu of performing this meteorological analysis for the Seward Station alone, meteorological analysis for Seward and one or more of the power plants in the Indiana Nonattainment Area may be submitted, provided that the analysis is designed to investigate if emissions from the Seward Station could have potentially mixed down to the Strongstown SO2 monitor.

[In paragraph (a), the malfunction reporting pursuant to Section C, Condition #014 of the previous permit is Section C, Condition #013 of the 2021 permit.]

VI. WORK PRACTICE REQUIREMENTS.

 # 003 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Seward shall inject limestone into Source ID 034 and 035 during initial firing each time Source ID 034 and 035 are operated to reduce the magnitude and frequency of SO2 emission spikes in accordance with good air pollution control practices.

Seward shall monitor and record the amount of limestone injected into Source ID 034 and 035 on an hourly basis (Hourly Injection Reports). Seward shall submit the Hourly Injection Reports to the Department's Northwest Regional Office on a quarterly basis through the Department's Electronic Submittal System. Deadlines for the submittal of the Hourly Injection Reports shall be 30 days after the close of each calendar quarter.

Electronic Submittal System
http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx

[Authorization from Consent Order and Agreement signed August 17, 2023]

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).

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

SECTION E. Source Group Restrictions.

Group Name: CFB BOILERS - MACT UTILITY

Group Description: § 63 Subpart UUUUU (MATS Rule)

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR subpart 63.9991]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What emission limitations, work practice standards, and operating limits must I meet?

(a) You must meet the requirements in paragraphs (a)(1) and (2) of this section. You must meet these requirements at all times.

(1) You must meet each emission limit and work practice standard in Table 1 through 3 to this subpart that applies to your EGU, for each EGU at your source, except as provided under §63.10009.

(2) [Not Applicable]

(b) As provided in §63.6(g), the Administrator may approve use of an alternative to the work practice standards in this section.

(c) [Omitted. The permittee complies with HCl limit, not with the alternate SO2 limit.]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23402, Apr. 19, 2012; 81 FR 20180, Apr. 6, 2016]

 # 002 [40 CFR Part 63 NESHAPS for Source Categories §Table 2 to Subpart UUUUU of Part 63]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

Emission Limits for Existing EGUs

As stated in §63.9991, you must comply with the following applicable emission limits: [Footnote (1)]

IF YOUR EGU IS IN THIS SUBCATEGORY...
(1) Coal-fired unit not low rank virgin coal

(a) For Filterable Particulate Matter (PM):

(1) The emission limit is 0.030-lb/MMBtu or 0.30-lb/MWh [Footnote (2)].

(2) Collect a minimum of 1 dscm per run in accordance with the test methods in Table 5.

[Omitted alternate Total non-Hg HAP metalts limit and alternate individual HAP metal limits. Seward complies with FPM limit.]

(b) For Hydrogen Chloride (HCl):

(1) The emission limit of 0.0020 lb/MMBtu or 0.020 lb/MWh.

(2) For Method 26A at appendix A-8 to Part 60 of this chapter, collect a minimum of 0.75 dscm per run; for Method 26, collect a minimum of 120 liters per run. For ASTM D6348-03 [Footnote (3)] or Method 320 at appendix A to Part 63 of this chapter, sample for a minimum of 1 hour.

SECTION E. Source Group Restrictions.

[Omitted alternate SO2 limit. Seward complies with HCl limit.]

(c) For Mercury (Hg):

(1) The emission limit is 1.2 lb/TBtu or 0.013 lb/GWh.

(2) LEE Testing for 30 days with sampling period consistent with that given in section 5.2.1 of appendix A to this subpart per Method 30B at appendix A-8 to part 60 of this chapter run or Hg CEMS or sorbent trap monitoring system only.

[Footnotes:
(1) For LEE emissions testing for total PM, total HAP metals, individual HAP metals, HCl, and HF, the required minimum sampling volume must be increased nominally by a factor of 2

(2) MWH - Gross output.

(3) For ASTM D6348-03, incorporated by reference, see § 63.14.

(4) [Not Applicable]
]

[85 FR 20850, Apr. 15, 2020]

[These are the emission standards for subcategory (1) of Table 2 to Subpart UUUUU. The rest of Table 2 (i.e., Subcategories (2) to (7) & their emission standards) are not applicable.]

II. TESTING REQUIREMENTS.

 # 003 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10006]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

When must I conduct subsequent performance tests or tune-ups?

(a) [Not Applicable]

(b) For affected units meeting the LEE requirements of §63.10005(h), you must repeat the performance test once every 3 years (once every year for Hg) according to Table 5 and §63.10007. Should subsequent emissions testing results show the unit does not meet the LEE eligibility requirements, LEE status is lost. If this should occur:

(1) For all pollutant emission limits except for Hg, you must conduct emissions testing quarterly, except as otherwise provided in §63.10021(d)(1).

(2) For Hg, you must install, certify, maintain, and operate a Hg CEMS or a sorbent trap monitoring system in accordance with appendix A to this subpart, within 6 calendar months of losing LEE eligibility. Until the Hg CEMS or sorbent trap monitoring system is installed, certified, and operating, you must conduct Hg emissions testing quarterly, except as otherwise provided in §63.10021(d)(1). You must have 3 calendar years of testing and CEMS or sorbent trap monitoring system data that satisfy the LEE emissions criteria to reestablish LEE status.

(c) [Not Applicable]

(d) Except where paragraph (b) of this section applies, for solid oil-derived fuel- and coal-fired EGUs that do not use either an HCl CEMS to monitor compliance with the HCl limit or an SO2 CEMS to monitor compliance with the alternate equivalent SO2 emission limit, you must conduct all applicable periodic HCl emissions tests according to Table 5 to this subpart and §63.10007 at least quarterly, except as otherwise provided in §63.10021(d)(1).

(e) [Not Applicable]

SECTION E. Source Group Restrictions.

(f) TIME BETWEEN PERFORMANCE TESTS.

(1) Notwithstanding the provisions of §63.10021(d)(1), the requirements listed in paragraphs (g) and (h) of this section, and the requirements of paragraph (f)(3) of this section, you must complete performance tests for your EGU as follows:

(i) At least 45 calendar days, measured from the test's end date, must separate performance tests conducted every quarter;

(ii) For annual testing:

(A) At least 320 calendar days, measured from the test's end date, must separate performance tests;

(B) At least 320 calendar days, measured from the test's end date, must separate annual sorbent trap mercury testing for 30-boiler operating day LEE tests;

(C) At least 230 calendar days, measured from the test's end date, must separate annual sorbent trap mercury testing for 90-boiler operating day LEE tests; and

(iii) At least 1,050 calendar days, measured from the test's end date, must separate performance tests conducted every 3 years.

(2) For units demonstrating compliance through quarterly emission testing, you must conduct a performance test in the 4th quarter of a calendar year if your EGU has skipped performance tests in the first 3 quarters of the calendar year.

(3) If your EGU misses a performance test deadline due to being inoperative and if 168 or more boiler operating hours occur in the next test period, you must complete an additional performance test in that period as follows:

(i) At least 15 calendar days must separate two performance tests conducted in the same quarter.

(ii) At least 107 calendar days must separate two performance tests conducted in the same calendar year.

(iii) At least 350 calendar days must separate two performance tests conducted in the same 3 year period.

(g) [Omitted. This is a provision on emissions averaging.]

(h) If a performance test on a non-mercury LEE shows emissions in excess of 50 percent of the emission limit and if you choose to reapply for LEE status, you must conduct performance tests at the appropriate frequency given in section (c) through (e) of this section for that pollutant until all performance tests over a consecutive 3-year period show compliance with the LEE criteria.

(i) If you are required to meet an applicable tune-up work practice standard, you must conduct a performance tune-up according to §63.10021(e).

(1) For EGUs not employing neural network combustion optimization during normal operation, each performance tune-up specified in §63.10021(e) must be no more than 36 calendar months after the previous performance tune-up.

(2) For EGUs employing neural network combustion optimization systems during normal operation, each performance tune-up specified in §63.10021(e) must be no more than 48 calendar months after the previous performance tune-up.

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23403, Apr. 19, 2012; 78 FR 24085, Apr. 24, 2013; 81 FR 20182, Apr. 6, 2016]

 # 004 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10007]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What methods and other procedures must I use for the performance tests?

(a) Except as otherwise provided in this section, you must conduct all required performance tests according to §63.7(d), (e),

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(f), and (h). You must also develop a site-specific test plan according to the requirements in §63.7(c).

(1) [Not Applicable. Provision on CEMS.]

(2) If you conduct performance testing with test methods in lieu of continuous monitoring, operate the unit at maximum normal operating load conditions during each periodic (e.g., quarterly) performance test. Maximum normal operating load will be generally between 90 and 110 percent of design capacity but should be representative of site specific normal operations during each test run.

(3) [Not Applicable. Provision on PM CPMS.]

(b) You must conduct each performance test (including traditional 3-run stack tests, 30-boiler operating day tests based on CEMS data (or sorbent trap monitoring system data), and 30-boiler operating day Hg emission tests for LEE qualification) according to the requirements in Table 5 to this subpart.

(c) [Not Applicable. Provision on PM CPMS.]

(d) Except for a 30-boiler operating day performance test based on CEMS (or sorbent trap monitoring system) data, where the concept of test runs does not apply, you must conduct a minimum of three separate test runs for each performance test, as specified in §63.7(e)(3). Each test run must comply with the minimum applicable sampling time or volume specified in Table 1 or 2 to this subpart. Sections 63.10005(d) and (h), respectively, provide special instructions for conducting performance tests based on CEMS or sorbent trap monitoring systems, and for conducting emission tests for LEE qualification.

(e) To use the results of performance testing to determine compliance with the applicable emission limits in Table 1 or 2 to this subpart, proceed as follows:

(1) Except for a 30-boiler operating day performance test based on CEMS (or sorbent trap monitoring system) data, if measurement results for any pollutant are reported as below the method detection level (e.g., laboratory analytical results for one or more sample components are below the method defined analytical detection level), you must use the method detection level as the measured emissions level for that pollutant in calculating compliance. The measured result for a multiple component analysis (e.g., analytical values for multiple Method 29 fractions both for individual HAP metals and for total HAP metals) may include a combination of method detection level data and analytical data reported above the method detection level.

(2) If the limits are expressed in lb/MMBtu or lb/TBtu, you must use the F-factor methodology and equations in sections 12.2 and 12.3 of EPA Method 19 in appendix A-7 to part 60 of this chapter. In cases where an appropriate F-factor is not listed in Table 19-2 of Method 19, you may use F-factors from Table 1 in section 3.3.5 of appendix F to part 75 of this chapter, or F-factors derived using the procedures in section 3.3.6 of appendix to part 75 of this chapter. Use the following factors to convert the pollutant concentrations measured during the initial performance tests to units of lb/scf, for use in the applicable Method 19 equations:

(i) Multiply SO2 ppm by 1.66 × 10-7;

(ii) Multiply HCl ppm by 9.43 × 10-8;

(iii) Multiply HF ppm by 5.18 × 10-8;

(iv) Multiply HAP metals concentrations (mg/dscm) by 6.24 × 10-8; and

(v) Multiply Hg concentrations (µg/scm) by 6.24 × 10-11.

(3) To determine compliance with emission limits expressed in lb/MWh or lb/GWh, you must first calculate the pollutant mass emission rate during the performance test, in units of lb/h. For Hg, if a CEMS or sorbent trap monitoring system is used, use Equation A-2 or A-3 in appendix A to this subpart (as applicable). In all other cases, use an equation that has the general form of Equation A-2 or A-3, replacing the value of K with 1.66 × 10-7 lb/scf-ppm for SO2, 9.43 × 10-8 lb/scf-ppm for HCl (if an HCl CEMS is used), 5.18 × 10-8 lb/scf-ppm for HF (if an HF CEMS is used), or 6.24 × 10-8 lb-scm/mg-scf for HAP

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metals and for HCl and HF (when performance stack testing is used), and defining Ch as the average SO2, HCl, or HF concentration in ppm, or the average HAP metals concentration in mg/dscm. This calculation requires stack gas volumetric flow rate (scfh) and (in some cases) moisture content data (see §§63.10005(h)(3) and 63.10010). Then, if the applicable emission limit is in units of lb/GWh, use Equation A-4 in appendix A to this subpart to calculate the pollutant emission rate in lb/GWh. In this calculation, define (M)h as the calculated pollutant mass emission rate for the performance test (lb/h), and define (MW)h as the average electrical load during the performance test (megawatts). If the applicable emission limit is in lb/MWh rather than lb/GWh, omit the 103 term from Equation A-4 to determine the pollutant emission rate in lb/MWh.

(f) [Not Applicable]

(g) Upon request, you shall make available to the EPA Administrator such records as may be necessary to determine whether the performance tests have been done according to the requirements of this section.

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23403, Apr. 19, 2012; 78 FR 24085, Apr. 24, 2013; 79 FR 68789, Nov. 19, 2014; 81 FR 20182, Apr. 6, 2016]

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.

 # 005 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10032]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What records must I keep?

(a) You must keep records according to paragraphs (a)(1) and (2) of this section. If you are required to (or elect to) continuously monitor Hg and/or HCl and/or HF and/or PM emissions, or if you elect to use a PM CPMS, you must keep the records required under appendix A and/or appendix B and/or appendix C and/or appendix D to this subpart. If you elect to conduct periodic (e.g., quarterly or annual) performance stack tests, then, for each test completed on or after January 1, 2024, you must keep records of the applicable data elements under 40 CFR 63.7(g). You must also keep records of all data elements and other information in appendix E to this subpart that apply to your compliance strategy.

(1) In accordance with 40 CFR 63.10(b)(2)(xiv), a copy of each notification or report that you submit to comply with this subpart. You must also keep records of all supporting documentation for the initial Notifications of Compliance Status, semiannual compliance reports, or quarterly compliance reports that you submit.

(2) Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in §63.10(b)(2)(viii).

(b) [Not Applicable]

(c) You must keep the records required in Table 7 to this subpart including records of all monitoring data and calculated averages for applicable PM CPMS operating limits to show continuous compliance with each emission limit and operating limit that applies to you.

(d) For each EGU subject to an emission limit, you must also keep the records in paragraphs (d)(1) through (3) of this section.

(1) You must keep records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used.

(2) [Omitted. Provision on use of non-hazardous secondary material as fuel.]

(3) For an EGU that qualifies as an LEE under §63.10005(h), you must keep annual records that document that your emissions in the previous stack test(s) continue to qualify the unit for LEE status for an applicable pollutant, and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the pollutant to increase within the past year.

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(e) [Omitted. Provision on emissions averaging.]

(f) Regarding startup periods or shutdown periods:

(1) Should you choose to rely on paragraph (1) of the definition of “startup” in §63.10042 for your EGU, you must keep records of the occurrence and duration of each startup or shutdown.

(2) [Omitted. Provision on paragraph (2) of the definition of startup in § 63.10042. Startup of Sources 034 and 035 is best described by paragraph (1) of the definition of startup.]

(g) You must keep records of the occurrence and duration of each malfunction of an operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(h) You must keep records of actions taken during periods of malfunction to minimize emissions in accordance with §63.10000(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(i) You must keep records of the type(s) and amount(s) of fuel used during each startup or shutdown.

(j) [Not Applicable]

[77 FR 9464, Feb. 16, 2012, as amended at 79 FR 68792, Nov. 19, 2014; 81 FR 20189, Apr. 6, 2016; 85 FR 55763, Sept. 9, 2020]

 # 006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subsection 63.10033]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

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

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

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

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records off site for the remaining 3 years.

V. REPORTING REQUIREMENTS.

 # 007 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10021]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?

(a) [See VII. Additional Requirements for this source group.]

