

ALLEGHENY COUNTY HEALTH DEPARTMENT



AIR QUALITY PROGRAM
301 39th Street, Bldg. #7
Pittsburgh, PA 15201-1891

Title V Operating Permit and **Federally Enforceable State Operating Permit**

Issued To: Orion Power Midwest, L.P.

ACHD Permit #: 0054


Facility: Cheswick Power Station
Pittsburgh & Porter Streets
Springdale, PA 15144

Date of Issuance: December 30, 2010

Expiration Date: December 29, 2015

Renewal Date: June 29, 2015

Issued By:



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Prepared By:

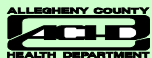
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Air Quality Engineer

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AMENDMENTS:

Date	Section/Changes



I. CONTACT INFORMATION

Facility Location: Cheswick Power Station
Pittsburgh & Porter Street
Springdale, PA 15144

Permittee/Owner: Orion Power Midwest, L.P.
121 Champion Way, Suite 200
Canonsburg, PA 15317

Responsible Official: Matt Greek
Title: Vice President
Company: RRI Energy, Inc.
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Air Quality Program
301 39th Street, Building #7
Pittsburgh, PA 15201-1891

EPA Contact: Enforcement Programs Section (3AP12)
USEPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

II. FACILITY DESCRIPTION

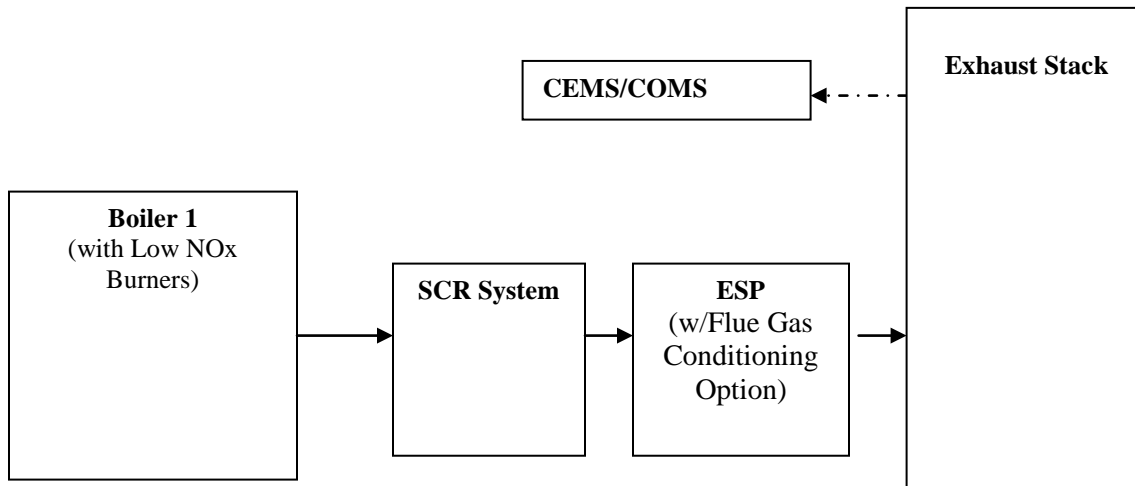
[This section is provided for informational purposes only and is not intended to be an applicable requirement.]

The Cheswick Power Station is an electric generating facility located on Pittsburgh and Porter Streets in Springdale, PA. The plant is composed of one main boiler exhausting to one stack, which fires coal or synfuel as the primary fuel and natural gas as an auxiliary fuel for startup, shutdown, and at the operators' discretion. Pollution control equipment for the main boiler includes low NO_x burners with separated overfire air, electrostatic precipitation with flue gas conditioning, and selective catalytic reduction. On April 2, 2007 the facility received a permit for installation of a flue gas desulfurization unit. Upon satisfying the requirements of the installation permit, which was amended on April 20, 2010, this operating permit will be revised to incorporate those conditions. The plant also has a No. 2 oil fired auxiliary boiler which exhausts to a separate stack. The facility is a major source of sulfur dioxide (SO₂), nitrogen oxides (NO_x), particulate matter (PM), particulate matter less than 10 microns in diameter (PM-10), particulate matter less than 2.5 microns in diameter (PM-2.5), carbon monoxide emissions (CO), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs); as defined in of Article XXI § 2101.20. The facility is also subject to the acid rain regulations. The emission units regulated by this permit are summarized in Table II-1:

TABLE II-1 - Emission Unit Identification

STACK I.D.	SOURCE DESCRIPTION	CONTROL DEVICE(S)	MAXIMUM CAPACITY	FUEL/RAW MATERIAL
S-001	Main Boiler No.1, Tangentially Fired	Low NO _x Burners; ESP with Flue Gas Conditioning; SCR	5,500 MMBtu/Hr	Bituminous and Sub-Bituminous Coal; Synfuel ; Natural Gas (Auxiliary Fuel)
S-002	Auxiliary Boiler, No. 2 Fuel Oil Stoker Fired	None	160 MMBtu/Hr	No. 2 Fuel Oil
N/A	Ammonia Storage Tanks (4 Tanks)	Vapor Recovery/ Bottom Loading	42,000 gallons Each Tank	Aqueous Ammonia (19%)
N/A	Coal Handling and Storage	Fugitive Dust Control Measures	Unloading 1800 tons/hr; Conveying 600 tons/hr	Bituminous and Sub-Bituminous Coal; Synfuel
N/A	Ash Handling, Processing, and Storage	Fabric Filters; Wet Suppression	151,110 tons/yr (Fly Ash) 70,000 tons/yr (Bottom Ash)	Fly Ash; Bottom Ash
N/A	Plant Roads	Wet Suppression; Chemical Treatment; Traffic Speed Control	-	-
N/A	Station Cooling Water Cooling Tower (3 Cells)	Mist Eliminator	13,000 gallons per minute	Make-up Water
N/A	Facility Space Heaters	None	3.25 MMBtu/Hr - combined	Kerosene
N/A	Storage Tank	None	150,000 gallons	No. 2 Fuel Oil

Cheswick
Block schematic of Unit No.1 and associated emission control devices
(Prior to FGD addition)



DECLARATION OF POLICY

Pollution prevention is recognized as the preferred strategy (over pollution control) for reducing risk to air resources. Accordingly, pollution prevention measures should be integrated into air pollution control programs wherever possible, and the adoption by sources of cost-effective compliance strategies, incorporating pollution prevention, is encouraged. The Department will give expedited consideration to any permit modification request based on pollution prevention principles.