(b) - (c) [Not Applicable]

(d) [See VII. Additional Requirements for this source group.]

(e) [See VI. Work Practice Requirements for this source group.]

(f) You must submit the applicable reports and notifications required under 40 CFR 63.10031(a) through (k) to the Administrator electronically, using EPA's Emissions Collection and Monitoring Plan System (ECMPS) Client Tool. If the final date of any time period (or any deadline) for any of these submissions falls on a weekend or a Federal holiday, the time period shall be extended to the next business day. Moreover, if the EPA Host System supporting the ECMPS Client Tool is offline and unavailable for submission of reports for any part of a day when a report would otherwise be due, the deadline for reporting is automatically extended until the first business day on which the system becomes available following the outage. Use of the ECMPS Client Tool to submit a report or notification required under this subpart satisfies any

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requirement under subpart A of this part to submit that same report or notification (or the information contained in it) to the appropriate EPA Regional office or state agency whose delegation request has been approved.

(g) You must report each instance in which you did not meet an applicable emissions limit or operating limit in Tables 1 through 4 to this subpart or failed to conduct a required tune-up. These instances are deviations from the requirements of this subpart. These deviations must be reported according to §63.10031.

(h) [See VI. Work Practice Requirements for this source group.]

(i) [Omitted. The permittee complies with paragraph (1) of the definition of startup in § 63.10042.]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23404, Apr. 19, 2012; 78 FR 24086, Apr. 24, 2013; 79 FR 68791, Nov. 19, 2014; 81 FR 20187, Apr. 6, 2016; 82 FR 16739, Apr. 6, 2017; 83 FR 30883, July 2, 2018; 85 FR 55759, Sept. 9, 2020]

 # 008 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10030]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What notifications must I submit and when?

(a) You must submit all of the notifications in §§63.7(b) and (c), 63.8 (e), (f)(4) and (6), and 63.9 (b) through (h) that apply to you by the dates specified.

(b) As specified in §63.9(b)(2), if you startup your EGU that is an affected source before April 16, 2012, you must submit an Initial Notification not later than 120 days after April 16, 2012.

(c) [Not Applicable]

(d) When you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin.

(e) When you are required to conduct an initial compliance demonstration as specified in §63.10011(a), you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii). The Notification of Compliance Status report must contain all of the information specified in paragraphs (e)(1) through (8) of this section, that applies to your initial compliance strategy.

(1) A description of the affected source(s), including identification of the subcategory of the source, the design capacity of the source, a description of the add-on controls used on the source, description of the fuel(s) burned, including whether the fuel(s) were determined by you or EPA through a petition process to be a non-waste under 40 CFR 241.3, whether the fuel(s) were processed from discarded non-hazardous secondary materials within the meaning of 40 CFR 241.3, and justification for the selection of fuel(s) burned during the performance test.

(2) Summary of the results of all performance tests and fuel analyses and calculations conducted to demonstrate initial compliance including all established operating limits.

(3) Identification of whether you plan to demonstrate compliance with each applicable emission limit through performance testing; fuel moisture analyses; performance testing with operating limits (e.g., use of PM CPMS); CEMS; or a sorbent trap monitoring system.

(4) Identification of whether you plan to demonstrate compliance by emissions averaging.

(5) A signed certification that you have met all applicable emission limits and work practice standards.

(6) If you had a deviation from any emission limit, work practice standard, or operating limit, you must also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation in the Notification of Compliance Status report.

(7) Except for requests to switch from one emission limit to another, as provided in paragraph (e)(7)(iii) of this section, your initial notification of compliance status shall also include the following information:

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(i) [Reserved]

(ii) Certifications of compliance, as applicable, and must be signed by a responsible official stating:

(A) "This EGU complies with the requirements in §63.10021(a) to demonstrate continuous compliance." and

(B) "No secondary materials that are solid waste were combusted in any affected unit."

(iii) For each of your existing EGUs, identification of each emissions limit specified in Table 2 to this subpart with which you plan to comply initially. (Note: If, at some future date, you wish to switch from the limit specified in your initial notification of compliance status, you must follow the procedures and meet the conditions of paragraphs (e)(7)(iii)(A) through (C) of this section).

(A) You may switch from a mass per heat input to a mass per gross output limit (or vice-versa), provided that:

(1) You submit a request that identifies for each EGU or EGU emissions averaging group involved in the proposed switch both the current and proposed emission limit;

(2) Your request arrives to the Administrator at least 30 calendar days prior to the date that the switch is proposed to occur;

(3) Your request includes performance stack test results or valid CMS data, obtained within 45 days prior to the date of your submission, demonstrating that each EGU or EGU emissions averaging group is in compliance with both the mass per heat input limit and the mass per gross output limit;

(4) You revise and submit all other applicable plans, e.g., monitoring and emissions averaging, with your request; and

(5) You maintain records of all information regarding your choice of emission limits.

(B) You must begin to use the revised emission limits starting in the next reporting period, after receipt of written acknowledgement from the Administrator of the switch.

(C) From submission of your request until start of the next reporting period after receipt of written acknowledgement from the Administrator of the switch, you must demonstrate compliance with both the mass per heat input and mass per gross output emission limits for each pollutant for each EGU or EGU emissions averaging group.

(8) Identification of whether you plan to rely on paragraph (1) or (2) of the definition of "startup" in §63.10042.

(i) - (ii) [Omitted. Provisions for facilities relying on paragraph (2) of the definition of startup in § 63.10042. Startup of Sources 034 and 035 is best described by paragraph (1) of the definition of startup.]

(iii) You may switch from paragraph (1) of the definition of "startup" in §63.10042 to paragraph (2) of the definition of "startup" (or vice-versa), provided that:

(A) You submit a request that identifies for each EGU or EGU emissions averaging group involved in the proposed switch both the current definition of "startup" relied on and the proposed definition you plan to rely on;

(B) Your request arrives to the Administrator at least 30 calendar days prior to the date that the switch is proposed to occur;

(C) You revise and submit all other applicable plans, e.g., monitoring and emissions averaging, with your submission;

(D) You maintain records of all information regarding your choice of the definition of "startup"; and

(E) You begin to use the revised definition of "startup" in the next reporting period after receipt of written

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acknowledgement from the Administrator of the switch.

(f) [Not Applicable]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23404, Apr. 19, 2012; 78 FR 24087, Apr. 24, 2013; 79 FR 68791, Nov. 19, 2014; 81 FR 20187, Apr. 6, 2016; 85 FR 55760, Sept. 9, 2020]

 # 009 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10031]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What reports must I submit and when?

(a) You must submit each report in this section that applies to you.

(1) [Not Applicable. The permittee is currently not required nor elected to monitor Hg emissions continuously.]

(2) [Not Applicable. The permittee has LEE status for HCl & therefore demonstrate compliance through stack testing every 3 years (instead of monitoring HCl emissions continuously).]

(3) [Not Applicable. The permittee did not elect to monitor FPM continuously.]

(4) [Not Applicable. The permittee did not elect to demonstrate compliance with FPM limit using PM CPMS.]

(5) [Not Applicable. The permittee complies with the HCl standard.]

(b) You must submit semiannual compliance reports according to the requirements in paragraphs (b)(1) through (5) of this section.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in 40 CFR 63.9984 (or, if applicable, the extended compliance date approved under 40 CFR 63.6(i)(4)) and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in 40 CFR 63.9984 (or, if applicable, the extended compliance date approved under 40 CFR 63.6(i)(4)).

(2) The first compliance report must be submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in 40 CFR 63.9984 (or, if applicable, the extended compliance date approved under 40 CFR 63.6(i)(4)).

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. (Henry's notes: removed 'postmarked', meaning cannot be mailed.)

(5) For each affected source that is subject to permitting regulations pursuant to part 70 or part 71 of this chapter, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), through the reporting period that ends December 31, 2023, you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.

(6) The final semiannual compliance report shall cover the reporting period from July 1, 2023, through December 31, 2023. Quarterly compliance reports shall be submitted thereafter, in accordance with paragraph (g) of this section, starting with a report covering the first calendar quarter of 2024.

(c) The semiannual compliance report must contain the information required in paragraphs (c)(1) through (10) of this section

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(1) The information required by the summary report located in 63.10(e)(3)(vi).

(2) The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or your basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure.

(3) Indicate whether you burned new types of fuel during the reporting period. If you did burn new types of fuel you must include the date of the performance test where that fuel was in use.

(4) Include the date of the most recent tune-up for each EGU. The date of the tune-up is the date the tune-up provisions specified in §63.10021(e)(6) and (7) were completed.

(5) - (6) [Not Applicable]

(7) A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during the test, if applicable. If you are conducting stack tests once every 3 years to maintain LEE status, consistent with §63.10006(b), the date of each stack test conducted during the previous 3 years, a comparison of emission level you achieved in each stack test conducted during the previous 3 years to the 50 percent emission limit threshold required in §63.10005(h)(1)(i), and a statement as to whether there have been any operational changes since the last stack test that could increase emissions.

(8) A certification.

(9) If you have a deviation from any emission limit, work practice standard, or operating limit, you must also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation.

(10) If you had any process or control equipment malfunction(s) during the reporting period, you must include the number, duration, and a brief description for each type of malfunction which occurred during the semiannual reporting period which caused or may have caused any applicable emission limitation to be exceeded.

(d) [Not Applicable. The permittee is currently not required nor elected to monitor emissions continuously for compliance demonstration.]

(e) Each affected source that has obtained a title V operating permit pursuant to part 70 or part 71 of this chapter must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a semiannual compliance report pursuant to paragraphs (c) and (d) of this section, or two quarterly compliance reports covering the appropriate calendar half pursuant to paragraph (g) of this section, along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report(s) includes all required information concerning deviations from any emission limit, operating limit, or work practice requirement in this subpart, submission of the compliance report(s) satisfies any obligation to report the same deviations in the semiannual monitoring report. Submission of the compliance report(s) does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(f) For each performance stack test completed prior to January 1, 2024, (including 30- (or 90-) boiler operating day Hg LEE demonstration tests and PM tests to establish operating limits for PM CPMS), you must submit a PDF test report in accordance with paragraph (f)(6) of this section, no later than 60 days after the date on which the testing is completed. For each test completed on or after January 1, 2024, in accordance with 40 CFR 63.10031(g), submit the applicable reference method information in sections 17 through 31 of appendix E to this subpart along with the quarterly compliance report for the calendar quarter in which the test was completed.

(1) - (2) [Not Applicable. Provisions on monitoring systems.]

(3) [Reserved]

(4) You must submit semiannual compliance reports as required under paragraphs (b) through (d) of this section,

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ending with a report covering the semiannual period from July 1 through December 31, 2023, and Notifications of Compliance Status as required under section 63.10030(e), as PDF files. Quarterly compliance reports shall be submitted in XML format thereafter, in accordance with paragraph (g) of this section, starting with a report covering the first calendar quarter of 2024.

(5) All reports required by this subpart not subject to the requirements in paragraphs (f) introductory text and (f)(1) through (4) of this section must be sent to the Administrator at the appropriate address listed in §63.13. If acceptable to both the Administrator and the owner or operator of an EGU, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to paragraphs (f) introductory text and (f)(1) through (4) of this section in paper format.

(6) All reports and notifications described in paragraphs (f) introductory text, (f)(1), (2), and (4) of this section shall be submitted to the EPA in the specified format and at the specified frequency, using the ECMPS Client Tool. Each PDF version of a stack test report, CEMS RATA report, PM CEMS correlation test report, RRA report, and RCA report must include sufficient information to assess compliance and to demonstrate that the reference method testing was done properly. Note that EPA will continue to accept, as necessary, PDF reports that are being phased out at the end of 2023, if the submission deadlines for those reports extend beyond December 31, 2023. The following data elements must be entered into the ECMPS Client Tool at the time of submission of each PDF file:

(i) The facility name, physical address, mailing address (if different from the physical address), and county;

(ii) The ORIS code (or equivalent ID number assigned by EPA's Clean Air Markets Division (CAMD)) and the Facility Registry System (FRS) ID;

(iii) The EGU (or EGUs) to which the report applies. Report the EGU IDs as they appear in the CAMD Business System;

(iv) If any of the EGUs in paragraph (f)(6)(iii) of this section share a common stack, indicate which EGUs share the stack. If emissions data are monitored and reported at the common stack according to part 75 of this chapter, report the ID number of the common stack as it is represented in the electronic monitoring plan required under §75.53 of this chapter;

(v) [Not Applicable. The facility is not using averaging plan.]

(vi) The identification of each emission point to which the report applies. An “emission point” is a point at which source effluent is released to the atmosphere, and is either a dedicated stack that serves one of the EGUs identified in paragraph (f)(6)(iii) of this section or a common stack that serves two or more of those EGUs. To identify an emission point, associate it with the EGU or stack ID in the CAMD Business system or the electronic monitoring plan (e.g., “Unit 2 stack,” “common stack CS001,” or “multiple stack MS001”);

(vii) An indication of the type of PDF report or notification being submitted

(viii) The pollutant(s) being addressed in the report;

(ix) The reporting period being covered by the report (if applicable);

(x) The relevant test method that was performed for a performance test (if applicable);

(xi) The date the performance test was completed (if applicable) and the test number (if applicable); and

(xii) The responsible official's name, title, and phone number.

(g) Starting with a report for the first calendar quarter of 2024, you must use the ECMPS Client Tool to submit quarterly electronic compliance reports. Each quarterly compliance report shall include the applicable data elements in sections 2 through 13 of appendix E to this subpart. For each stack test summarized in the compliance report, you must also submit the applicable reference method information in sections 17 through 31 of appendix E to this subpart. The compliance reports and associated appendix E information must be submitted no later than 60 days after the end of each calendar quarter.

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(h) On and after January 1, 2024, initial Notifications of Compliance Status (if any) shall be submitted in accordance with 40 CFR 63.9(h)(2)(ii), as PDF files, using the ECMPS Client Tool. The applicable data elements in paragraphs (f)(6)(i) through (xii) of this section must be entered into ECMPS with each Notification.

(i) [Not Applicable. The permittee is complying with paragraph (1) of the definition of startup in § 63.10042.]

(j) [Not Applicable. The permittee does not use PM CEMS to demonstrate compliance with FPM limit.]

(k) [Not Applicable. The permittee does not use either PM CPMS or HAP metals CEMS.]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23404, Apr. 19, 2012; 79 FR 68791, Nov. 19, 2014; 79 FR 68799, Nov. 19, 2014; 80 FR 15514, Mar. 24, 2015; 81 FR 20188, Apr. 6, 2016; 82 FR 16739, Apr. 6, 2017; 83 FR 30883, July 2, 2018; 85 FR 55760, Sept. 9, 2020]

 # 010 [40 CFR Part 63 NESHAPS for Source Categories §Table 8 to Subpart UUUUU]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

Reporting Requirements

[In accordance with 40 CFR 63.10031, you must meet the following reporting requirements, as they apply to your compliance strategy]

YOU MUST SUBMIT THE FOLLOWING REPORTS...

(1) - (5) [Not Applicable]

(6) PDF reports for all performance stack tests completed prior to January 1, 2024 (including 30- or 90-boiler operating day Hg LEE test reports and PM test reports to set operating limits for PM CPMS), according to the introductory text of 40 CFR 63.10031(f) and 40 CFR 63.10031(f)(6).

(a) For each test, submit the PDF report no later than 60 days after the date on which testing is completed.

(b) [Provision on PM CPMS. Not Applicable]

(c) For each performance stack test completed on or after January 1, 2024, submit the test results in the relevant quarterly compliance report under 40 CFR 63.10031(g), together with the applicable reference method information in sections 17 through 31 of appendix E to this subpart.

(7) - (8) [Not Applicable]

(9) The semiannual compliance reports described in 40 CFR 63.10031(c) and (d), in PDF files, according to 40 CFR 63.10031(f)(4) and (6). The due dates for these reports are specified in 40 CFR 63.10031(b).

(a) The final semiannual compliance report shall cover the period from July 1, 2023, through December 31, 2023.

(10) Notifications of compliance status, in PDF files, according to 40 CFR 63.10031(f)(4) and (6) until December 31, 2023, and according to 40 CFR 63.10031(h) thereafter.

(11) Quarterly electronic compliance reports, in accordance with 40 CFR 63.10031(g), starting with a report for the first calendar quarter of 2024. The reports must be in XML format and must include the applicable data elements in sections 2 through 13 of appendix E to this subpart.

(a) These reports are due no later than 60 days after the end of each calendar quarter.

(12) - (14) [Not Applicable]

[85 FR 55764, Sept. 9, 2020]

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VI. WORK PRACTICE REQUIREMENTS.

 # 011 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10021]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?

(a) - (d) [See VII. Additional Requirements for this source group.]

(e) Conduct periodic performance tune-ups of your EGU(s), as specified in paragraphs (e)(1) through (9) of this section. For your first tune-up, you may perform the burner inspection any time prior to the tune-up or you may delay the first burner inspection until the next scheduled EGU outage provided you meet the requirements of §63.10005. Subsequently, you must perform an inspection of the burner at least once every 36 calendar months unless your EGU employs neural network combustion optimization during normal operations in which case you must perform an inspection of the burner and combustion controls at least once every 48 calendar months. If your EGU is offline when a deadline to perform the tune-up passes, you shall perform the tune-up work practice requirements within 30 days after the re-start of the affected unit.

(1) As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows:

(i) Burner or combustion control component parts needing replacement that affect the ability to optimize NOX and CO must be installed within 3 calendar months after the burner inspection,

(ii) Burner or combustion control component parts that do not affect the ability to optimize NOX and CO may be installed on a schedule determined by the operator;

(2) As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type;

(3) As applicable, observe the damper operations as a function of mill and/or cyclone loadings, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors;

(4) As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors;

(5) Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess O2 probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary;

(6) Optimize combustion to minimize generation of CO and NOX. This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. NOX optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles;

(7) While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and NOX in ppm, by volume, and oxygen in volume percent, before and after the tune-up adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). You may use portable CO, NOX and O2 monitors for this measurement. EGU's employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system;

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(8) Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in paragraphs (e)(1) through (e)(9) of this section including:

(i) The concentrations of CO and NOX in the effluent stream in ppm by volume, and oxygen in volume percent, measured before and after an adjustment of the EGU combustion systems;

(ii) A description of any corrective actions taken as a part of the combustion adjustment; and

(iii) The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period; and

(9) Prior to January 1, 2024, report the tune-up date electronically, in a PDF file, in your semiannual compliance report, as specified in 40 CFR 63.10031(f)(4) and (6) and, if requested by the Administrator, in hard copy, as specified in 40 CFR 63.10031(f)(5). On and after January 1, 2024, report the tune-up date electronically in your quarterly compliance report, in accordance with 40 CFR 63.10031(g) and section 10.2 of appendix E to this subpart. The tune-up report date is the date when tune-up requirements in paragraphs (e)(6) and (7) of this section are completed.

(f) - (g) [See V. Reporting Requirements for this source group.]

(h) You must follow the startup or shutdown requirements as given in Table 3 to this subpart for each coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGU.

(1) You may use the diluent cap and default gross output values, as described in §63.10007(f), during startup periods or shutdown periods.

(2) [Not Applicable]

(3) [Reserved]

(4) [Omitted. Provision on paragraph (2) of the definition of startup in § 63.10042. Startup of Sources 034 and 035 is best described by paragraph (1) of the definition of startup.]

(i) [Omitted. The permittee complies with paragraph (1) of the definition of startup in § 63.10042.]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23404, Apr. 19, 2012; 78 FR 24086, Apr. 24, 2013; 79 FR 68791, Nov. 19, 2014; 81 FR 20187, Apr. 6, 2016; 82 FR 16739, Apr. 6, 2017; 83 FR 30883, July 2, 2018; 85 FR 55759, Sept. 9, 2020]

 # 012 [40 CFR Part 63 NESHAPS for Source Categories §Table 3 to Subpart UUUUU of Part 63]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

Work Practice Standards

As stated in §§63.9991, you must comply with the following applicable work practice standards:

IF YOUR EGU IS...
(1) An existing EGU

YOU MUST MEET THE FOLLOWING...
Conduct a tune-up of the EGU burner and combustion controls at least each 36 calendar months, or each 48 calendar months if neural network combustion optimization software is employed, as specified in §63.10021(e).

IF YOUR EGU IS...
(3) A coal-fired, liquid oil-fired (excluding limited-use liquid oil-fired subcategory units), or solid oil-derived fuel-fired EGU during startup

YOU MUST MEET THE FOLLOWING...
(a) You have the option of complying using either of the following work practice standards:

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(1) If you choose to comply using paragraph (1) of the definition of "startup" in §63.10042, you must operate all CMS during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, you must use clean fuels as defined in §63.10042 for ignition. Once you convert to firing coal, residual oil, or solid oil-derived fuel, you must engage all of the applicable control technologies except dry scrubber and SCR. You must start your dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. You must comply with all applicable emissions limits at all times except for periods that meet the applicable definitions of startup and shutdown in this subpart. You must keep records during startup periods. You must provide reports concerning activities and startup periods, as specified in §63.10011(g) and §63.10021(h) and (i). [Omitted statements for paragraph (2) of the definition of startup in § 63.10042; the permittee complies with paragraph (2) of the definition.]

(2) [Not Applicable. Provision on paragraph (2) of the definition of startup in § 63.10042.]

(b) [Not Applicable. Provision on IGCC EGU.]

(c) If you choose to use just one set of sorbent traps to demonstrate compliance with the applicable Hg emission limit, you must comply with the limit at all times; otherwise, you must comply with the applicable emission limit at all times except for startup and shutdown periods.

(d) You must keep records during startup periods, as provided in §§63.10021(h) and 63.10032. You must provide reports concerning activities and startup periods, as specified in §§63.10011(g), 63.10021(i), and 63.10031. [Omitted the following: statements on collecting monitoring data because the permittee does not have any monitoring system; statements for paragraph (2) of the definition of startup in § 63.10042 because the permittee complies with paragraph (1) of the definition.]

IF YOUR EGU IS...

(4) A coal-fired, liquid oil-fired (excluding limited-use liquid oil-fired subcategory units), or solid oil-derived fuel-fired EGU during shutdown

YOU MUST MEET THE FOLLOWING...

While firing coal, residual oil, or solid oil-derived fuel during shutdown, you must vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal, residual oil, or solid oil-derived fuel being fed into the EGU and for as long as possible thereafter considering operational and safety concerns. In any case, you must operate your controls when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than this Subpart and that require operation of the control devices.

If, in addition to the fuel used prior to initiation of shutdown, another fuel must be used to support the shutdown process, that additional fuel must be one or a combination of the clean fuels defined in §63.10042 and must be used to the maximum extent possible, taking into account considerations such as not compromising boiler or control device integrity.

You must comply with all applicable emission limits at all times except during startup periods and shutdown periods at which time you must meet this work practice. You must keep records during shutdown periods, as provided in §§63.10032 and 63.10021(h). Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown. You must provide reports concerning activities and shutdown periods, as specified in §§63.10011(g), 63.10021(i), and 63.10031. [Omitted the statements for paragraph (2) of the definition of startup in § 63.10042 because the permittee complies with paragraph (1) of the definition.]

[81 FR 20196, Apr. 6, 2016, as amended at 85 FR 55763, Sept. 9, 2020]

[Item (2) of Table 3 to Subpart UUUUU of Part 63 does not apply.]

VII. ADDITIONAL REQUIREMENTS.

 # 013 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The following provisions of § 40 CFR 63 Subpart UUUUU apply to Sources 034 and 035, and are incorporated by reference.

SECTION E. Source Group Restrictions.

(a) § 63.9980 (What is the purposes of this subpart?).
(b) § 63.9981 (Am I subject to this subpart?).
(c) § 63.9982 (What is the affected source of this subpart?). Paragraphs (a)(1) & (d).
(d) § 63.9984 (When do I have to comply with this subpart?). Paragraphs (b), (c), & (f).
(e) § 63.9990 (What are the subcategores of EGUs). Paragraph (a)(1).
(f) § 63.10005 (What are my initial requirements and by what date must I conduct them?) Paragraphs (a)(1), (b) introductory text, (e), (j), & (k). Paragraph (h), which defines the LEE requirements, is incorporated as an additional requirement for this source group.
(g) § 63.10040 (What parts of the General Provisions apply to me?)
(h) § 63.10041 (Who implements and enforces this subpart?)
(i) Table 5 to Subpart UUUUU of Part 63 (Performance Testing Requirements)
(j) Table 9 to Subpart UUUUU of Part 63 (Applicability of General Provisions to Subpart UUUUU)

Sections, tables, and appendices of § 63 Subpart UUUUU not mentioned in this condition nor permit conditions for this source group do not apply to Sources 034 and 035.

 # 014 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10005]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What are my initial compliance requirements and by what date must I conduct them?

(h) LOW EMITTING EGUs. The provisions of this paragraph (h) apply to pollutants with emissions limits from new EGUs except Hg and to all pollutants with emissions limits from existing EGUs. You may pursue this compliance option unless prohibited pursuant to §63.10000(c)(1)(i).

(1) An EGU may qualify for low emitting EGU (LEE) status for Hg, HCl, HF, filterable PM, total non-Hg HAP metals, or individual non-Hg HAP metals (or total HAP metals or individual HAP metals, for liquid oil-fired EGUs) if you collect performance test data that meet the requirements of this paragraph (h), and if those data demonstrate:

(i) For all pollutants except Hg, performance test emissions results less than 50 percent of the applicable emissions limits in Table 1 or 2 to this subpart for all required testing for 3 consecutive years; or

(ii) For Hg emissions from an existing EGU, either:

(A) Average emissions less than 10 percent of the applicable Hg emissions limit in Table 2 to this subpart (expressed either in units of lb/TBtu or lb/GWh); or

(B) [Omitted. The permittee complies with § 63.10005(h)(1)(ii)(A).]

(2) For all pollutants except Hg, you must conduct all required performance tests described in §63.10007 to demonstrate that a unit qualifies for LEE status.

(i) When conducting emissions testing to demonstrate LEE status, you must increase the minimum sample volume specified in Table 1 or 2 nominally by a factor of two.

(ii) Follow the instructions in §63.10007(e) and Table 5 to this subpart to convert the test data to the units of the applicable standard.

(3) For Hg, you must conduct a 30- (or 90-) boiler operating day performance test using Method 30B in appendix A-8 to part 60 of this chapter to determine whether a unit qualifies for LEE status. Locate the Method 30B sampling probe tip at a point within 10 percent of the duct area centered about the duct's centroid at a location that meets Method 1 in appendix A-1 to part 60 of this chapter and conduct at least three nominally equal length test runs over the 30- (or 90-) boiler operating day test period. You may use a pair of sorbent traps to sample the stack gas for a period consistent with that given in section 5.2.1 of appendix A to this subpart. Collect Hg emissions data continuously over the entire test period (except when changing sorbent traps or performing required reference method QA procedures). As an alternative to constant rate sampling per Method 30B, you may use proportional sampling per section 8.2.2 of Performance Specification 12 B in appendix B to part 60 of this chapter.

SECTION E. Source Group Restrictions.

(i) Depending on whether you intend to assess LEE status for Hg in terms of the lb/TBtu or lb/GWh emission limit in Table 2 to this subpart or in terms of the annual Hg mass emissions limit of 29.0 lb/year, you will have to collect some or all of the following data during the 30-boiler operating day test period (see paragraph (h)(3)(iii) of this section):

(A) Diluent gas (CO2 or O2) data, using either Method 3A in appendix A-3 to part 60 of this chapter or a diluent gas monitor that has been certified according to part 75 of this chapter.

(B) Stack gas flow rate data, using either Method 2, 2F, or 2G in appendices A-1 and A-2 to part 60 of this chapter, or a flow rate monitor that has been certified according to part 75 of this chapter.

(C) Stack gas moisture content data, using either Method 4 in appendix A-1 to part 60 of this chapter, or a moisture monitoring system that has been certified according to part 75 of this chapter. Alternatively, an appropriate fuel-specific default moisture value from §75.11(b) of this chapter may be used in the calculations or you may petition the Administrator under §75.66 of this chapter for use of a default moisture value for non-coal-fired units.

(D) Hourly gross output data (megawatts), from facility records.

(ii) If you use CEMS to measure CO2 (or O2) concentration, and/or flow rate, and/or moisture, record hourly average values of each parameter throughout the 30-boiler operating day test period. If you opt to use EPA reference methods rather than CEMS for any parameter, you must perform at least one representative test run on each operating day of the test period, using the applicable reference method.

(iii) Calculate the average Hg concentration, in µg/m3 (dry basis), for each of LEE test runs comprising the 30- (or 90-) boiler operating day performance test, as the arithmetic average of all Method 30B sorbent trap results from the LEE test period. Also calculate, as applicable, the average values of CO2 or O2 concentration, stack gas flow rate, stack gas moisture content, and gross output for the LEE test period. Then:

(A) To express the test results in units of lb/TBtu, follow the procedures in §63.10007(e). Use the average Hg concentration and diluent gas values in the calculations.

(B) To express the test results in units of lb/GWh, use Equations A-3 and A-4 in section 6.2.2 of appendix A to this subpart, replacing the hourly values “Ch”, “Qh”, “Bws” and “(MW)h” with the average values of these parameters from the performance test.

(C) [Omitted. The permittee complies with § 63.10005(h)(1)(ii)(A).]

(4) For a group of affected units that vent to a common stack, you may either assess LEE status for the units individually by performing a separate emission test of each unit in the duct leading from the unit to the common stack, or you may perform a single emission test in the common stack. If you choose the common stack testing option, the units in the configuration qualify for LEE status if:

(i) The emission rate measured at the common stack is less than 50 percent (10 percent for Hg) of the applicable emission limit in Table 1 or 2 to this subpart; or

(ii) [Omitted. The permittee complies with § 63.10005(h)(1)(ii)(A).]

(5) [Not Applicable]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23403, Apr. 19, 2012; 78 FR 24084, Apr. 24, 2013; 79 FR 68789, Nov. 19, 2014; 81 FR 20181, Apr. 6, 2016; 85 FR 55757, Sept. 9, 2020]

[For other applicable provisions of § 63.10005, see VII. Additional Requirements for this source group.]

 # 015 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10011]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

How do I demonstrate initial compliance with the emissions limits and work practice standards?

SECTION E. Source Group Restrictions.

(a) You must demonstrate initial compliance with each emissions limit that applies to you by conducting performance testing.

(b) - (c) [Not Applicable. Provisions on PM CPMS, CEMS, and sorbent trap monitoring. The permittee demonstrated compliance thru stack tests.]

(d) For candidate LEE units, use the results of the performance testing described in §63.10005(h) to determine initial compliance with the applicable emission limit(s) in Table 1 or 2 to this subpart and to determine whether the unit qualifies for LEE status.

(e) You must submit a Notification of Compliance Status in accordance with 40 CFR 63.10031(f)(4) or (h), as applicable, containing the results of the initial compliance demonstration, as specified in 40 CFR 63.10030(e).

(f)

(1) You must determine the fuel whose combustion produces the least uncontrolled emissions, i.e., the cleanest fuel, either natural gas or distillate oil, that is available on site or accessible nearby for use during periods of startup or shutdown.