The permittee is subject to the terms and conditions set forth below. These terms and conditions constitute provisions of Allegheny County Health Department Rules and Regulations, Article XXI Air Pollution Control. The subject equipment has been conditionally approved, for operation. The equipment shall be operated in conformity with the plans, specifications, conditions, and instructions which are part of your application, and may be periodically inspected for compliance by the Department. In the event that the terms and conditions of this permit or the applicable provisions of Article XXI conflict with the application for this permit, these terms and conditions and the applicable provisions of Article XXI shall prevail. Additionally, nothing in this permit relieves the permittee from the obligation to comply with all applicable Federal, State and Local laws and regulations.

III. GENERAL CONDITIONS - Major Source

1. Prohibition of Air Pollution (§2101.11.a)

It shall be a violation of this permit to fail to comply with, or to cause or assist in the violation of, any requirement of this permit, or any order or permit issued pursuant to authority granted by Article XXI. The permittee shall not willfully, negligently, or through the failure to provide and operate necessary control equipment or to take necessary precautions, operate any source of air contaminants in such manner that emissions from such source:

- a. Exceed the amounts permitted by this permit or by any order or permit issued pursuant to Article XXI;
- b. Cause an exceedance of the ambient air quality standards established by Article XXI §2101.10; or
- c. May reasonably be anticipated to endanger the public health, safety, or welfare.

2. Definitions (§2101.20)

- a. Except as specifically provided in this permit, terms used retain the meaning accorded them under the applicable provisions and requirements of Article XXI. Whenever used in this permit, or in any action taken pursuant to this permit, the words and phrases shall have the meanings stated, unless the context clearly indicates otherwise.
- b. Unless specified otherwise in this permit or in the applicable regulation, the term “year” shall mean any twelve (12) consecutive months.
- c. “RACT Order No. 217” shall be defined as Plan Approval Order and Agreement No. 217 Upon Consent, dated March 8, 1996.
- d. “Synfuel” shall be defined as the coal and binder used in the production of synfuel. Such binders shall be only Covol 298, Covol 298-1, Nalco 9838, FTH-100, each as a latex binder, or soybean oil or other such binders as approved by the Department.

3. Conditions (§2102.03.c)

It shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02, for any person to fail to comply with any terms or conditions set forth in this permit.

4. Certification (§2102.01)

Any report, or compliance certification submitted under this permit shall contain written certification by a responsible official as to truth, accuracy, and completeness. This certification and any other certification required under this permit shall be signed by a responsible official of the source, and shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

5. Transfers (§2102.03.e, §2103.14.b)

This permit shall not be transferable from one person to another, except in accordance with Article XXI §2102.03.e and in cases of change-in-ownership which are documented to the satisfaction of the Department, and shall be valid only for the specific sources and equipment for which this permit was issued. The transfer of permits in the case of change-in-ownership may be made consistent with the administrative permit amendment procedure of Article XXI §2103.14.b. The required documentation and fee must be received by the Department at least 30 days before the intended transfer date.

6. Term (§2103.12.e, §2103.13.a)

- a. This permit shall remain valid for five (5) years from the date of issuance, or such other shorter period if required by the Clean Air Act, unless revoked. The terms and conditions of an expired permit shall automatically continue pending issuance of a new operating permit provided the permittee has submitted a timely and complete application and paid applicable fees required under Article XXI Part C, and the Department through no fault of the permittee is unable to issue or deny a new permit before the expiration of the previous permit.
- b. Expiration. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with the requirements of Article XXI Part C.

7. Need to Halt or Reduce Activity Not a Defense (§2103.12.f.2)

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.

8. Property Rights (§2103.12.f.4)

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

9. Duty to Provide Information (§2103.12.f.5, §2101.07.d.4, §2101.07.d.5)

- a. The permittee shall furnish to the Department in writing within a reasonable time, any information that the Department may request 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 any records required to be kept by the permit.
- c. Upon cause shown by the permittee the records, reports, or information, or a particular portion thereof, claimed by the permittee to be confidential shall be submitted to the Department in accordance with the requirements of Article XXI, §2101.07.d.4. Information submitted to the Department under a claim of confidentiality, shall be available to the US EPA and the PADEP upon request and without restriction. Upon request of the permittee the confidential information may be submitted to the USEPA and PADEP directly. Emission data or any portions of any draft, proposed, or issued permits shall not be considered confidential.

10. Modification of Section 112(b) Pollutants which are VOCs or PM₁₀ (§2103.12.f.7)

Except where precluded under the Clean Air Act or federal regulations promulgated under the Clean Air Act, if this permit limits the emissions of VOCs or PM₁₀ but does not limit the emissions of any hazardous air pollutants, the mixture of hazardous air pollutants which are VOCs or PM₁₀ can be modified so long as no permit emission limitations are violated. A log of all mixtures and changes shall be kept and reported to the Department with the next report required after each change.

11. Right to Access (§2103.12.h.2)

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized Department and other federal, state, county, and local government representatives to:

- a. Enter upon the permittee's premises where a permitted source is located or an emissions-related activity is conducted, or where records are or should be kept under the conditions of the permit;
- b. Have access to, copy and remove, at reasonable times, any records that must be kept under the conditions of the permit;
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- d. As authorized by either Article XXI or the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.

12. Certification of Compliance (§2103.12.h.5, §2103.22.i.1)

- a. The permittee shall submit on an annual basis, certification of compliance with all terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification of compliance shall be made consistent with General Condition 4 above and shall include the following information at a minimum:
 - 1) The identification of each term or condition of the permit that is the basis of the certification;
 - 2) The compliance status;
 - 3) Whether compliance was continuous or intermittent;
 - 4) The method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with the provisions of this permit; and
 - 5) Such other facts as the Department may require to determine the compliance status of the source.

- b. All certifications of compliance must be submitted to the Administrator as well as the Department by March 1 of each year for the time period beginning January 1 and ending December 31 of the previous year. The first report shall be due March 1, 2012 for the time period beginning on the issuance date of this permit through December 31, 2012. Compliance certifications may be emailed to the Administrator at R3 APD Permits@epa.gov in lieu of mailing a hard copy.

13. Record Keeping Requirements (§2103.12.j.1)

- a. The permittee shall maintain 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 date(s) analyses were performed;
 - 3) The company or entity that performed the analyses;
 - 4) The analytical techniques or methods used;
 - 5) The results of such analyses; and
 - 6) The operating parameters existing at the time of sampling or measurement.
- b. 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 and emission statements in Article XXI §2108.01.e. 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.

14. Retention of Records (§2103.12.j.2)

The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation or equivalent electronic data, and copies of all reports required by this permit.

15. Reporting Requirements (§2103.12.k.)

- a. The permittee shall submit reports of any required monitoring at least every six (6) months. For the period January 1 through June 30, the report is due July 30. For the period July 1 through December 31, the report is due January 30. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the Responsible Official.
- b. Prompt reporting of deviations from permit requirements is required, including those attributable to upset conditions as defined in this permit and Article XXI §2108.01.c, the probable cause of such deviations, and any corrective actions or preventive measures taken.
- c. All reports submitted to the Department shall comply with the certification requirements of General Condition III.4 above.
- d. Quarterly reports required by this permit shall be submitted to the Department within 30 days of the end of each calendar quarter.