(2) Your cleanest fuel, either natural gas or distillate oil, for use during periods of startup or shutdown determination may take safety considerations into account.

(g) You must follow the startup or shutdown requirements as established in Table 3 to this subpart for each coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGU.

(1) You may use the diluent cap and default gross output values, as described in §63.10007(f), during startup periods or shutdown periods.

(2) [Not Applicable]

(3) You must report the emissions data recorded during startup and shutdown. [Omitted this paragraph's second & third statements, which apply to EGUs relying on paragraph (2) of the definition of startup in § 63.10042. The permittee is complying with paragraph (1) of the definition of startup.]

(4) [Omitted. Provision on paragraph (2) of the definition of startup in § 63.10042. Startup of Sources 034 and 035 is best described by paragraph (1) of the definition of startup.]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23404, Apr. 19, 2012; 79 FR 68790, Nov. 19, 2014; 81 FR 20186, Apr. 6, 2016; 85 FR 55759, Sept. 9, 2020]

 # 016 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10021]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?

(a) You must demonstrate continuous compliance with each emissions limit, operating limit, and work practice standard in Tables 1 through 4 to this subpart that applies to you, according to the monitoring specified in Tables 6 and 7 to this subpart and paragraphs (b) through (g) of this section.

(d) If you use quarterly performance testing to demonstrate compliance with one or more applicable emissions limits in Table 1 or 2 to this subpart, you

(1) May skip performance testing in those quarters during which less than 168 boiler operating hours occur, except that a performance test must be conducted at least once every calendar year.

(2) Must conduct the performance test as defined in Table 5 to this subpart and calculate the results of the testing in units of the applicable emissions standard; and

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(3) [Not Applicable]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23404, Apr. 19, 2012; 78 FR 24086, Apr. 24, 2013; 79 FR 68791, Nov. 19, 2014; 81 FR 20187, Apr. 6, 2016; 82 FR 16739, Apr. 6, 2017; 83 FR 30883, July 2, 2018; 85 FR 55759, Sept. 9, 2020]

 # 017 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR Subpart 63.10042]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA), in §63.2 (the General Provisions), and in this section as follows:

[Only select terms are included in this permit. For the complete terminology, please refer to § 63.10042 under Title 40 - Protection of Environment in www.ecfr.gov.]

BOILER OPERATING DAY means a 24-hour period that begins at midnight and ends the following midnight during which any fuel is combusted at any time in the EGU, excluding startup periods or shutdown periods. It is not necessary for the fuel to be combusted the entire 24-hour period.

CLEAN FUEL means natural gas, synthetic natural gas that meets the specification necessary for that gas to be transported on a Federal Energy Regulatory Commission (FERC) regulated pipeline, propane, distillate oil, synthesis gas that has been processed through a gas clean-up train such that it could be used in a system's combustion turbine, or ultra-low-sulfur diesel (ULSD) oil, including those fuels meeting the requirements of 40 CFR part 80, subpart I ("Subpart I—Motor Vehicle Diesel Fuel; Nonroad, Locomotive, and Marine Diesel Fuel; and ECA Marine Fuel").

COAL means all solid fuels classifiable as anthracite, bituminous, sub-bituminous, or lignite by ASTM Method D388-05, "Standard Classification of Coals by Rank" (incorporated by reference, see §63.14), and coal refuse. Synthetic fuels derived from coal for the purpose of creating useful heat including but not limited to, coal derived gases (not meeting the definition of natural gas), solvent-refined coal, coal-oil mixtures, and coal-water mixtures, are considered "coal" for the purposes of this subpart.

COAL-FIRED ELECTRIC UTILITY STEAM GENERATING UNIT means an electric utility steam generating unit meeting the definition of "fossil fuel-fired" that burns coal for more than 10.0 percent of the average annual heat input during the 3 previous calendar years after the compliance date for your facility in §63.9984 or for more than 15.0 percent of the annual heat input during any one of those calendar years. EGU owners and operators must estimate coal, oil, and natural gas usage for the first 3 calendar years after the applicable compliance date and they are solely responsible for assuring compliance with this final rule or other applicable standard based on their fuel usage projections. After the first 3 years of compliance, EGUs are required to evaluate applicability based on coal or oil usage from the three previous calendars years on an annual rolling basis.

COAL REFUSE means waste products of coal mining, physical coal cleaning, and coal preparation operations (e.g. culm, gob, etc.) containing coal, matrix material, clay, and other organic and inorganic material.

DEVIATION.

(1) Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(i) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limit, operating limit, work practice standard, or monitoring requirement; or

(ii) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit.

(2) A deviation is not always a violation. The determination of whether a deviation constitutes a violation of the standard is up to the discretion of the entity responsible for enforcement of the standards.

DILUENT CAP means a default CO2 or O2 concentration that may be used to calculate the Hg, HCl, HF, PM, or SO2 emission rate (lb/MMBtu or lb/TBtu, as applicable) during a startup or shutdown hour in which the measured CO2 concentration is below the cap value or the measured O2 concentration is above the cap value. The appropriate diluent cap

SECTION E. Source Group Restrictions.

values for EGUs are presented in §63.10007(f) and in section 6.2.1.2 of Appendix A to this subpart. For the purposes of this subpart, the diluent cap is not considered to be a substitute data value.

EASTERN BITUMINOUS COAL REFUSE (EBCR) means coal refuse generated from the mining of bituminous coal in Pennsylvania and West Virginia.

[Note: As per 85 Fed. Reg., 20842, EPA excluded the permittee's (Seward) two coal refuse-fired EGUs from the new EBCR category.]

ELECTRIC STEAM GENERATING UNIT means any furnace, boiler, or other device used for combusting fuel for the purpose of producing steam (including fossil-fuel-fired steam generators associated with integrated gasification combined cycle gas turbines; nuclear steam generators are not included) for the purpose of powering a generator to produce electricity or electricity and other thermal energy.

ELECTRIC UTILITY STEAM GENERATING UNIT (EGU) means a fossil fuel-fired combustion unit of more than 25 megawatts electric (MWe) that serves a generator that produces electricity for sale. A fossil fuel-fired unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 MWe output to any utility power distribution system for sale is considered an electric utility steam generating unit.

FOSSIL FUEL means natural gas, oil, coal, and any form of solid, liquid, or gaseous fuel derived from such material.

FOSSIL FUEL-FIRED means an electric utility steam generating unit (EGU) that is capable of producing more than 25 MW of electrical output from the combustion of fossil fuels. To be “capable of combusting” fossil fuels, an EGU would need to have these fuels allowed in its operating permit and have the appropriate fuel handling facilities on-site or otherwise available (e.g., coal handling equipment, including coal storage area, belts and conveyers, pulverizers, etc.; oil storage facilities). In addition, fossil fuel-fired means any EGU that fired fossil fuels for more than 10.0 percent of the average annual heat input during the 3 previous calendar years after the compliance date for your facility in §63.9984 or for more than 15.0 percent of the annual heat input during any one of those calendar years. EGU owners and operators must estimate coal, oil, and natural gas usage for the first 3 calendar years after the applicable compliance date and they are solely responsible for assuring compliance with this final rule or other applicable standard based on their fuel usage projections. After the first 3 years of compliance, EGUs are required to evaluate applicability based on coal or oil usage from the three previous calendars years on an annual rolling basis.

FLUIDIZED BED BOILER, or FLUIDIZED BED COMBUSTOR, or CIRCULATING FLUIDIZED BED, or CFB means a boiler utilizing a fluidized bed combustion process.

FLUIDIZED BED COMBUSTION means a process where a fuel is burned in a bed of granulated particles which are maintained in a mobile suspension by the upward flow of air and combustion products.

SHUTDOWN means the period in which cessation of operation of an EGU is initiated for any purpose. Shutdown begins when the EGU no longer generates electricity or makes useful thermal energy (such as heat or steam) for industrial, commercial, heating, or cooling purposes or when no coal, liquid oil, syngas, or solid oil-derived fuel is being fired in the EGU, whichever is earlier. Shutdown ends when the EGU no longer generates electricity or makes useful thermal energy (such as steam or heat) for industrial, commercial, heating, or cooling purposes, and no fuel is being fired in the EGU. Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown.

STARTUP means:

(1) Either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on-site use). Any fraction of an hour in which startup occurs constitutes a full hour of startup; or

(2) The period in which operation of an EGU is initiated for any purpose. Startup begins with either the firing of any fuel in an EGU for the purpose of producing electricity or useful thermal energy (such as heat or steam) for industrial, commercial, heating, or cooling purposes (other than the first-ever firing of fuel in a boiler following construction of the boiler) or for any other purpose after a shutdown event. Startup ends 4 hours after the EGU generates electricity that is sold or used for any other purpose (including on site use), or 4 hours after the EGU makes useful thermal energy (such as heat or steam) for industrial, commercial, heating, or cooling purposes (16 U.S.C. 796(18)(A) and 18 CFR 292.202(c)), whichever is earlier. Any fraction of an hour in which startup occurs constitutes a full hour of startup.

SECTION E. Source Group Restrictions.

UNIT DESIGNED FOR COAL = or > 8,300 BTU/LB SUBCATEGORY means any coal-fired EGU that is not a coal-fired EGU in the "unit designed for low rank virgin coal" subcategory.

UNIT DESIGNED FOR EASTERN BITUMINOUS COAL REFUSE (EBCR) SUBCATEGORY means any existing (i.e., construction was commenced on or before May 3, 2011) coal-fired EGU with a net summer capacity of no greater than 150 MW that is designed to burn and that is burning 75 percent or more (by heat input) eastern bituminous coal refuse on a 12-month rolling average basis.

[Note: As per 85 Fed. Reg., 20842, EPA excluded the permittee's (Seward) two coal refuse-fired EGUs from the new EBCR category.]

UNIT DESIGNED FOR LOW RANK VIRGIN COAL SUBCATEGORY means any coal-fired EGU that is designed to burn and that is burning nonagglomerating virgin coal having a calorific value (moist, mineral matter-free basis) of less than 19,305 kJ/kg (8,300 Btu/lb) that is constructed and operates at or near the mine that produces such coal.

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23405, Apr. 19, 2012; 78 FR 24087, Apr. 24, 2013; 79 FR 68792, Nov. 19, 2014; 81 FR 20189, Apr. 6, 2016; 85 FR 20850, Apr. 15, 2020; 85 FR 55763, Sept. 9, 2020]

 # 018 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR subpart 63.10000]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limits and operating limits in this subpart. These limits apply to you at all times except during periods of startup and shutdown; however, for coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGUs, you are required to meet the work practice requirements, items 3 and 4, in Table 3 to this subpart during periods of startup or shutdown.

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(c)

(1) For coal-fired units, IGCC units, and solid oil-derived fuel-fired units, initial performance testing is required for all pollutants, to demonstrate compliance with the applicable emission limits.

(i) For a coal-fired or solid oil-derived fuel-fired EGU or IGCC EGU, you may conduct initial performance testing in accordance with §63.10005(h), to determine whether the EGU qualifies as a low emitting EGU (LEE) for one or more applicable emission limits, except as otherwise provided in paragraphs (c)(1)(i)(A) and (B) of this section:

(A) - (C) [Not Applicable]

(ii) For a qualifying LEE for Hg emissions limits, you must conduct a 30-day performance test using Method 30B at least once every 12 calendar months to demonstrate continued LEE status.

(iii) For a qualifying LEE of any other applicable emissions limits, you must conduct a performance test at least once every 36 calendar months to demonstrate continued LEE status.

(iv) If your coal-fired or solid oil derived fuel-fired EGU or IGCC EGU does not qualify as a LEE for total non-mercury HAP metals, individual non-mercury HAP metals, or filterable particulate matter (PM), you must demonstrate compliance through an initial performance test and you must monitor continuous performance through either use of a particulate matter continuous parametric monitoring system (PM CPMS), a PM CEMS, or, for an existing EGU, compliance performance testing repeated quarterly.

(v) If your coal-fired or solid oil-derived fuel-fired EGU does not qualify as a LEE for hydrogen chloride (HCl), you may demonstrate initial and continuous compliance through use of an HCl CEMS, installed and operated in accordance with Appendix B to this subpart. As an alternative to HCl CEMS, you may demonstrate initial and continuous compliance by

SECTION E. Source Group Restrictions.

conducting an initial and periodic quarterly performance stack test for HCl. [Omitted provision on SO2 limit.]

(vi) If your coal-fired or solid oil-derived fuel-fired EGU does not qualify as a LEE for Hg, you must demonstrate initial and continuous compliance through use of a Hg CEMS or a sorbent trap monitoring system, in accordance with appendix A to this subpart.

(A) You may choose to use separate sorbent trap monitoring systems to comply with this subpart: One sorbent trap monitoring system to demonstrate compliance with the numeric mercury emissions limit during periods other than startup or shutdown and the other sorbent trap monitoring system to report average mercury concentration during startup periods or shutdown periods.

(B) You may choose to use one sorbent trap monitoring system to demonstrate compliance with the mercury emissions limit at all times (including startup periods and shutdown periods) and to report average mercury concentration. You must follow the startup or shutdown requirements that follow and as given in Table 3 to this subpart for each coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGU.

(2) [Not Applicable]

(d) [Omitted. These are provisions on CEMS and sorbent trap monitoring. The permittee conducts stack tests instead to demonstrate continuous compliance with applicable limits.]

(e) As part of your demonstration of continuous compliance, you must perform periodic tune-ups of your EGU(s), according to §63.10021(e).

(f) Except as provided under paragraph (n) of this section, you are subject to the requirements of this subpart for at least 6 months following the last date you met the definition of an EGU subject to this subpart (e.g., 6 months after a cogeneration unit provided more than one third of its potential electrical output capacity and more than 25 megawatts electrical output to any power distributions system for sale). You may opt to remain subject to the provisions of this subpart beyond 6 months after the last date you met the definition of an EGU subject to this subpart, unless your unit is a solid waste incineration unit subject to standards under CAA section 129 (e.g., 40 CFR part 60, subpart CCCC (New Source Performance Standards (NSPS) for Commercial and Industrial Solid Waste Incineration Units, or subpart DDDD (Emissions Guidelines (EG) for Existing Commercial and Industrial Solid Waste Incineration Units). Notwithstanding the provisions of this subpart, an EGU that starts combusting solid waste is immediately subject to standards under CAA section 129 and the EGU remains subject to those standards until the EGU no longer meets the definition of a solid waste incineration unit consistent with the provisions of the applicable CAA section 129 standards.

(g) Except as provided under paragraph (n) of this section, if your unit no longer meets the definition of an EGU subject to this subpart you must be in compliance with any newly applicable standards on the date you are no longer subject to this subpart. The date you are no longer subject to this subpart is a date selected by you, that must be at least 6 months from the date that your unit last met the definition of an EGU subject to this subpart or the date you begin combusting solid waste, consistent with §63.9983(d). Your source must remain in compliance with this subpart until the date you select to cease complying with this subpart or the date you begin combusting solid waste, whichever is earlier.

(h) - (n) [Not Applicable]

[77 FR 9464, Feb. 16, 2012, as amended at 77 FR 23402, Apr. 19, 2012; 78 FR 24084, Apr. 24, 2013; 79 FR 68788, Nov. 19, 2014; 81 FR 20180, Apr. 6, 2016; 85 FR 55757, Sept. 9, 2020]

 # 019 [40 CFR Part 63 NESHAPS for Source Categories §Table 7 to Subpart UUUUU]

SUBPART UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units

Demonstrating Continuous Compliance

As stated in §63.10021, you must show continuous compliance with the emission limitations for affected sources according to the following:

IF YOU USE ONE OF THE FOLLOWING TO MEET APPLICABLE EMISSION LIMITS, OPERATING LIMITS, OR WORK

SECTION E. Source Group Restrictions.