16. Severability Requirement (§2103.12.l)

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

17. Existing Source Reactivations (§2103.13.d)

The permittee shall not reactivate any source that has been out of operation or production for a period of one year or more unless the permittee has submitted a reactivation plan request to, and received a written reactivation plan approval from, the Department. Existing source reactivations shall meet all requirements of Article XXI §2103.13.d.

18. Administrative Permit Amendment Procedures (§2103.14.b, §2103.24.b)

An administrative permit amendment may be made consistent with the procedures of Article XXI §2103.14.b and §2103.24.b. Administrative permit amendments are not authorized for any amendment precluded by the Clean Air Act or the regulations thereunder.

19. Revisions and Minor Permit Modification Procedures (§2103.14.c, §2103.24.a)

Sources may apply for revisions and minor permit modifications on an expedited basis in accordance with Article XXI §2103.14.c and §2103.24.a.

20. Significant Permit Modifications (§2103.14.d)

Significant permit modifications shall meet all requirements of the applicable subparts of Article XXI, Part C, including those for applications, fees, public participation, review by affected States, and review by EPA, as they apply to permit issuance and permit renewal. The approval of a significant permit modification, if the entire permit has been reopened for review, shall commence a new full five (5) year permit term. The Department shall take final action on all such permits within nine (9) months following receipt of a complete application.

21. Duty to Comply (§2103.12.f.1, §2103.22.g)

The permittee shall comply with all permit conditions and all other applicable requirements at all times. Any permit noncompliance constitutes a violation of the Clean Air Act, the Air Pollution Control Act, and Article XXI and is grounds for any and all enforcement action, including, but not limited to, permit termination, revocation and reissuance, or modification, and denial of a permit renewal application.

22. Renewals (§2103.13.b., §2103.23.a)

Renewal of this permit is subject to the same fees and procedural requirements, including those for public participation and affected State and EPA review, that apply to initial permit issuance. The application for renewal shall be submitted at least six (6) months but not more than eighteen (18) months prior to expiration of this permit. The application shall also include submission of a supplemental compliance review as required by Article XXI §2102.01.

23. Reopenings for Cause (§2103.15, §2103.25.a, §2103.12.f.3)

- a. This permit shall be reopened and reissued under any of the following circumstances:
- 1) Additional requirements under the Clean Air Act become applicable to a major source with a remaining permit term of three (3) or more years. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended solely due to the failure of the Department to act on a permit renewal application in a timely fashion.
 - 2) Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into this permit.
 - 3) The Department or EPA determines that this permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.
 - 4) The Administrator or the Department determines that this permit must be reissued or revoked to assure compliance with the applicable requirements.
- b. This 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 any permit condition. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes, for changes that are provided for in this permit.

24. Reopenings for Cause by the EPA (§2103.25.b)

This permit may be modified, reopened and reissued, revoked or terminated for cause by the EPA in accordance with procedures specified in Article XXI §2103.25.b.

25. Annual Operating Permit Administration Fee (§2103.40)

In each year during the term of this permit, on or before the last day of the month in which the application for this permit was submitted, the permittee shall submit to the Department, in addition to any other applicable administration fees, an Annual Operating Permit Administration Fee in accordance with §2103.40 by check or money order payable to the "Allegheny County Air Pollution Control Fund" in the amount specified in the fee schedule applicable at that time.

26. Annual Major Source Emissions Fees Requirements (§2103.41)

No later than September 1 of each year, the permittee shall pay an annual emission fee in accordance with Article XXI §2103.41 for each ton of a regulated pollutant (except for carbon monoxide) actually emitted from the source. The permittee shall not be required to pay an emission fee for emissions of more than 4,000 tons of each regulated pollutant. The emission fee shall be increased in each year after 1995 by the percentage, if any, by which the Consumer Price Index for the most recent calendar year exceeds the Consumer Price Index for the previous calendar year.

27. Other Requirements not Affected (§2104.08, §2105.02, §2105.05)

Compliance with the requirements of this permit shall not in any manner relieve any person from the duty to fully comply with any other applicable Federal, State, or County statute, rule, regulation, or the like, including but not limited to the odor emission standards under Article XXI §2104.04, any applicable NSPSs, NESHAPs, MACTs, or Generally Achievable Control Technology (GACT) standards now or hereafter established by the EPA, and any applicable requirements of BACT or LAER as provided by Article XXI, any condition contained in any applicable Installation or Operating Permit and/or any additional or more stringent requirements contained in an order issued to such person pursuant to Article XXI Part I.

28. Termination of Operation (§2108.01.a)

In the event that operation of any source of air contaminants is permanently terminated, the person responsible for such source shall so report, in writing, to the Department within 60 days of such termination.

29. Emissions Inventory Statements (§2108.01.e & g)

- a. Emissions inventory statements in accordance with Article XXI §2108.01.e shall be submitted to the Department by March 15 of each year for the preceding calendar year. The Department may require more frequent submittals if the Department determines that more frequent submissions are required by the EPA or that analysis of the data on a more frequent basis is necessary to implement the requirements of Article XXI or the Clean Air Act.
- b. The failure to submit any report or update within the time specified, the knowing submission of false information, or the willful failure to submit a complete report shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

30. Tests by the Department (§2108.02.d)

Notwithstanding any tests conducted pursuant to Article XXI §2108.02, the Department or another entity designated by the Department may conduct emissions testing on any source or air pollution control equipment. At the request of the Department, the person responsible for such source or equipment shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance of such tests.

31. Other Rights and Remedies Preserved (§2109.02.b)

Nothing in this permit shall be construed as impairing any right or remedy now existing or hereafter created in equity, common law or statutory law with respect to air pollution, nor shall any court be deprived of such jurisdiction for the reason that such air pollution constitutes a violation of this permit.

32. Enforcement and Emergency Orders (§2109.03, §2109.05)

- a. The person responsible for this source shall be subject to any and all enforcement and emergency orders issued to it by the Department in accordance with Article XXI §2109.03, §2109.04 and §2109.05.
- b. Upon request, any person aggrieved by an Enforcement Order or Emergency Order shall be

granted a hearing as provided by Article XXI §2109.03.d; provided however, that an Emergency Order shall continue in full force and effect notwithstanding the pendency of any such appeal.

- c. Failure to comply with an Enforcement Order or immediately comply with an Emergency Order shall be a violation of this permit thus giving rise to the remedies provided by Article XXI §2109.02.

33. Penalties, Fines, and Interest (§2109.07.a)

A source that fails to pay any fee required under this permit when due shall pay a civil penalty of 50% of the fee amount, plus interest on the fee amount computed in accordance with Article XXI §2109.06.a.4 from the date the fee was required to be paid. In addition, the source may have this permit revoked for failure to pay any fee required.

34. Appeals (§2109.10)

In accordance with State Law and County regulations and ordinances, any person aggrieved by an order or other final action of the Department issued pursuant to Article XXI or any unsuccessful petitioner to the Administrator under Article XXI Part C, Subpart 2, shall have the right to appeal the action to the Director in accordance with the applicable County regulations and ordinances.

35. Risk Management (§2104.08, 40 CFR Part 68)

Should this stationary source, as defined in 40 CFR Part 68.3, become subject to Part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in Part 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by *General Condition III.12* above.

36. Permit Shield (§2103.22, §2103.14.b.4)

- a. The permittee's compliance with the conditions of this permit shall be deemed compliance with all major source applicable requirements as of the date of permit issuance, provided that:
 - 1) Such major source applicable requirements are included and are specifically identified in the permit; or
 - 2) The Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.
- b. Nothing in Article XXI §2103.22.e or the Title V Permit shall alter or affect the following:
 - 1) The provisions of Section 303 of the Clean Air Act and the provisions of Article XXI regarding emergency orders, including the authority of the Administrator and the Department under such provisions;
 - 2) The liability of any person who owns, operates, or allows to be operated, a source in violation of any major source applicable requirements prior to or at the time of permit issuance;
 - 3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; or

- 4) The ability of the EPA or the County to obtain information from the permittee pursuant to Section 114 of the Clean Air Act, the provisions of Article XXI and State law.
- c. Unless precluded by the Clean Air Act or regulations therein, final action by the Department on administrative amendments, minor and significant permit modifications, and operational flexibility changes shall be covered by the permit shield provided such amendments, modifications and changes meet the relevant requirements of Article XXI.
- d. The permit shield authorized under Article XXI §2103.22 is in effect for the permit terms and conditions as identified in this permit.

37. Circumvention (§2101.14)

For purposes of determining compliance with the provisions of this permit and Article XXI, no credit shall be given to any person for any device or technique, including but not limited to the operation of any source with unnecessary amounts of air, the combining of separate sources except as specifically permitted by Article XXI and the Department, the use of stacks exceeding Good Engineering Practice height as defined by regulations promulgated by the US EPA at 40 CFR §§51.100 and 51.110 and Subpart I, and other dispersion techniques, which without reducing the amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise violate the provisions of this Article; except that, for purposes of determining compliance with Article §2104.04 concerning odors, credit for such devices or techniques, except for the use of a masking agent, may be given.

38. Duty to Supplement and Correct Relevant Facts (§2103.11.d.2)

- a. The permittee shall provide additional information as necessary to address requirements that become applicable to the source after the date it files a complete application but prior to the Department taking action on the permit application.
- b. The permittee shall provide supplementary fact or corrected information upon becoming aware that incorrect information has been submitted or relevant facts were not submitted.
- c. Except as otherwise required by this permit and Article XXI, the Clean Air Act, or the regulations thereunder, the permittee shall submit additional information as necessary to address changes occurring at the source after the date it files a complete application but prior to the Department taking action on the permit application.
- d. The applicant shall submit information requested by the Department which is reasonably necessary to evaluate the permit application.

39. Effect (§2102.03.g.)

Except as specifically otherwise provided under Article XXI, Part C, issuance of a permit pursuant to Article XXI Part B or Part C shall not in any manner relieve any person of the duty to fully comply with the requirements of this permit, Article XXI or any other provision of law, nor shall it in any manner preclude or affect the right of the Department to initiate any enforcement action whatsoever for violations of this permit or Article XXI, whether occurring before or after the issuance of such permit. Further, except as specifically otherwise provided under Article XXI Part C the issuance of a permit shall not be a defense to any nuisance action, nor shall such permit be construed as a certificate of compliance with the requirements of this permit or Article XXI.

40. Installation Permits (§2102.04.a.1.)

It shall be a violation of Article XXI giving rise to the remedies set forth in Article XXI Part I for any person to install, modify, replace, reconstruct, or reactivate any source or air pollution control equipment which would require an installation permit or permit modification in accordance with Article XXI Part B or Part C applies unless:

1. The Department has first issued an Installation Permit for such source or equipment; or
2. Such action is solely a reactivation of a source with a current Operating Permit which is approved under §2103.13 of this Article; or
3. Such source is exempt under Article XXI §2102.04.a.5.

“PERMIT SHIELD” IN EFFECT.

IV. SITE LEVEL TERMS AND CONDITIONS

1. Reporting of Upset Conditions (§2103.12.k.2)

The permittee shall promptly report all deviations from permit requirements, including those attributable to upset conditions as defined in Article XXI §2108.01.c, the probable cause of such deviations, and any corrective actions or preventive measures taken.

2. Visible Emissions (§2104.01.a)

Except as provided for by Article XXI §2108.01.d pertaining to a cold start, no person shall operate, or allow to be operated, any source in such manner that the opacity of visible emissions from a flue or process fugitive emissions from such source, excluding uncombined water:

- a. Equal or exceed an opacity of 20% for a period or periods aggregating more than three (3) minutes in any sixty (60) minute period; or,
- b. Equal or exceed an opacity of 60% at any time.

3. Odor Emissions (§2104.04) (County-only enforceable)

No person shall operate, or allow to be operated, any source in such manner that emissions of malodorous matter from such source are perceptible beyond the property line.

4. Materials Handling (§2104.05)

The permittee shall not conduct, or allow to be conducted, any materials handling operation in such manner that emissions from such operation are visible at or beyond the property line.

5. Operation and Maintenance (§2105.03)

All air pollution control equipment required by this permit or any order under Article XXI, and all equivalent compliance techniques approved by the Department, shall be properly installed, maintained, and operated consistently with good air pollution control practice.

6. Open Burning (§2105.50)

No person shall conduct, or allow to be conducted, the open burning of any material, except where the Department has issued an Open Burning Permit to such person in accordance with Article XXI §2105.50 or where the open burning is conducted solely for the purpose of non-commercial preparation of food for human consumption, recreation, light, ornament, or provision of warmth for outside workers, and in a manner which contributes a negligible amount of air contaminants.