PRACTICE STANDARDS...
(4) Quarterly performance testing for coal-fired, solid oil derived fired, or liquid oil-fired EGUs to measure compliance with one or more non-PM (or its alternative emission limits) applicable emissions limit in Table 1 or 2, or PM (or its alternative emission limits) applicable emissions limit in Table 2

YOU DEMONSTRATE CONTINUOUS COMPLIANCE BY...
Calculating the results of the testing in units of the applicable emissions standard.

IF YOU USE ONE OF THE FOLLOWING TO MEET APPLICABLE EMISSION LIMITS, OPERATING LIMITS, OR WORK PRACTICE STANDARDS...
(5) Conducting periodic performance tune-ups of your EGU(s)

YOU DEMONSTRATE CONTINUOUS COMPLIANCE BY...
Conducting periodic performance tune-ups of your EGU(s), as specified in §63.10021(e).

IF YOU USE ONE OF THE FOLLOWING TO MEET APPLICABLE EMISSION LIMITS, OPERATING LIMITS, OR WORK PRACTICE STANDARDS...
(6) Work practice standards for coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGUs during startup

YOU DEMONSTRATE CONTINUOUS COMPLIANCE BY...
Operating in accordance with Table 3.

IF YOU USE ONE OF THE FOLLOWING TO MEET APPLICABLE EMISSION LIMITS, OPERATING LIMITS, OR WORK PRACTICE STANDARDS...
(7) Work practice standards for coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGUs during shutdown

YOU DEMONSTRATE CONTINUOUS COMPLIANCE BY...
Operating in accordance with Table 3.

[78 FR 24092, Apr. 24, 2013]

[Items (1) to (3) of Table 7 to Subpart UUUUU of Part 63 do not apply.]

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

SECTION E. Source Group Restrictions.

Group Name: CFB BOILERS - NSPS EGU

Group Description: Standards of Performance for EGUs (§ 60 Subpart Da)

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.42Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Standard for particulate matter.

(a) [Compliance with PA 32-00040B's 0.01-lb/mmbtu PM10 limit (Source Group CFB BOILERS - GEN REQTS in Section E of this permit) assures compliance with the PM restriction of this section.]

(b) Except as provided in paragraphs (b)(1) and (b)(2) of this section, on and after the date the initial PM performance test is completed or required to be completed under §60.8, whichever date comes first, an owner or operator of an affected facility shall not cause to be discharged into the atmosphere any gases which exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

[PA 32-00040B's 10% opacity limit (3-minute average) streamlines out § 60.42Da's 20% opacity limit (6-minute average) of § 60.42Da. § 60.42Da's 27% opacity limit streamlines out PA 32-00040B's 30% opacity limit.]

(c) - (f) [Not Applicable]

[77 FR 9450, Feb. 16, 2012, as amended at 78 FR 24083, Apr. 24, 2013; 79 FR 68788, Nov. 19, 2014]

 # 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.43Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Standard for sulfur dioxide.

(a) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility which combusts solid fuel or solid-derived fuel and for which construction, reconstruction, or modification commenced before or on February 28, 2005, except as provided under paragraphs (c), (d), (f) or (h) of this section, any gases that contain SO2 in excess of:

(1) 520 ng/J (1.20 lb/MMBtu) heat input and 10 percent of the potential combustion concentration (90 percent reduction);

(2) 30 percent of the potential combustion concentration (70 percent reduction), when emissions are less than 260 ng/J (0.60 lb/MMBtu) heat input;

(3) 180 ng/J (1.4 lb/MWh) gross energy output; or

(4) 65 ng/J (0.15 lb/MMBtu) heat input.

(b) On and after the date on which the initial performance test is completed or required to be completed under §60.8, whichever date comes first, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any affected facility which combusts liquid or gaseous fuels (except for liquid or gaseous fuels derived from solid fuels and as provided under paragraphs (e) or (h) of this section) and for which construction, reconstruction, or modification commenced before or on February 28, 2005, any gases that contain SO2 in excess of:

(1) 340 ng/J (0.80 lb/MMBtu) heat input and 10 percent of the potential combustion concentration (90 percent reduction); or

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(2) 100 percent of the potential combustion concentration (zero percent reduction) when emissions are less than 86 ng/J (0.20 lb/MMBtu) heat input.

(c) - (f) [Not Applicable]

(g) Compliance with the emission limitation and percent reduction requirements under this section are both determined on a 30-day rolling average basis except as provided under paragraph (c) of this section.

(h) When different fuels are combusted simultaneously, the applicable standard is determined by proration using the following formula:

(1) [Omitted. For SO2 emissions greater 0.60 lb/mmbtu. PA 32-00040B limits SO2 emissions not to exceed 0.60 lb/mmbtu.]

(2) [Omitted. Compliance with PA 32-00040B's 95% SO2 removal efficiency & 0.6 lb/mmbtu limit assure compliance with § 60.43Da(h). Based on equations and constants used, the calculated prorated SO2 emission limit and percentage of potential SO2 emission allowed will not be more stringent than PA 32-00040B's limits.]

(i) - (m) [Not Applicable]

[72 FR 32722, June 13, 2007, as amended at 77 FR 9450, Feb. 16, 2012]

 # 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.44Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Standard for nitrogen oxides.

(a) [Not Applicable]

(b) - (c) [Reserved]

(d) [Compliance with PA 32-00040B's 0.15-lb/mmbtu NOx limit (Source Group CFB BOILERS - GEN REQTS in Section E of this permit) assures compliance with NOx limit of this section.]

(e) - (h) [Not Applicable]

[77 FR 9451, Feb. 16, 2012]

 # 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.48Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Compliance provisions.

(a) For affected facilities for which construction, modification, or reconstruction commenced before May 4, 2011, the applicable PM emissions limit and opacity standard under §60.42Da, SO2 emissions limit under §60.43Da, and NOX emissions limit under §60.44Da apply at all times except during periods of startup, shutdown, or malfunction.

(b) [See II. TESTING REQUIREMENTS for this source]

(c) [Omitted. The initial performance test is applicable but one-time requirement.]

(d) - (f) [See II. TESTING REQUIREMENTS for this source]

(g) [Not Applicable]

(h) - (i) [See II. TESTING REQUIREMENTS for this source]

(j) - (k) [Not Applicable]

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(l) [Reserved]

(m) - (p) [Not Applicable]

(q) [See III. MONITORING REQUIREMENTS for this source]

(r) [Not Applicable]

(s) [See VII. ADDITIONAL REQUIREMENTS for this source]

[72 FR 32722, June 13, 2007, as amended at 74 FR 5079, Jan. 28, 2009; 76 FR 3522, Jan. 20, 2011; 77 FR 9454, Feb. 16, 2012; 78 FR 24083, Apr. 24, 2013; 81 FR 20180, Apr. 6, 2016]

II. TESTING REQUIREMENTS.

 # 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.48Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Compliance provisions.

(b) After the initial performance test required under §60.8, compliance with the applicable SO2 emissions limit and percentage reduction requirements under §60.43Da, NOX emissions limit under §60.44Da, and NOX plus CO emissions limit under §60.45Da is based on the average emission rate for 30 successive boiler operating days. A separate performance test is completed at the end of each boiler operating day after the initial performance test, and a new 30-boiler operating day rolling average emission rate for both SO2, NOX or NOX plus CO as applicable, and a new percent reduction for SO2 are calculated to demonstrate compliance with the standards.

(d) For affected facilities for which construction, modification, or reconstruction commenced before May 4, 2011, compliance with applicable 30-boiler operating day rolling average SO2 and NOX emissions limits is determined by calculating the arithmetic average of all hourly emission rates for SO2 and NOX for the 30 successive boiler operating days, except for data obtained during startup, shutdown, or malfunction.

[NOTE: For NOx, this provision is streamlined out by RACT II's § 129.100(a)(1)(iii).]

(e) For affected facilities for which construction, modification, or reconstruction commenced before May 4, 2011, compliance with applicable SO2 percentage reduction requirements is determined based on the average inlet and outlet SO2 emission rates for the 30 successive boiler operating days.

(f) For affected facilities for which construction, modification, or reconstruction commenced before May 4, 2011, compliance with the applicable daily average PM emissions limit is determined by calculating the arithmetic average of all hourly emission rates each boiler operating day, except for data obtained during startup, shutdown, or malfunction periods. Daily averages are only calculated for boiler operating days that have non-out-of-control data for at least 18 hours of unit operation during which the standard applies. Instead, all of the non-out-of-control hourly emission rates of the operating day(s) not meeting the minimum 18 hours non-out-of-control data daily average requirement are averaged with all of the non-out-of-control hourly emission rates of the next boiler operating day with 18 hours or more of non-out-of-control PM CEMS data to determine compliance.

(h) If an owner or operator has not obtained the minimum quantity of emission data as required under §60.49Da of this subpart, compliance of the affected facility with the emission requirements under §§60.43Da and 60.44Da of this subpart for the day on which the 30-day period ends may be determined by the Administrator by following the applicable procedures in section 7 of Method 19 of appendix A of this part.

(i) Compliance provisions for sources subject to §60.44Da(d)(1), (e)(1), (e)(2)(i), (e)(3)(i), (f), or (g). The owner or operator shall calculate NOX emissions as 1.194 × 10-7 lb/scf-ppm times the average hourly NOX output concentration in ppm (measured according to the provisions of §60.49Da(c)), times the average hourly flow rate (measured in scfh, according to the provisions of §60.49Da(l) or §60.49Da(m)), divided by the average hourly gross energy output (measured according to the provisions of §60.49Da(k)) or the average hourly net energy output, as applicable. Alternatively, for oil-fired and gas-fired

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units, NOX emissions may be calculated by multiplying the hourly NOX emission rate in lb/MMBtu (measured by the CEMS required under §60.49Da(c) and (d)), by the hourly heat input rate (measured according to the provisions of §60.49Da(n)), and dividing the result by the average gross energy output (measured according to the provisions of §60.49Da(k)) or the average hourly net energy output, as applicable.

[72 FR 32722, June 13, 2007, as amended at 74 FR 5079, Jan. 28, 2009; 76 FR 3522, Jan. 20, 2011; 77 FR 9454, Feb. 16, 2012; 78 FR 24083, Apr. 24, 2013; 81 FR 20180, Apr. 6, 2016]

 # 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.50Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Compliance determination procedures and methods.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the methods in appendix A of this part or the methods and procedures as specified in this section, except as provided in §60.8(b). Section 60.8(f) does not apply to this section for SO2 and NOX. Acceptable alternative methods are given in paragraph (e) of this section.

(b) In conducting the performance tests to determine compliance with the PM emissions limits in §60.42Da, the owner or operator shall meet the requirements specified in paragraphs (b)(1) through (3) of this section.

(1) The owner or operator shall measure filterable PM to determine compliance with the applicable PM emissions limit in §60.42Da as specified in paragraphs (b)(1)(i) through (ii) of this section.

(i) The dry basis F factor (O2) procedures in Method 19 of appendix A of this part shall be used to compute the emission rate of PM.

(ii) For the PM concentration, Method 5 of appendix A of this part shall be used for an affected facility that does not use a wet FGD. For an affected facility that uses a wet FGD, Method 5B of appendix A of this part shall be used downstream of the wet FGD.

(A) The sampling time and sample volume for each run shall be at least 120 minutes and 1.70 dscm (60 dscf). The probe and filter holder heating system in the sampling train may be set to provide an average gas temperature of no greater than 160 +/- 14 °C (320 +/- 25 °F).

(B) For each particulate run, the emission rate correction factor, integrated or grab sampling and analysis procedures of Method 3B of appendix A of this part shall be used to determine the O2 concentration. The O2 sample shall be obtained simultaneously with, and at the same traverse points as, the particulate run. If the particulate run has more than 12 traverse points, the O2 traverse points may be reduced to 12 provided that Method 1 of appendix A of this part is used to locate the 12 O2 traverse points. If the grab sampling procedure is used, the O2 concentration for the run shall be the arithmetic mean of the sample O2 concentrations at all traverse points.

(2) [Not Applicable]

(3) Method 9 of appendix A of this part and the procedures in §60.11 shall be used to determine opacity.

(c) The owner or operator shall determine compliance with the SO2 standards in §60.43Da as follows:

(1) The percent of potential SO2 emissions (%Ps) to the atmosphere shall be computed using the following equation:

$$\%Ps = [(100 - \%Rf)(100 - \%Rg)]/100$$

Where:
%Ps = Percent of potential SO2 emissions, percent;
%Rf = Percent reduction from fuel pretreatment, percent; and
%Rg = Percent reduction by SO2 control system, percent.

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(2) The procedures in Method 19 of appendix A of this part may be used to determine percent reduction (%Rf) of sulfur by such processes as fuel pretreatment (physical coal cleaning, hydrodesulfurization of fuel oil, etc.), coal pulverizers, and bottom and fly ash interactions. This determination is optional.

(3) The procedures in Method 19 of appendix A of this part shall be used to determine the percent SO2 reduction (%Rg) of any SO2 control system. Alternatively, a combination of an "as fired" fuel monitor and emission rates measured after the control system, following the procedures in Method 19 of appendix A of this part, may be used if the percent reduction is calculated using the average emission rate from the SO2 control device and the average SO2 input rate from the "as fired" fuel analysis for 30 successive boiler operating days.

(4) The appropriate procedures in Method 19 of appendix A of this part shall be used to determine the emission rate.

(5) The CEMS in §60.49Da(b) and (d) shall be used to determine the concentrations of SO2 and CO2 or O2.

(d) The owner or operator shall determine compliance with the NOX standard in §60.44Da as follows:

(1) The appropriate procedures in Method 19 of appendix A of this part shall be used to determine the emission rate of NOX.

(2) The continuous monitoring system in §60.49Da(c) and (d) shall be used to determine the concentrations of NOX and CO2 or O2.

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

(1) For Method 5 or 5B of appendix A-3 of this part, Method 17 of appendix A-6 of this part may be used at facilities with or without wet FGD systems if the stack temperature at the sampling location does not exceed an average temperature of 160 °C (320 °F). The procedures of sections 8.1 and 11.1 of Method 5B of appendix A-3 of this part may be used in Method 17 of appendix A-6 of this part only if it is used after wet FGD systems. Method 17 of appendix A-6 of this part shall not be used after wet FGD systems if the effluent is saturated or laden with water droplets.

(2) The Fc factor (CO2) procedures in Method 19 of appendix A of this part may be used to compute the emission rate of PM under the stipulations of §60.46(d)(1). The CO2 shall be determined in the same manner as the O2 concentration.

(f) [Not Applicable]

[72 FR 32722, June 13, 2007, as amended at 74 FR 5083, Jan. 28, 2009; 77 FR 9458, Feb. 16, 2012; 78 FR 24084, Apr. 24, 2013]

III. MONITORING REQUIREMENTS.

 # 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.48Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Compliance provisions.

(q) COMPLIANCE PROVISIONS FOR SOURCES SUBJECT TO §60.42Da(b). An owner or operator of an affected facility subject to the opacity standard in §60.42Da(b) shall monitor the opacity of emissions discharged from the affected facility to the atmosphere according to the requirements in §60.49Da(a), as applicable to the affected facility.

[72 FR 32722, June 13, 2007, as amended at 74 FR 5079, Jan. 28, 2009; 76 FR 3522, Jan. 20, 2011; 77 FR 9454, Feb. 16, 2012; 78 FR 24083, Apr. 24, 2013; 81 FR 20180, Apr. 6, 2016]

 # 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.49Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Emission monitoring.

(a) An owner or operator of an affected facility subject to the opacity standard in §60.42Da must monitor the opacity of

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emissions discharged from the affected facility to the atmosphere according to the applicable requirements in paragraphs (a)(1) through (4) of this section.