7. Shutdown of Control Equipment (§2108.01.b)

- a. In the event any air pollution control equipment is shut down for reasons other than a breakdown, the person responsible for such equipment shall report, in writing, to the Department the intent to shut down such equipment at least 24 hours prior to the planned shutdown. Notwithstanding the submission of such report, the equipment shall not be shut down until the approval of the Department is obtained; provided, however, that no such report shall be required if the source(s) served by such air pollution control equipment is also shut down at all times that such equipment is shut down.
- b. The Department shall act on all requested shutdowns as promptly as possible. If the Department does not take action on such requests within ten (10) calendar days of receipt of the notice, the request shall be deemed denied, and upon request, the owner or operator of the affected source shall have a right to appeal in accordance with the provisions of Article XI.
- c. The prior report required by Site Level Condition IV.7.a above shall include:
 - 1) Identification of the specific equipment to be shut down, its location and permit number (if permitted), together with an identification of the source(s) affected;
 - 2) The reasons for the shutdown;
 - 3) The expected length of time that the equipment will be out of service;
 - 4) Identification of the nature and quantity of emissions likely to occur during the shutdown;
 - 5) Measures, including extra labor and equipment, which will be taken to minimize the length of the shutdown, the amount of air contaminants emitted, or the ambient effects of the emissions;
 - 6) Measures which will be taken to shut down or curtail the affected source(s) or the reasons why it is impossible or impracticable to shut down or curtail the affected source(s) during the shutdown; and
 - 7) Such other information as may be required by the Department.

8. Breakdowns (§2108.01.c)

- a. In the event that any air pollution control equipment, process equipment, or other source of air contaminants breaks down in such manner as to have a substantial likelihood of causing the emission of air contaminants in violation of this permit, or of causing the emission into the open air of potentially toxic or hazardous materials, the person responsible for such equipment or source shall immediately, but in no event later than sixty (60) minutes after the commencement of the breakdown, notify the Department of such breakdown and shall, as expeditiously as possible but in no event later than seven (7) days after the original notification, provide written notice to the Department.
- b. To the maximum extent possible, all oral and written notices required shall include all pertinent facts, including:
 - 1) Identification of the specific equipment which has broken down, its location and permit number (if permitted), together with an identification of all related devices, equipment, and other sources which will be affected.
 - 2) The nature and probable cause of the breakdown.
 - 3) The expected length of time that the equipment will be inoperable or that the emissions will continue.

- 4) Identification of the specific material(s) which are being, or are likely to be emitted, together with a statement concerning its toxic qualities, including its qualities as an irritant, and its potential for causing illness, disability, or mortality.
 - 5) The estimated quantity of each material being or likely to be emitted.
 - 6) Measures, including extra labor and equipment, taken or to be taken to minimize the length of the breakdown, the amount of air contaminants emitted, or the ambient effects of the emissions, together with an implementation schedule.
 - 7) Measures being taken to shut down or curtail the affected source(s) or the reasons why it is impossible or impractical to shut down the source(s), or any part thereof, during the breakdown.
- c. Notices required shall be updated, in writing, as needed to advise the Department of changes in the information contained therein. In addition, any changes concerning potentially toxic or hazardous emissions shall be reported immediately. All additional information requested by the Department shall be submitted as expeditiously as practicable.
- d. Unless otherwise directed by the Department, the Department shall be notified whenever the condition causing the breakdown is corrected or the equipment or other source is placed back in operation by no later than 9:00 AM on the next County business day. Within seven (7) days thereafter, written notice shall be submitted pursuant to Paragraphs a and b above.
- e. Breakdown reporting shall not apply to breakdowns of air pollution control equipment which occur during the initial startup of said equipment, provided that emissions resulting from the breakdown are of the same nature and quantity as the emissions occurring prior to startup of the air pollution control equipment.
- f. In no case shall the reporting of a breakdown prevent prosecution for any violation of this permit or Article XXI.

9. Cold Start (§2108.01.d)

In the event of a cold start on any fuel-burning or combustion equipment, except stationary internal combustion engines and combustion turbines used by utilities to meet peak load demands, the person responsible for such equipment shall report in writing to the Department the intent to perform such cold start at least 24 hours prior to the planned cold start. Such report shall identify the equipment and fuel(s) involved and shall include the expected time and duration of the startup. Upon written application from the person responsible for fuel-burning or combustion equipment which is routinely used to meet peak load demands and which is shown by experience not to be excessively emissive during a cold start, the Department may waive these requirements and may instead require periodic reports listing all cold starts which occurred during the report period. The Department shall make such waiver in writing, specifying such terms and conditions as are appropriate to achieve the purposes of Article XXI. Such waiver may be terminated by the Department at any time by written notice to the applicant.

10. Emissions Inventory Statements (§2108.01.e)

- a. Emissions inventory statements in accordance with §2108.01.e shall be submitted to the Department by March 15 of each year for the preceding calendar year. The Department may require more frequent submittals if the Department determines that more frequent submissions are required by the EPA or that analysis of the data on a more frequent basis is necessary to implement the requirements of Article XXI or the Clean Air Act.

- b. The failure to submit any report or update within the time specified, the knowing submission of false information, or the willful failure to submit a complete report shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

11. Orders (§2108.01.f)

In addition to meeting the requirements of General Condition III.28 and Site Level Conditions IV.7 through IV.10 above, inclusive, the person responsible for any source shall, upon order by the Department, report to the Department such information as the Department may require in order to assess the actual and potential contribution of the source to air quality. The order shall specify a reasonable time in which to make such a report.

12. Violations (§2108.01.g)

The failure to submit any report or update thereof required by General Condition III.28 and Site Level Conditions IV.7 through IV.11 above, inclusive, within the time specified, the knowing submission of false information, or the willful failure to submit a complete report shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

13. Emissions Testing (§2108.02)

- a. On or before December 31, 1981, and at two-year intervals thereafter, any person who operates, or allows to be operated, any piece of equipment or process which has an allowable emission rate, of 100 or more tons per year of particulate matter, sulfur oxides or volatile organic compounds shall conduct, or cause to be conducted, for such equipment or process such emissions tests as are necessary to demonstrate compliance with the applicable emission limitation(s) of this permit and shall submit the results of such tests to the Department in writing. Emissions testing conducted pursuant to this section shall comply with all applicable requirements of Article XXI §2108.02.e.
- b. **Orders.** In addition to meeting the requirements of Site Level Condition IV.13.a above, the person responsible for any source shall, upon order by the Department, conduct, or cause to be conducted, such emissions tests as specified by the Department within such reasonable time as is specified by the Department. Test results shall be submitted in writing to the Department within 90 days after completion of the tests, unless a different period is specified in the Department's order. Emissions testing shall comply with all applicable requirements of Article XXI §2108.02.e.
- c. **Tests by the Department.** Notwithstanding any tests conducted pursuant to Site Level Conditions IV.13.a and IV.13.b above, the Department or another entity designated by the Department may conduct emissions testing on any source or air pollution control equipment. At the request of the Department, the person responsible for such source or equipment shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance of such tests.
- d. **Testing Requirements.** No later than 45 days prior to conducting any tests required by this permit, the person responsible for the affected source shall submit for the Department's approval a written test protocol explaining the intended testing plan, including any deviations from standard testing procedures, the proposed operating conditions of the source during the test, calibration data for specific test equipment and a demonstration that the tests will be conducted under the direct supervision of persons qualified by training and experience satisfactory to the Department

to conduct such tests. In addition, at least 30 days prior to conducting such tests, the person responsible shall notify the Department in writing of the time(s) and date(s) on which the tests will be conducted and shall allow Department personnel to observe such tests, record data, provide pre-weighed filters, analyze samples in a County laboratory and to take samples for independent analysis. Test results shall be comprehensively and accurately reported in the units of measurement specified by the applicable emission limitations of this permit.