(1) Except as provided for in paragraphs (a)(2) and (4) of this section, the owner or operator of an affected facility subject to an opacity standard, shall install, calibrate, maintain, and operate a COMS, and record the output of the system, for measuring the opacity of emissions discharged to the atmosphere. If opacity interference due to water droplets exists in the stack (for example, from the use of an FGD system), the opacity is monitored upstream of the interference (at the inlet to the FGD system). If opacity interference is experienced at all locations (both at the inlet and outlet of the SO2 control system), alternate parameters indicative of the PM control system's performance and/or good combustion are monitored (subject to the approval of the Administrator).

(2) - (4) [Not Applicable]

(b) The owner or operator of an affected facility must install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring SO2 emissions as follows:

(1) Sulfur dioxide emissions are monitored at both the inlet and outlet of the SO2 control device.

(2) For a facility that qualifies under the numerical limit provisions of §60.43Da, SO2 emissions are only monitored as discharged to the atmosphere.

(3) An “as fired” fuel monitoring system (upstream of coal pulverizers) meeting the requirements of Method 19 of appendix A of this part may be used to determine potential SO2 emissions in place of a continuous SO2 emission monitor at the inlet to the SO2 control device as required under paragraph (b)(1) of this section.

[This condition is equivalent to PA 32-00040B's Condition 22 - i.e., as-fired coal analysis.]

(4) If the owner or operator has installed and certified a SO2 CEMS according to the requirements of §75.20(c)(1) of this chapter and appendix A to part 75 of this chapter, and is continuing to meet the ongoing quality assurance requirements of §75.21 of this chapter and appendix B to part 75 of this chapter, that CEMS may be used to meet the requirements of this section, provided that:

(i) A CO2 or O2 continuous monitoring system is installed, calibrated, maintained and operated at the same location, according to paragraph (d) of this section; and

(ii) For sources subject to an SO2 emission limit in lb/MMBtu under §60.43Da:

(A) When relative accuracy testing is conducted, SO2 concentration data and CO2 (or O2) data are collected simultaneously; and

(B) In addition to meeting the applicable SO2 and CO2 (or O2) relative accuracy specifications in Figure 2 of appendix B to part 75 of this chapter, the relative accuracy (RA) standard in section 13.2 of Performance Specification 2 in appendix B to this part is met when the RA is calculated on a lb/MMBtu basis; and

(iii) The reporting requirements of §60.51Da are met. The SO2 and, if required, CO2 (or O2) data reported to meet the requirements of §60.51Da shall not include substitute data values derived from the missing data procedures in subpart D of part 75 of this chapter, nor shall the SO2 data have been bias adjusted according to the procedures of part 75 of this chapter.

(c)
(1) The owner or operator of an affected facility shall install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring NOX emissions discharged to the atmosphere; or

(2) If the owner or operator has installed a NOX emission rate 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, that CEMS may be used to meet the requirements of this section, except that the owner or operator shall also meet the requirements of §60.51Da. Data reported to meet the requirements of §60.51Da shall not include data substituted using the missing data procedures in subpart D of

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part 75 of this chapter, nor shall the data have been bias adjusted according to the procedures of part 75 of this chapter.

(d) The owner or operator of an affected facility not complying with an output based limit shall install, calibrate, maintain, and operate a CEMS, and record the output of the system, for measuring the O2 or carbon dioxide (CO2) content of the flue gases at each location where SO2 or NOX emissions are monitored. For affected facilities subject to a lb/MMBtu SO2 emission limit under §60.43Da, if the owner or operator has installed and certified a CO2 or O2 monitoring system according to §75.20(c) of this chapter and appendix A to part 75 of this chapter and the monitoring system continues to meet the applicable quality-assurance provisions of §75.21 of this chapter and appendix B to part 75 of this chapter, that CEMS may be used together with the part 75 SO2 concentration monitoring system described in paragraph (b) of this section, to determine the SO2 emission rate in lb/MMBtu. SO2 data used to meet the requirements of §60.51Da shall not include substitute data values derived from the missing data procedures in subpart D of part 75 of this chapter, nor shall the data have been bias adjusted according to the procedures of part 75 of this chapter.

(e) The CEMS under paragraphs (b), (c), and (d) of this section are operated and data recorded during all periods of operation of the affected facility including periods of startup, shutdown, and malfunction, except for CEMS breakdowns, repairs, calibration checks, and zero and span adjustments.

(f)

(1) For units that began construction, reconstruction, or modification on or before February 28, 2005, the owner or operator shall obtain emission data for at least 18 hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement cannot be met with CEMS, the owner or operator shall supplement emission data with other monitoring systems approved by the Administrator or the reference methods and procedures as described in paragraph (h) of this section.

(2) [Not Applicable]

(g) The 1-hour averages required under paragraph §60.13(h) are expressed in ng/J (lb/MMBtu) heat input and used to calculate the average emission rates under §60.48Da. The 1-hour averages are calculated using the data points required under §60.13(h)(2).

(h) When it becomes necessary to supplement CEMS data to meet the minimum data requirements in paragraph (f) of this section, the owner or operator shall use the reference methods and procedures as specified in this paragraph. Acceptable alternative methods and procedures are given in paragraph (j) of this section.

(1) Method 6 of appendix A of this part shall be used to determine the SO2 concentration at the same location as the SO2 monitor. Samples shall be taken at 60-minute intervals. The sampling time and sample volume for each sample shall be at least 20 minutes and 0.020 dscm (0.71 dscf). Each sample represents a 1-hour average.

(2) Method 7 of appendix A of this part shall be used to determine the NOX concentration at the same location as the NOX monitor. Samples shall be taken at 30-minute intervals. The arithmetic average of two consecutive samples represents a 1-hour average.

(3) The emission rate correction factor, integrated bag sampling and analysis procedure of Method 3B of appendix A of this part shall be used to determine the O2 or CO2 concentration at the same location as the O2 or CO2 monitor. Samples shall be taken for at least 30 minutes in each hour. Each sample represents a 1-hour average.

(4) The procedures in Method 19 of appendix A of this part shall be used to compute each 1-hour average concentration in ng/J (lb/MMBtu) heat input.

(i) The owner or operator shall use methods and procedures in this paragraph to conduct monitoring system performance evaluations under §60.13(c) and calibration checks under §60.13(d). Acceptable alternative methods and procedures are given in paragraph (j) of this section.

(1) Methods 3B, 6, and 7 of appendix A of this part shall be used to determine O2, SO2, and NOX concentrations, respectively.

(2) SO2 or NOX (NO), as applicable, shall be used for preparing the calibration gas mixtures (in N2, as applicable) under

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Performance Specification 2 of appendix B of this part.

(3) For affected facilities burning only fossil fuel, the span value for a COMS is between 60 and 80 percent. Span values for a CEMS measuring NOX shall be determined using one of the following procedures:

(i) Except as provided under paragraph (i)(3)(ii) of this section, NOX span values shall be determined as follows:

FOSSIL FUEL	SPAN VALUES FOR NOx (ppm)
Gas	500.
Liquid	500.
Solid	1,000.
Combination	500 (x + y) + 1,000z.

Where:
x = Fraction of total heat input derived from gaseous fossil fuel,
y = Fraction of total heat input derived from liquid fossil fuel, and
z = Fraction of total heat input derived from solid fossil fuel.

(ii) As an alternative to meeting the requirements of paragraph (i)(3)(i) of this section, the owner or operator of an affected facility may elect to use the NOX span values determined according to section 2.1.2 in appendix A to part 75 of this chapter.

(4) All span values computed under paragraph (i)(3)(i) of this section for burning combinations of fossil fuels are rounded to the nearest 500 ppm. Span values computed under paragraph (i)(3)(ii) of this section shall be rounded off according to section 2.1.2 in appendix A to part 75 of this chapter.

(5) For affected facilities burning fossil fuel, alone or in combination with non-fossil fuel and determining span values under paragraph (i)(3)(i) of this section, the span value of the SO2 CEMS at the inlet to the SO2 control device is 125 percent of the maximum estimated hourly potential emissions of the fuel fired, and the outlet of the SO2 control device is 50 percent of maximum estimated hourly potential emissions of the fuel fired. For affected facilities determining span values under paragraph (i)(3)(ii) of this section, SO2 span values shall be determined according to section 2.1.1 in appendix A to part 75 of this chapter.

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

(1) For Method 6 of appendix A of this part, Method 6A or 6B (whenever Methods 6 and 3 or 3B of appendix A of this part data are used) or 6C of appendix A of this part may be used. Each Method 6B of appendix A of this part sample obtained over 24 hours represents 24 1-hour averages. If Method 6A or 6B of appendix A of this part is used under paragraph (i) of this section, the conditions under §60.48Da(d)(1) apply; these conditions do not apply under paragraph (h) of this section.

(2) For Method 7 of appendix A of this part, Method 7A, 7C, 7D, or 7E of appendix A of this part may be used. If Method 7C, 7D, or 7E of appendix A of this part is used, the sampling time for each run shall be 1 hour.

(3) For Method 3 of appendix A of this part, Method 3A or 3B of appendix A of this part may be used if the sampling time is 1 hour.

(4) For Method 3B of appendix A of this part, Method 3A of appendix A of this part may be used.

(k) - (l) [Omitted. Provisions on output-based standards (lb/MWh).]

(m) - (o) [Not Applicable]

(p) - (r) [Reserved]

(s) The owner or operator shall prepare and submit to the Administrator for approval a unit-specific monitoring plan for

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each monitoring system, at least 45 days before commencing certification testing of the monitoring systems. The owner or operator shall comply with the requirements in your plan. The plan must address the requirements in paragraphs (s)(1) through (6) of this section.

(1) Installation of the CEMS sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of the exhaust emissions (e.g., on or downstream of the last control device);

(2) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems;

(3) Performance evaluation procedures and acceptance criteria (e.g., calibrations, relative accuracy test audits (RATA), etc.);

(4) Ongoing operation and maintenance procedures in accordance with the general requirements of §60.13(d) or part 75 of this chapter (as applicable);

(5) Ongoing data quality assurance procedures in accordance with the general requirements of §60.13 or part 75 of this chapter (as applicable); and

(6) Ongoing recordkeeping and reporting procedures in accordance with the requirements of this subpart.

(t) [Omitted. Provisions on output-based standards (lb/MWh).]

(u) - (v) [Not Applicable]

(w) The owner or operator using a SO2, NOX, CO2, and O2 CEMS to meet the requirements of this subpart shall install, certify, operate, and maintain the CEMS as specified in paragraphs (w)(1) through (w)(5) of this section.

(1) Except as provided for under paragraphs (w)(2), (w)(3), and (w)(4) of this section, each SO2, NOX, CO2, and O2 CEMS required under paragraphs (b) through (d) of this section shall be installed, certified, and operated in accordance with the applicable procedures in Performance Specification 2 or 3 in appendix B to this part or according to the procedures in appendices A and B to part 75 of this chapter. Daily calibration drift assessments and quarterly accuracy determinations shall be done in accordance with Procedure 1 in appendix F to this part, and a data assessment report (DAR), prepared according to section 7 of Procedure 1 in appendix F to this part, shall be submitted with each compliance report required under §60.51Da.

(2) As an alternative to meeting the requirements of paragraph (w)(1) of this section, an owner or operator may elect to implement the following alternative data accuracy assessment procedures. For all required CO2 and O2 CEMS and for SO2 and NOX CEMS with span values greater than or equal to 100 ppm, the daily calibration error test and calibration adjustment procedures described in sections 2.1.1 and 2.1.3 of appendix B to part 75 of this chapter may be followed instead of the CD assessment procedures in Procedure 1, section 4.1 of appendix F of this part. If this option is selected, the data validation and out-of-control provisions in sections 2.1.4 and 2.1.5 of appendix B to part 75 of this chapter shall be followed instead of the excessive CD and out-of-control criteria in Procedure 1, section 4.3 of appendix F to this part. For the purposes of data validation under this subpart, the excessive CD and out-of-control criteria in Procedure 1, section 4.3 of appendix F to this part shall apply to SO2 and NOX span values less than 100 ppm;

(3) As an alternative to meeting the requirements of paragraph (w)(1) of this section, an owner or operator may elect to may elect to implement the following alternative data accuracy assessment procedures. For all required CO2 and O2 CEMS and for SO2 and NOX CEMS with span values greater than 30 ppm, quarterly linearity checks may be performed in accordance with section 2.2.1 of appendix B to part 75 of this chapter, instead of performing the cylinder gas audits (CGAs) described in Procedure 1, section 5.1.2 of appendix F to this part. If this option is selected: The frequency of the linearity checks shall be as specified in section 2.2.1 of appendix B to part 75 of this chapter; the applicable linearity specifications in section 3.2 of appendix A to part 75 of this chapter shall be met; the data validation and out-of-control criteria in section 2.2.3 of appendix B to part 75 of this chapter shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of appendix F to this part; and the grace period provisions in section 2.2.4 of appendix B to part 75 of this chapter shall apply. For the purposes of data validation under this subpart, the cylinder gas audits described in

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Procedure 1, section 5.1.2 of appendix F to this part shall be performed for SO2 and NOX span values less than or equal to 30 ppm;

(4) As an alternative to meeting the requirements of paragraph (w)(1) of this section, an owner or operator may elect to may elect to implement the following alternative data accuracy assessment procedures. For SO2, CO2, and O2 CEMS and for NOX CEMS, RATAs may be performed in accordance with section 2.3 of appendix B to part 75 of this chapter instead of following the procedures described in Procedure 1, section 5.1.1 of appendix F to this part. If this option is selected: The frequency of each RATA shall be as specified in section 2.3.1 of appendix B to part 75 of this chapter; the applicable relative accuracy specifications shown in Figure 2 in appendix B to part 75 of this chapter shall be met; the data validation and out-of-control criteria in section 2.3.2 of appendix B to part 75 of this chapter shall be followed instead of the excessive audit inaccuracy and out-of-control criteria in Procedure 1, section 5.2 of appendix F to this part; and the grace period provisions in section 2.3.3 of appendix B to part 75 of this chapter shall apply. For the purposes of data validation under this subpart, the relative accuracy specification in section 13.2 of Performance Specification 2 in appendix B to this part shall be met on a lb/MMBtu basis for SO2 (regardless of the SO2 emission level during the RATA), and for NOX when the average NOX emission rate measured by the reference method during the RATA is less than 0.100 lb/MMBtu;

(5) If the owner or operator elects to implement the alternative data assessment procedures described in paragraphs (w)(2) through (w)(4) of this section, each data assessment report shall include a summary of the results of all of the RATAs, linearity checks, CGAs, and calibration error or drift assessments required by paragraphs (w)(2) through (w)(4) of this section.

[72 FR 32722, June 13, 2007, as amended at 74 FR 5081, Jan. 28, 2009; 76 FR 3523, Jan. 20, 2011; 77 FR 9456, Feb. 16, 2012; 77 FR 23402, Apr. 19, 2012; 78 FR 24083, Apr. 24, 2013]

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.

 # 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.51Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Reporting requirements.

(a) For SO2, NOX, PM, and NOX plus CO emissions, the performance test data from the initial and subsequent performance test and from the performance evaluation of the continuous monitors (including the transmissometer) must be reported to the Administrator.

(b) For SO2 and NOX the following information is reported to the Administrator for each 24-hour period.

(1) Calendar date.

(2) The average SO2 and NOX emission rates (ng/J, lb/MMBtu, or lb/MWh) for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the emission standards; and, description of corrective actions taken.

(3) For owners or operators of affected facilities complying with the percent reduction requirement, percent reduction of the potential combustion concentration of SO2 for each 30 successive boiler operating days, ending with the last 30-day period in the quarter; reasons for non-compliance with the standard; and, description of corrective actions taken.