- e. Test methods and procedures shall conform to the applicable reference method set forth in this permit or Article XXI Part G, or where those methods are not applicable, to an alternative sampling and testing procedure approved by the Department consistent with Article XXI §2108.02.e.2.
- f. **Violations.** The failure to perform tests as required by this permit or an order of the Department, the failure to submit test results within the time specified, the knowing submission of false information, the willful failure to submit complete results, or the refusal to allow the Department, upon presentation of a search warrant, to conduct tests, shall be a violation of this permit giving rise to the remedies provided by Article XXI §2109.02.

14. Abrasive Blasting (§2105.51)

- a. Except where such blasting is a part of a process requiring an operating permit, no person shall conduct or allow to be conducted, abrasive blasting or power tool cleaning of any surface, structure, or part thereof, which has a total area greater than 1,000 square feet unless such abrasive blasting complies with all applicable requirements of Article XXI §2105.51.
- b. In addition to complying with all applicable provisions of §2105.51, no person shall conduct, or allow to be conducted, abrasive blasting of any surface unless such abrasive blasting also complies with all other applicable requirements of Article XXI unless such requirements are specifically addressed by §2105.51.

15. Asbestos Abatement (§2105.62, §2105.63)

In the event of removal, encasement, or encapsulation of Asbestos-Containing Material (ACM) at a facility or in the event of the demolition of any facility, the permittee shall comply with all applicable provisions of Article XXI §2105.62 and §2105.63.

16. Protection of Stratospheric Ozone (40 CFR Part 82)

- a. Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - 1) All containers in which a Class I or Class II substance is stored or transported, all products containing a Class I substance, and all products directly manufactured with a process that uses a Class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106;
 - 2) The placement of the required warning statement must comply with the requirements pursuant to §82.108;
 - 3) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110; and
 - 4) No person may modify, remove or interfere with the required warning statement except as

described in §82.112.

- b. Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F:
 - 1) Persons opening appliances for maintenance, service, repair or disposal must comply with the prohibitions and required practices pursuant to §82.154 and §82.156;
 - 2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158;
 - 3) Persons maintaining, servicing, repairing or disposing of appliances, must be certified by an approved technician certification program pursuant to §82.161;
 - 4) Persons maintaining, servicing, repairing or disposing of appliances must certify to the Administrator of the U.S. Environmental Protection Agency pursuant to §82.162;
 - 5) Persons disposing of small appliances, motor vehicle air conditioners (MVAC) and MVAC-like appliances, must comply with the record keeping requirements pursuant to §82.166;
 - 6) Owners of commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156; and
 - 7) Owners or operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- c. If the permittee manufactures, transforms, destroys, imports or exports a Class I or Class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A (Production and Consumption Controls).
- d. If the permittee performs a service on a motor vehicle that involves an ozone-depleting substance, refrigerant or regulated substitute substance in the MVAC, the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B (Servicing of Motor Vehicle Air Conditioners).
- e. The permittee may switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant New Alternatives Policy (SNAP) program promulgated pursuant to 40 CFR Part 82, Subpart G.

17. Volatile Organic Compound Storage Tanks (§2105.12.a)

No person shall place or store, or allow to be placed or stored, a volatile organic compound having a vapor pressure of 1.5 psia or greater under actual storage conditions in any aboveground stationary storage tank having a capacity equal to or greater than 2,000 gallons but less than or equal to 40,000 gallons, unless there is in operation on such tank pressure relief valves which are set to release at the higher of 0.7 psig of pressure or 0.3 psig of vacuum or at the highest possible pressure and vacuum in accordance with State or local fire codes, National Fire Prevention Association guidelines, or other national consensus standard approved in writing by the Department. Petroleum liquid storage vessels that are used to store produced crude oil and condensate prior to lease custody transfer are exempt from these requirements.

18. Major Source NO_x Reasonably Available Control Technology (RACT) Plan Approval Order and Agreement No. 217 (§2105.06)

Pursuant to Plan Approval Order and Agreement No. 217, issued on March 8, 1996, and Article XXI, §2105.06, the permittee shall comply with all provisions including all applicable definitions, emission

limitations, restrictions, testing, monitoring, record keeping and reporting for this major source of NO_x.

19. Fugitive Emissions (§2105.49)

The person responsible for a source of fugitive emissions, in addition to complying with all other applicable provisions of this permit shall take all reasonable actions to prevent fugitive air contaminants from becoming airborne. Such actions may include, but are not limited to:

- a. The use of asphalt, oil, water, or suitable chemicals for dust control;
- b. The paving and maintenance of roadways, parking lots and the like;
- c. The prompt removal of earth or other material which has been deposited by leaks from transport, erosion or other means;
- d. The adoption of work or other practices to minimize emissions;
- e. Enclosure of the source; and
- f. The proper hooding, venting, and collection of fugitive emissions.

20. Episode Plans (§2106.02)

The permittee shall upon written request of the Department, submit a source curtailment plan, consistent with good industrial practice and safe operating procedures, designed to reduce emissions of air contaminants during air pollution episodes. Such plans shall meet the requirements of Article XXI §2106.02.

21. New Source Performance Standards (§2105.05)

- a. It shall be a violation of this permit giving rise to the remedies provided by §2109.02 of Article XXI for any person to operate, or allow to be operated, any source in a manner that does not comply with all requirements of any applicable NSPS now or hereafter established by the EPA, except if such person has obtained from EPA a waiver pursuant to Section 111 or Section 129 of the Clean Air Act or is otherwise lawfully temporarily relieved of the duty to comply with such requirements.
- b. Any person who operates, or allows to be operated, any source subject to any NSPS shall conduct, or cause to be conducted, such tests, measurements, monitoring and the like as is required by such standard. All notices, reports, test results and the like as are required by such standard shall be submitted to the Department in the manner and time specified by such standard. All information, data and the like which is required to be maintained by such standard shall be made available to the Department upon request for inspection and copying.

22. Acid Rain Program (§2103.22.j) (40 CFR 72 through 40 CFR 78)

Pursuant to §2103.22 (Standard Acid Deposition Control Requirements), the Permittee shall comply with all provisions of the Acid Rain permit issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78. The Acid Rain permit for this source is attached to this permit as Appendix A, and is incorporated by reference.

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations: (§2103.22.j.7)

- a. No revision of this permit shall be required for increases in emissions that are authorized by

allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.

- b. No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- c. Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

23. NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs (40 CFR Part 97)

The requirements of 40 CFR PART 97 (relating to Federal NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs), are hereby incorporated by reference in this permit. The permittee is subject to 40 CFR § 97.106 (relating to standard requirements), 40 CFR § 97.206 (relating to standard requirements) and 40 CFR § 97.306 (relating to standard requirements).

“PERMIT SHIELD” IN EFFECT.

V. EMISSION UNIT LEVEL TERMS AND CONDITIONS

A. Main Boiler No. 1, Stack No. 1

Process Description:	Tangentially-Fired Boiler
Facility ID:	Main Boiler No.1
Maximum Design Rate:	5,500 MMBtu/hr coal and synfuel; 1,028 MMBtu/hr natural gas
Fuel(s):	Coal or synfuel (primary); Natural gas (auxiliary)
Control Device(s):	Low NO _x burners, electrostatic precipitator (ESP) with flue gas conditioning, selective catalytic reduction (SCR)
CEM:	NO _x , SO ₂ , CO ₂ and opacity (COM)

1. Restrictions:

- a. No person shall operate or allow to be operated the Main Boiler in such manner that particulate matter (PM) emissions due to natural gas combustion exceed 0.008 lb/MMBtu. (§2104.02.a.1.A)
- b. No person shall operate or allow to be operated the Main Boiler in such manner that particulate matter (PM) emissions due to coal or synfuel combustion exceed 0.08 lb/MMBtu. (§2104.02.a.2.C)
- c. No person shall operate or allow to be operated the Main Boiler in such manner that particulate matter (PM) emissions when combusting coal and natural gas concurrently in the Main Boiler shall not exceed the allowable emissions (lb/MMBTU) calculated by the formula in §2104.02.a.3. (§2104.02.a.3)
- d. No person shall operate or allow to be operated the Main Boiler in such manner that emissions of sulfur oxides (SO_x), expressed as sulfur dioxide, due to coal or synfuel combustion exceed the rate of 2.8 lb/MMBtu of actual heat input. (§2104.03.a.2)
- e. Nitrogen oxide (NO_x) emissions from the Main Boiler shall not exceed 0.5548 lb/MMBtu (24-hour average), 0.45 lb/MMBtu (annual average), and 10,840 tons/year. (RACT Order No. 217, Condition 1.3, IP No. 0054-I002, Condition V.A.1.a, issued June 13, 2001).
- f. Ammonia slip shall not exceed 3 ppm_{vd} @ 3% O₂ when the boiler is operating under steady state conditions and shall not exceed 10 ppm_{vd} @ 3% O₂ at any time. (IP No. 0054-I002, Condition V.A.1.b, issued June 13, 2001)
- g. Emissions of ammonia shall not exceed 34 lb/hr or 97.4 tons/year where a year is defined as any 12 consecutive months at any time. (IP No. 0054-I002, Condition V.A.1.c, issued June 13, 2001)
- h. The usage of synfuel at the Main Boiler shall not exceed 1.7 million tons per twelve (12) consecutive month period, with compliance to be demonstrated at the end of each month. (§2102.04.a.5.L and Determination of Minor Significance, issued July 30, 2002)
- i. The Department must approve any change or modification to the type of binder used in synfuel before such change can take place. (§2102.04.a.5.L and Determination of Minor Significance, issued July 30, 2002)

- j. Emissions from the Main Boiler shall not exceed the limitations in Table V-A-1 at any time: (§2103.12, §2104.02.a.1, §2104.02.a.2, §2104.02.a.3, §2104.03.a.2, RACT Order No. 217, IP No. 0054-I002; 93-I-0009-C)

TABLE V-A-1: Main Boiler Emission Limitations

Pollutant	Coal Firing lb/hr	Annual Emission Limit tons/year⁽¹⁾
Particulate Matter	440	1927.2
PM-10	440	1927.2
PM 2.5	440	1927.2
Nitrogen Oxides	3,051 ⁽²⁾	10,840
Carbon Monoxide	130.9	573.4
Sulfur Dioxide	15,400	67,452
Volatile Organic Compounds	18.7	82.0
Ammonia	34.0	97.4

(1) A year is defined as any consecutive 12-month period.

(2) Averaged over 24-hours

- k. The operating temperature of the SCR catalyst shall not exceed 810°F. (IP No. 0054-I002, Condition V.A.1.d, issued June 13, 2001)
- l. In order to comply with V.A.1.b above and V.A.1.d above V.A.1.j above, the electrostatic precipitator (ESP) shall be operated and maintained as during the most recent emissions test performed in accordance with Article XXI, §2108.02 that demonstrated compliance with the conditions of this permit. The flue gas conditioning system shall be used with the ESP as necessary to maintain compliance with this permit (§2103.12.a.2.B)
- m. In accordance with Article XXI, §2109, “Enforcement,” the Department may enforce the NOx allowance provisions of this permit and Article XXI, §2105.100. (§2105.100.h.2, IP No. 0054-I002, Condition V.A.1.g, issued June 13, 2001)
- n. The permittee, as of January 1 of each year, shall hold SO2 allowances in the unit’s compliance account not less than the total annual emissions of SO2 for the previous year. (40 CFR §72.9(c), Title IV Acid Rain Permit, Article XXI §2103.22.j, §2103.50)
- o. A Designated Representative for the facility, for the purposes of the Acid Rain Program, must be identified on a certificate of representation form; and this Designated Representative shall certify all Acid Rain Submissions. (40 CFR §72.20-72.24, Title IV Acid Rain Permit, Article XXI §2103.22.j, §2103.50)