(4) Identification of the boiler operating days for which pollutant or diluent data have not been obtained by an approved method for at least 75 percent of the hours of operation of the facility; justification for not obtaining sufficient data; and description of corrective actions taken.

(5) Identification of the times when emissions data have been excluded from the calculation of average emission rates because of startup, shutdown, or malfunction.

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[For NOx emissions, this is streamlined out by RACT II's § 129.100(a)(1)(iii).]

(6) Identification of "F" factor used for calculations, method of determination, and type of fuel combusted.

(7) Identification of times when hourly averages have been obtained based on manual sampling methods.

(8) Identification of the times when the pollutant concentration exceeded full span of the CEMS.

(9) Description of any modifications to CEMS which could affect the ability of the CEMS to comply with Performance Specifications 2 or 3.

(c) If the minimum quantity of emission data as required by §60.49Da is not obtained for any 30 successive boiler operating days, the following information obtained under the requirements of §60.48Da(h) is reported to the Administrator for that 30-day period:

(1) The number of hourly averages available for outlet emission rates (no) and inlet emission rates (ni) as applicable.

(2) The standard deviation of hourly averages for outlet emission rates (so) and inlet emission rates (si) as applicable.

(3) The lower confidence limit for the mean outlet emission rate (Eo*) and the upper confidence limit for the mean inlet emission rate (Ei*) as applicable.

(4) The applicable potential combustion concentration.

(5) The ratio of the upper confidence limit for the mean outlet emission rate (Eo*) and the allowable emission rate (Estd) as applicable.

(d) [Not applicable]

(e) If fuel pretreatment credit toward the SO2 emission standard under §60.43Da is claimed, the owner or operator of the affected facility shall submit a signed statement:

(1) Indicating what percentage cleaning credit was taken for the calendar quarter, and whether the credit was determined in accordance with the provisions of §60.50Da and Method 19 of appendix A of this part; and

(2) Listing the quantity, heat content, and date each pretreated fuel shipment was received during the previous quarter; the name and location of the fuel pretreatment facility; and the total quantity and total heat content of all fuels received at the affected facility during the previous quarter.

(f) For any periods for which opacity, SO2 or NOX emissions data are not available, the owner or operator of the affected facility shall submit a signed statement indicating if any changes were made in operation of the emission control system during the period of data unavailability. Operations of the control system and affected facility during periods of data unavailability are to be compared with operation of the control system and affected facility before and following the period of data unavailability.

(g) [Reserved]

(h) The owner or operator of the affected facility shall submit a signed statement indicating whether:

(1) The required CEMS calibration, span, and drift checks or other periodic audits have or have not been performed as specified.

(2) The data used to show compliance was or was not obtained in accordance with approved methods and procedures of this part and is representative of plant performance.

(3) The minimum data requirements have or have not been met; or, the minimum data requirements have not been met for errors that were unavoidable.

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(4) Compliance with the standards has or has not been achieved during the reporting period.

(i) For the purposes of the reports required under §60.7, periods of excess emissions are defined as all 6-minute periods during which the average opacity exceeds the applicable opacity standards under §60.42Da(b). Opacity levels in excess of the applicable opacity standard and the date of such excesses are to be submitted to the Administrator each calendar quarter.

(j) The owner or operator of an affected facility shall submit the written reports required under this section and subpart A to the Administrator semiannually for each six-month period. All semiannual reports shall be postmarked by the 30th day following the end of each six-month period.

(k) The owner or operator of an affected facility may submit electronic quarterly reports for SO2 and/or NOX and/or opacity in lieu of submitting the written reports required under paragraphs (b) and (i) of this section. The format of each quarterly electronic report shall be coordinated with the permitting authority. The electronic report(s) shall be submitted no later than 30 days after the end of the calendar quarter and shall be accompanied by a certification statement from the owner or operator, indicating whether compliance with the applicable emission standards and minimum data requirements of this subpart was achieved during the reporting period.

[72 FR 32722, June 13, 2007, as amended at 74 FR 5083, Jan. 28, 2009; 77 FR 9458, Feb. 16, 2012]

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.

 # 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.48Da]

Subpart Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978

Compliance provisions.

(s) Affirmative defense for exceedance of emissions limit during malfunction. In response to an action to enforce the standards set forth in paragraph §§60.42Da, 60.43Da, 60.44Da, and 60.45Da, you may assert an affirmative defense to a claim for civil penalties for exceedances of such standards that are caused by malfunction, as defined at 40 CFR 60.2. Appropriate penalties may be assessed, however, if you fail to meet your burden of proving all of the requirements in the affirmative defense as specified in paragraphs (s)(1) and (2) of this section. The affirmative defense shall not be available for claims for injunctive relief.

(1) To establish the affirmative defense in any action to enforce such a limit, you must timely meet the notification requirements in paragraph (s)(2) of this section, and must prove by a preponderance of evidence that:

(i) The excess emissions:

(A) Were caused by a sudden, infrequent, and unavoidable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner; and

(B) Could not have been prevented through careful planning, proper design, or better operation and maintenance practices; and

(C) Did not stem from any activity or event that could have been foreseen and avoided, or planned for; and

(D) Were not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and

(ii) Repairs were made as expeditiously as possible when the applicable emissions limits were being exceeded. Off-shift and overtime labor were used, to the extent practicable to make these repairs; and

(iii) The frequency, amount, and duration of the excess emissions (including any bypass) were minimized to the

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maximum extent practicable during periods of such emissions; and

(iv) If the excess emissions resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and

(v) All possible steps were taken to minimize the impact of the excess emissions on ambient air quality, the environment, and human health; and

(vi) All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices; and

(vii) All of the actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs; and

(viii) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions; and

(ix) A written root cause analysis has been prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction.

(2) NOTIFICATION. The owner or operator of the affected source experiencing an exceedance of its emission limit(s) during a malfunction shall notify the Administrator by telephone or facsimile (FAX) transmission as soon as possible, but no later than two business days after the initial occurrence of the malfunction or, if it is not possible to determine within two business days whether the malfunction caused or contributed to an exceedance, no later than two business days after the owner or operator knew or should have known that the malfunction caused or contributed to an exceedance, but, in no event later than two business days after the end of the averaging period, if it wishes to avail itself of an affirmative defense to civil penalties for that malfunction. The owner or operator seeking to assert an affirmative defense shall also submit a written report to the Administrator within 45 days of the initial occurrence of the exceedance of the standard in §63.9991 to demonstrate, with all necessary supporting documentation, that it has met the requirements set forth in paragraph (s)(1) of this section. The owner or operator may seek an extension of this deadline for up to 30 additional days by submitting a written request to the Administrator before the expiration of the 45 day period. Until a request for an extension has been approved by the Administrator, the owner or operator is subject to the requirement to submit such report within 45 days of the initial occurrence of the exceedance.

[72 FR 32722, June 13, 2007, as amended at 74 FR 5079, Jan. 28, 2009; 76 FR 3522, Jan. 20, 2011; 77 FR 9454, Feb. 16, 2012; 78 FR 24083, Apr. 24, 2013; 81 FR 20180, Apr. 6, 2016]

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

SECTION E. Source Group Restrictions.

Group Name: DIESEL ENGINES - EXISTING

Group Description: § 63 Subpart ZZZZ, RACT II, RACT III, State Rules (§§ 123.13 & 123.21)

Sources included in this group

ID	Name
103	EMERGENCY DIESEL GENERATOR ENGINE (685-BHP)
111	EMERGENCY DIESEL FIREWATER PUMP ENGINE (265-BHP)

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §123.13]

Processes

No person may permit the emission into the outdoor atmosphere of particulate matter, at any time, in excess of the rate in such a manner that the concentration of particulate matter in the effluent gas from each engine exceeds 0.04 grains per dry standard cubic foot.

 # 002 [25 Pa. Code §123.21]

General

No person may permit the emission into the outdoor atmosphere of sulfur oxides from each engine in a manner that the concentration of the sulfur oxides, expressed as SO2, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

Operation Hours Restriction(s).

 # 003 [25 Pa. Code §129.93]

Presumptive RACT emission limitations

Each emergency diesel engine shall be limited to operating no greater than 500 hours in any consecutive 12-month period.

[This RACT I restriction, pursuant to § 129.93(c)(5), assures that these sources fall under §129.97(c)(8) of RACT II and §129.112(c)(10) of RACT III.]

 # 004 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6640]

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

How do I demonstrate continuous compliance with the emission limitations, operating limitations, and other requiremer

(a) [See VI. Work Practice Requirements for this source group]

(b) - (d) [Not applicable]

(e) [See VI. Work Practice Requirements for this source group]

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

(1) [Omitted. Streamlined out by the 500-hour limit in any 12-month period.]

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

(i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests

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

(ii) - (iii) [Vacated]

(3) [Omitted. For major HAP source.]

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

(i) - (ii) [Omitted. For non-emergency demand response & non-emergency situations to supply power as part of a financial arrangement.]

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

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.

 # 005 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6625]

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

What are my monitoring, installation, operation, and maintenance requirements?

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

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

IV. RECORDKEEPING REQUIREMENTS.

 # 006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6655]

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

What records must I keep?

(a) - (c) Not applicable.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) [Not applicable.]

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(2) An existing stationary emergency RICE.

(3) [Not applicable.]

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in § 63.6640(f)(2)(ii) or (iii) or § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) [Omitted. For major HAP source.]

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

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

[Compliance with § 63.6655(e) assures compliance with § 129.100(d)(1) of RACT II and §129.115(f).]

 # 007 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6660]

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

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

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

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

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

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

[Compliance with § 63.6660(c) assures compliance with § 129.100(i) of RACT II and § 129.115(k) of RACT III.]

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.

 # 008 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63 Subpart ZZZZ Table 2d]

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

Requirements for Existing Stationary RICE Located at Area Sources of HAP Emissions

As stated in §§63.6603 and 63.6640, you must comply with the following requirements for existing stationary RICE located at area sources of HAP emissions:

FOR EACH:

(4) Emergency stationary CI RICE and black start stationary CI RICE.

YOU MUST MEET THE FOLLOWING REQUIREMENT, EXCEPT DURING PERIODS OF STARTUP...

(a) Change oil and filter every 500 hours of operation or annually, whichever comes first; [footnote (1)]

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(b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and

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

DURING PERIODS OF STARTUP YOU MUST...

Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

FOOTNOTES:

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

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

[78 FR 6709, Jan. 30, 2013]

 # 009 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63 Subpart ZZZZ Table 6]

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

Table 6 to Subpart ZZZZ of Part 63.-- Continuous Compliance With Emission Limitations and Operating Limitations

As stated in §63.6640, you must continuously comply with the emissions and operating limitations as required by the following:

FOR EACH...

(9) existing emergency and black start stationary RICE located at an area source of HAP. [Omitted non-emergency RICE and major HAP source]

COMPLYING WITH THE REQUIREMENT TO...

(a) Work or Management practices.

YOU MUST DEMONSTRATE CONTINUOUS COMPLIANCE BY...

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

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

[Compliance with paragraph (i) above assures compliance with § 129.97(c) of RACT II for sources meeting § 129.97(c)(5) & (8) and § 129.112(c) of RACT III]

SECTION E. Source Group Restrictions.

 # 010 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6603]

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

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

(a) If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must comply with the requirements in Table 2d to this subpart and the operating limitations in Table 2b to this subpart that apply to you.

(b) [Omitted. For existing non-emergency RICE. Sources 103 and 111 are existing RICE.]

(c) [Not Applicable]

(d) - (f) [Omitted. For existing non-emergency RICE.]

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

 # 011 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6605]

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

What are my general requirements for complying with this subpart?

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

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

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

[Compliance with § 63.6605(b) assures compliance with § 129.97(c) of RACT II for sources meeting § 129.97(c)(5) & (8) and § 129.112(c) of RACT III.]

 # 012 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6625]

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

What are my monitoring, installation, operation, and maintenance requirements?

(a) - (c) [Not applicable]

(d) [Omitted. For major HAP source.]

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

(1) - (2) [Omitted. For major HAP source.]

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

(4) [Omitted. For major HAP source.]

(5) - (10) [Not applicable]

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(f) [See III. Monitoring Requirements for this source group.]

(g) [Not applicable]

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

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

(j) [Not applicable]

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

 # 013 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6640]

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

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

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

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. [Omitted provisions on major HAP source and new or reconstructed stationary RICE.]

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

VII. ADDITIONAL REQUIREMENTS.

 # 014 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6585]

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

Am I subject to this subpart?

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

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

SECTION E. Source Group Restrictions.

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

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

(d) - (f) [Not Applicable]

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

 # 015 [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.

(i) - (ii) [Omitted. For major HAP source.]

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

(iv) [Not Applicable]

(2) NEW STATIONARY RICE.

(i) - (ii) [Omitted. For major HAP source.]

(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) - (ii) [Omitted. For major HAP source.]

(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. [Omitted]

(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) - (7) [Omitted. For major HAP source.]

[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]

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

SECTION E. Source Group Restrictions.

Group Name: DIESEL ENGINES - NEW

Group Description: § 60 Subpart IIII, RACT II, RACT III, State Rules (§§ 123.13 & 123.21)

Sources included in this group

ID	Name
109	DIESEL AIR COMPRESSOR ENGINE 1 (440-BHP)
113	PORTABLE WATER PUMP DIESEL ENGINE (85-BHP)
114	LIGHT TOWER DIESEL ENGINE (13.6-BHP)

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §123.13]

Processes

No person may permit the emission into the outdoor atmosphere of particulate matter, at any time, in excess of the rate in such a manner that the concentration of particulate matter in the effluent gas from each engine exceeds 0.04 grains per dry standard cubic foot.

 # 002 [25 Pa. Code §123.21]

General

No person may permit the emission into the outdoor atmosphere of sulfur oxides from each engine in a manner that the concentration of the sulfur oxides, expressed as SO2, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

Fuel Restriction(s).

 # 003 [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 tc

(a) [Reserved]

(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 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

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§ 1090.305 ULSD STANDARDS

(a) OVERVIEW. Except as specified in §1090.300(a), diesel fuel must meet the ULSD per-gallon standards of this section.

(b) SULFUR STANDARD. Maximum sulfur content of 15 ppm.

(c) CETANE INDEX OR AROMATIC CONTENT. Diesel fuel must meet one of the following standards:

(1) Minimum cetane index of 40.

(2) Maximum aromatic content of 35 volume percent.

(c) [Reserved]

(d) - (e) [Not Applicable]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

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).

III. MONITORING REQUIREMENTS.

 # 004 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The owner/operator shall install a non-resettable hour meter on each engine (Source IDs 109, 113, and 114) if one is not already installed and record the hours of operation of each engine.

[Compliance with this condition assures compliance with § 60.4209(a) applicable to sources operated as emergency engines.]

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.

 # 005 [25 Pa. Code §129.112]

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)—(k) located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 (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 (n)—(p) or § 129.114 (relating to alternative RACT proposal and petition for alternative compliance schedule):

(1) January 1, 2023, for a source subject to § 129.111(a).

(2) January 1, 2023, 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 § 129.111(b).

(b) Not applicable.

(c) The owner and operator of a source listed in this subsection that is located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 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) A VOC air contamination source that has the potential to emit less than 2.7 TPY of VOC.

(3)-(5) Not applicable.

(6) A lean burn stationary internal combustion engine rated at less than 500 bhp (gross). (Source ID 109)

(7)-(11) Not applicable.

(d)-(k) Not applicable.

(l) 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)—(k)

SECTION E. Source Group Restrictions.

prior to November 12, 2022, under §§ 129.91—129.95 (relating to stationary sources of NOx and VOCs) or under §§ 129.96—129.100 (relating to additional RACT requirements for major 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.

(m)-(q) Not applicable.

[This requirement also satisifies the requirements of 25 Pa. Code §129.97]

 # 006 [25 Pa. Code §129.115]

Written notification, compliance demonstration and recordkeeping and reporting requirements

(a) This requirement was met on December 21, 2022.

(b)-(e) Not applicable.

(f) The owner and operator of an air contamination source subject to this section and § § 129.111—129.114 shall keep records to demonstrate compliance with § § 129.111—129.114 and submit reports to the Department or appropriate approved local air pollution control agency in accordance with the applicable regulations in 25 Pa. Code, Part I, Subpart C, Article III (relating to air resources) and as specified in the operating permit or plan approval for the air contamination source as follows:

(1) The records shall include sufficient data and calculations to demonstrate that the requirements of § § 129.111—129.114 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.

(3) The records necessary to determine compliance shall be reported to the Department or appropriate approved local air pollution control agency on a schedule specified in the applicable regulation or as otherwise specified in the operating permit or plan approval for the air contamination source.

(g)-(j) Not applicable.

(k) 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.

[This requirement also satisfies the requirements of 25 Pa. Code §129.100]

 # 007 [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]

 # 008 [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

SECTION E. Source Group Restrictions.

(3) Meet the requirements of 40 CFR part 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) - (f) [Not Applicable]

(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) If you are an owner or operator of a stationary CI internal combustion engine with maximum engine power less than 100 HP, you must keep a maintenance plan and records of conducted maintenance to demonstrate compliance 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, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action.

(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 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.

(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.

[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, 2016; 86 FR 34359, June 29, 2021]

[Compliance with § 60.4211(a) assures compliance with §129.97(c) of RACT II for sources meeting § 129.97(c)(5) & (8) and RACT III for sources meeting §129.112(c)(1) & (2).]

VII. ADDITIONAL REQUIREMENTS.

 # 009 [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?

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

[Please refer to Table 8 of § 60 Subpart IIII under Title 40 - Protection of Environment in www.ecfr.gov]

SECTION E. Source Group Restrictions.

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

SECTION E. Source Group Restrictions.

Group Name: FUEL OIL - COMBUSTION UNITS

Group Description: Sources burning #2 Fuel Oil (25 Pa. Code § 123.22)

Sources included in this group

ID	Name
034	CFB BOILER 1
035	CFB BOILER 2
036	LIMESTONE DRYERS (4)

I. RESTRICTIONS.

Emission Restriction(s).

 # 001 [25 Pa. Code §123.22]

Combustion units

(a) NONAIR BASIN AREAS. Combustion units in nonair basin areas must conform with the following:

(1) GENERAL PROVISION. A person may not permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO2, from a combustion unit in excess of the rate of 4 pounds per million Btu of heat input over a 1-hour period, except as provided in paragraph (4).

(2) [See I. Restrictions, Fuel Restrictions for this source group]

(3) - (4) [Not Applicable]

(b) - (e) [Not Applicable]

(f) [See VI. Additional Requirements for this source group. Added for informational purposes only.]

(g) [See IV. Recordkeeping Requirements for this source group]

(h) [See V. Reporting Requirements for this source group]

Fuel Restriction(s).

 # 002 [25 Pa. Code §123.22]

Combustion units

(a) NONAIR BASIN AREAS. Combustion units in nonair basin areas must conform with the following:

(2) COMMERCIAL FUEL OIL.

(i) Except as specified in subparagraphs (ii) and (iii), a person may not offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in nonair basin areas if the commercial fuel oil contains sulfur in excess of the applicable maximum allowable sulfur content set forth in the following tables:

MAXIMUM ALLOWABLE SULFUR CONTENT expressed as Parts per Million (ppm) by Weight or Percentage by Weight

No. 2 and lighter oil:

(A) Through August 31, 2020 - 500 ppm (0.05%)

(B) Beginning September 1, 2020 - 15 ppm (0.0015%)

(ii) Commercial fuel oil that was stored in this Commonwealth by the ultimate consumer prior to September 1, 2020, which met the applicable maximum allowable sulfur content for commercial fuel oil through August 31, 2020, in subparagraph (i) at the time it was stored, may be used by the ultimate consumer in this Commonwealth on and after September 1, 2020.

(iii) The Department may temporarily suspend or increase the applicable maximum allowable sulfur content for a

SECTION E. Source Group Restrictions.

commercial fuel oil set forth in subparagraph (i) if the following occur:

(A) The Department receives a written request at the address specified in subsection (h) for a suspension or increase on the basis that compliant commercial fuel oil is not reasonably available in a nonair basin area. The request must include the following:

(I) The nonair basin county or counties for which the suspension or increase is requested.

(II) The reason compliant commercial fuel oil is not reasonably available.

(III) The duration of time for which the suspension or increase is requested and the justification for the requested duration.

(B) The Department determines that an insufficient quantity of compliant commercial fuel oil is reasonably available in the nonair basin area and that the circumstances leading to the insufficiency are due to events that could not have been reasonably foreseen or prevented and are not due to lack of prudent planning on the part of the transferor of the commercial fuel oil into or within the specified nonair basin area.

(C) The Department approves the request, in writing, prior to the transferor distributing the noncompliant commercial fuel oil into or within the specified nonair basin area.

(iv) The Department will limit a suspension or increase in the applicable maximum allowable sulfur content granted under subparagraph (iii) to the shortest duration in which adequate supplies of compliant commercial fuel oil can be made reasonably available, but in no case longer than 60 days from the date the Department grants the suspension or increase.

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 §123.22]

Combustion units

(g) Recordkeeping and reporting.

(1) Beginning with the refinery owner or operator who sells or transfers commercial fuel oil into or within this Commonwealth for use in this Commonwealth and ending with the ultimate consumer, each time the physical custody of, or title to, a shipment of commercial fuel oil changes hands, the transferor shall provide to the transferee an electronic or paper record described in this paragraph. This record must legibly and conspicuously contain the following information:

(i) The date of the sale or transfer.

(ii) The name and address of the transferor.

(iii) The name and address of the transferee.

(iv) The volume of commercial fuel oil being sold or transferred.

(v) The identification of the sulfur content of the shipment of commercial fuel oil, determined using the sampling and testing methods specified in subsection (f)(1), expressed as one of the following statements:

SECTION E. Source Group Restrictions.

(A) For a shipment of No. 2 and lighter commercial fuel oil:

(I) Prior to September 1, 2020 - "The sulfur content of this shipment is 500 ppm or below."

(II) On and after September 1, 2020 - "The sulfur content of this shipment is 15 ppm or below."

(B) - (C) [Not Applicable]

(vi) The location of the commercial fuel oil at the time of transfer.

(vii) Except for a transfer to a truck carrier, an owner or operator of a retail outlet or an ultimate consumer, the transferor may substitute the information required under subparagraphs (i)—(vi) with the use of a product code if the following are met:

(A) The product code includes the information required under subparagraphs (i)—(vi).

(B) The product code is standardized throughout the distribution system in which it is used.

(C) Each downstream party is given sufficient information to know the full meaning of the product code.

(2) - (3) [Not Applicable]

(4) A person subject to this section shall do both of the following:

(i) Maintain the applicable records required under paragraphs (1)—(3) in electronic or paper format for 2 years unless a longer period is required under § 127.511(b)(2) (relating to monitoring and related recordkeeping and reporting requirements).

(ii) Provide an electronic or written copy of the applicable record to the Department upon request.

(5) The ultimate consumer shall maintain in electronic or paper format the record containing the information listed in paragraph (1), except in either of the following situations:

(i) - (ii) [Not Applicable]

V. REPORTING REQUIREMENTS.

 # 004 [25 Pa. Code §123.22]

Combustion units

(h) Written request. The written request for suspension of or increase in the sulfur content limit on the basis that compliant commercial fuel oil is not reasonably available shall be addressed to the Department of Environmental Protection, Bureau of Air Quality, Chief of the Division of Compliance and Enforcement, P.O. Box 8468, Harrisburg, Pennsylvania 17105-8468.

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 [25 Pa. Code §123.22]

Combustion units

[As an ultimate consumer, the permittee is not subject to testing requirements pursuant to § 123.22(f). Cited in § 123.22(g)(1)(v), § 123.22(f) is incorporated into the permit for informational purposes only.]

(f) Sampling and testing.

(1) For the purpose of determining compliance with the requirements of this section, the actual sulfur content of commercial fuel oil shall be determined by one of the following:

SECTION E. Source Group Restrictions.

(i) In accordance with the sample collection, test methods and procedures specified under § 139.16 (relating to sulfur in fuel oil).

(ii) Other methods developed or approved by the Department or the Administrator of the EPA, or both.

(2) - (3) [Not Applicable]

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

SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this Title V facility.

SECTION G. Emission Restriction Summary.

Source Id	Source Description
034	CFB BOILER 1

Emission Limit			Pollutant
0.580	Lbs/MMBTU	fuel sulfur content < 5 #/mmbtu	SOX
0.600	Lbs/MMBTU	fuel sulfur content > 5 #/mmbtu	SOX

Source Id	Source Description
035	CFB BOILER 2

Emission Limit			Pollutant
0.580	Lbs/MMBTU	fuel sulfur content < 5 #/mmbtu	SOX
0.600	Lbs/MMBTU	fuel sulfur content > 5 #/mmbtu	SOX

Site Emission Restriction Summary

Emission Limit	Pollutant

SECTION H. Miscellaneous.

(a) The Capacity/Throughput numbers listed in Section A, the Site Inventory List, and provided in Section D of this permit for individual sources are for informational purposes only and are not to be considered enforceable limits. Enforceable limits are listed in the Restrictions section in Section C (i.e., facility-wide), Section D (i.e., for each source), and Section E (i.e., for sources included in the source group). The emission limitations contained in Section G of this permit are also for informational purposes only and are not to be considered enforceable limits.

(b) The following description of the emission processes at Seward is for information purposes only:

(b.1) This Operating Permit authorizes the Operation of an Electrical Generation Power Plant known as the Seward Generating Station, located in East Wheatfield Township, Indiana County. The main sources at this facility are two (2) circulating fluidized bed (CFB) waste coal-fired boilers (Source IDs 034 and 035), with nominal fuel heat inputs of 2,532 MMBtu/hour, each, which power a single electrical generator with a nameplate capacity of 525-MW. Emissions from the CFB boilers are controlled by limestone fed into the fluidized bed to control SO2 emissions, selective non-catalytic reduction systems (SNCR) and low combustion temperatures to control NOx emissions, flash dryer absorber (FDA), coarse particulate cyclone separation with reinjection into the bed, followed by pulsejet cleaned fabric filters to control PM emissions and further control SO2 emissions. Collection of SO2 and acid gases, including hydrochloric acid and hydrofluoric acid by calcium in the limestone takes place in the boiler. FDA, cyclone, and fabric filter. Run-of-mine virgin coal is also burned in the boilers as necessary, and No. 2 fuel oil is combusted during startup and emergencies.

(b.2) Supporting equipment at this site includes one 685-bhp emergency diesel generator engine, one 600-bhp emergency diesel boiler feedwater engine, one 265-bhp emergency diesel firewater pump engine, two diesel air compressor engines (440-bhp & 300-bhp), a 100,000 gal fuel oil storage tank, coal and limestone processing, handling, and conveying equipment including a fuel barn, four fuel oil-fired limestone dryers, with a total heat input capacity of 68 MMBtu per hour, and plant roads.

(c) The following have been identified as insignificant sources/activities at this facility:

(c.1) #2 Fuel Oil Tank (100,000-gallon capacity) - Previously incorporated as Source 106.
(c.2) General Storage Tanks (as defined in the application)
(c.3) HAPs Storage Tanks (as defined in the application)
(c.4) Fly Ash Handling System (as defined in the application)
(c.5) Cylinder Gases for CEMs (as defined in the application)
(c.6) Water Treatment Systems (as defined in the application)
(c.7) Support Systems Equipment (as defined in the application)
(c.8) Battery Room
(c.9) Cooling Tower
(c.10) Transformers
(c.11) Lube Oil Reservoir Vapor Extractors
(c.12) Misc. Building Vents (as defined in the application)
(c.13) Misc. Vented Equipment (as defined in the application)
(c.14) Contractor Equipment (as defined in the application)
(c.15) Auger Sampling Fabric Filter
(c.16) Lime Silo Fabric Filter
(c.17) Coal Sampling System Fabric Filter (as defined in the application)
(c.18) Misc. Solvent Usage (as defined in the application)
(c.19) Ethylene Glycol Usage (as defined in the application)

(d) RFDs approved (included below beginning 2014; for prior RFDs, refer to CASE folder). Conditions of RFDs are not enforceable & not to be incorporated as permit conditions.

(d.1) December 10, 2015. Use of water-based alcohol solution freeze protection additives on the coal refuse to minimize ice formation.

(d.2) April 8, 2018. Co-firing of petroleum coke (pet coke) with the coal refuse. Pet coke may be co-fired (with coal refuse) up to 20% on a heat input basis (hourly average). Total pet coke heat input must not exceed 5,155,200 mmbtu on a 12-month rolling basis. Pet coke must be accounted for during source testing. Pet coke must be processed, stored, & handled in the same manner as coal refuse.

(d.3) January 29, 2019. Construction of a rotary breaker/screen & associated feed & discharge conveyors meets §127.14(a)(8), item #35 - i.e., sources qualifying under § 127.449 as de minimis emission increase. Note that this equipment will be included under Source 107; any conditions of the RFD (i.e., de minimis emission increase) are not made permit limits/requirements.

(d.4) July 25, 2019. RFD #7825. Construction of the Refined Coal Systems meets § 127.14(a)(8), item #36 - i.e., sources qualifying under § 127.449 as de minimis emission increase. The Refined Coal System is a patented mixture of two reagents to aid in NOx & Hg control.

(e) Permit History

SECTION H. Miscellaneous.

(e.1) This Title V operating permit was initially issued on September 19, 2000.

(e.2) This Title V operating permit was amended on the following dates: December 23, 2004; August 26, 2013 (change owner from GenOn Wholesale Generation, LP to NRG Wholesale Generation, LP); February 10, 2014 (change of Responsible Official (RO) from Gregory Mitchell to Alan R. Metzler); and April 8, 2016 (change of ownership, RO & Permit Contact).

(1) For April 8, 2016: Change of ownership (i.e.. Title V permit, Acid Rain Permit) to Seward Generation, LLC. Change of RO to Jim Panaro, Executive Vice President of Seward Generation, LLC; Alan R. Metzler was listed as an alternate Responsible Official. Change of Permit Contact from Sharene Shealey to Steve Yuhas.

(e.3) This Title V operating permit was transferred on the following dates: December 21, 2003.

(e.4) This Title V operating permit was renewed on the following dates: March 10, 2009; February 11, 2013; July 29, 2021.

(e.5) This Title V operating permit was administratively amended on February 23, 2023 to incorporate the requirements of plan approval 32-040D. The project for plan approval 32-040C did not move forward.

(f) Other Information

(f.1) From PA 32-00040B, Condition #6: The Owner or operator, in accordance with 25 PA Code 127.208, 127.209 & 127.211, secured by approved ERC registry transaction 72 VOC ERCs before commencement of operation of the CFB Boilers. The total ERCs represented a facility net potential emissions increase of 62 tons per year times the 1.15 offset ratio for the repowering project. On October 9, 2001 the Pennsylvania Department of Environmental Protection approved the transfer of 72 tpy of VOC credits from Rexam Beverage Can Company to Reliant Energy Seward, LLC, and revised the ERC registry to reflect this transaction. These ERCs were used by Reliant Energy Seward, LLC in accordance with the requirements of 25 PA Code Chapter 127.

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