2. Testing Requirements (§2103.12.i, §2108.02):

- a. The permittee shall perform nitrogen oxides, sulfur oxides, particulate matter, PM10 and PM2.5 emissions testing on Main Boiler No. 1 once every two years in order to demonstrate compliance with the emission limitations of this permit. Such testing shall be conducted in accordance with U.S. EPA test methods 7 through 7E, 6 through 6C, 5, 202 and 201 through 201A, respectively or other method as approved by the Department and Article XXI §2108.02. (§2103.12.h.1; §2108.02)
 - 1) Emissions testing required by Condition V.A.2.a above shall be for filterable and condensable particulate matter. Compliance with Condition V.A.1.b above or V.A.1.c above may be determined using the front-half catch of Method 5.
 - 2) The Department may approve the use of properly operated, maintained and calibrated continuous emissions monitors in lieu of stack testing for nitrogen oxides and sulfur oxides as required by Condition V.A.2.a above.
 - 3) Data pertaining to operation of the electrostatic precipitator (see V.A.3.h below) shall be recorded during the stack test a minimum of once every 15 consecutive minutes and provided as part of the test report required by §2108.02.
 - 4) Data pertaining to operation of the selective catalytic reduction equipment (see V.A.3.f below) shall be recorded during the stack test a minimum of once every 15 consecutive minutes and provided as part of the test report required by §2108.02.
 - 5) Analyses of representative samples of the coal combusted during the test shall be provided as part of the test report. Each analysis shall include but not be limited to proximate and ultimate analyses, chlorine, fluorine, mercury, and lead content; percent sulfur; heating value; ash content; moisture content. (§2108.02, §2102.04.b.6, §2105.03)
- b. Compliance with the 24-hour and annual nitrogen oxides emission limitations of V.A.1.e above shall be determined through use of continuous emissions monitoring data. (RACT Order No. 217, Condition 1.3, issued March 8, 1996)
- c. Emissions testing shall be performed annually to demonstrate compliance with the ammonia emissions limitation of 3 ppm_{vd} @ 3% O₂ and the corresponding ammonia emission limits in V.A.1.g above in accordance with EPA test method 27 and Article XXI §2108.02.d and e.. (IP No. 0054-I002, Condition V.A.2.b, issued June 13, 2001)
- d. The Department reserves the right to require additional emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing shall be performed in accordance with Site Level Condition IV.13 above and Article XXI §2108.02. (§2103.12.h.1)

3. Monitoring Requirements (§2103.12.i, §2108.03):

- a. The permittee shall operate and maintain such continuous emission monitoring (CEM) equipment as required by 40 CFR §51 Appendix P and comply with the maintenance, calibration, and reporting requirements therein. (§2108.03.a)
- b. The permittee shall install, calibrate, maintain, and operate a continuous monitoring system (CEMS) for the subject boiler, and record the output of the system, for measuring nitrogen oxide emissions discharged to the atmosphere. The CEMS data recorder shall convert the data to the required reporting units in compliance with 25 PA Code §§139.101-139.111 relating to

requirements for continuous in-stack monitoring for stationary sources. (§2108.03.b.2, RACT Order No. 217, Condition 1.2)

- c. Continuous nitrogen oxides and sulfur oxides monitoring systems shall meet the minimum data availability requirements in 25 Pa. Code 139, Subchapter C. (§2108.03.b.4)
- d. The permittee shall install, certify, operate, and maintain continuous emission monitors in accordance with 40 CFR Part 75 Appendix A or approved alternative for opacity, SO₂, NO_x, and CO₂ emissions. The permittee shall also determine and record the heat input for every hour or part of an hour of any fuel that is combusted per Appendix F of Part 75. (40 CFR §§75.10-75.14, Article XXI §2103.22.j, §2103.50)
- e. Each continuous emission monitor shall be operated, calibrated, and maintained according to the QA/QC procedures in Appendix B to Part 75. (40 CFR §75.12(a), Article XXI §2103.22.j, §2103.50)
- f. The permittee shall monitor the following parameters for the selective catalytic reduction (SCR) system: (§2103.12.i, IP No. 0054-I002, Condition V.A.3.a, issued June 13, 2001)
 - 1) catalytic bed inlet gas temperature,
 - 2) ammonia solution injection rate, and
 - 3) ammonia solution concentration
- g. The permittee shall operate and maintain the SCR equipment and monitoring instrumentation in accordance with the manufacturer's specifications and good air pollution control practice. (§2105.03, §2102.04.b.6, IP No. 0054-I002, Condition V.A.3.b, issued June 13, 2001)
- h. The permittee shall continuously monitor the following parameters at the electrostatic precipitator (ESP): (§2103.12.i)
 - 1) The primary voltage (in volts) and current (in amps) at each transformer on the ESP.
 - 2) The secondary voltage (in volts) and current (in amps) at each transformer on the ESP.
 - 3) The spark rate (in sparks per minute) in each section of the ESP.

4. Record Keeping Requirements (§2103.12.j):

- a. The permittee shall maintain all appropriate records to demonstrate compliance with the requirements of §2105.06 and RACT Order No. 217. Such records shall provide sufficient data and calculations to clearly demonstrate that all requirements of §2105.06 and RACT Order No. 217 are met. The permittee shall record and maintain such data and information required to determine compliance for the facility in a time frame consistent with the averaging period of the requirements of both §2105.06 and RACT Order No. 217. Such information shall include, but not be limited to, the following minimum information which shall be submitted to the Department as a written report at three month intervals: (§2108.03.d, §2105.06, RACT Order No. 217, Condition 1.4)
 - 1) All recording and reporting required by Section 2108.03 of Article XXI, and entitled "Continuous Emission Monitoring."
 - 2) An identification of each instance during the reporting period during which emissions exceeded the applicable emission limitations rates in condition V.A.1.e above and an

- identification of the reasons, if known, for such exceedance. The averaging period used for making such identification shall correspond to the averaging period specified in condition V.A.1.e above.
- 3) An identification of each period during which the continuous emission monitoring system was inoperative, except for zero and span drift checks, the reasons therefore, and the nature of repairs or adjustments performed or to be performed.
 - 4) An identification of calibrations, zero and span drift checks, and other quality assurance procedures.
- b. The permittee shall keep and maintain the following data for Main Boiler No. 1: (§2103.12.h.1)
- 1) Type and amount of fuel used each day, month and 12-month period (tons of coal, MMscf of natural gas);
 - 2) Amount of synfuel used each month (tons);
 - 3) Records of the type of synfuel binder used each month and the material safety data sheets for each binder used;
 - 4) Steam load (lbs/hr, lbs/day; average daily steam load for each month);
 - 5) Cold starts (date, time and duration of each occurrence);
 - 6) Total operating hours, (hours/day, monthly and 12-month);
 - 7) Records of operation, maintenance, inspection, calibration and/or replacement of combustion equipment.
 - 8) Stack test protocols and reports.
 - 9) Once per shift ESP data required to be monitored in V.A.3.h above.
 - 10) All instances when the catalyst is bypassed as part of the management of the NO_x Budget Program. Bypassing the SCR system for NO_x Budget Program management purposes shall not be considered subject to Condition IV.7 above.
 - 11) Each instance when the flue gas conditioning system is in use (start time, end time).
- c. The permittee shall maintain records of all air pollution control system performance evaluations and all records of calibration checks, adjustments, and maintenance performed on all equipment which is subject to this permit. (IP No.0054-I002, Condition V.A.4.b, issued June 13, 2001, §2103.05)
- d. The permittee shall maintain a copy of the manufacturer's specifications for the SCR air pollution control equipment on-site. (IP No.0054-I002, Condition V.A.4.c, issued June 13, 2001)
- e. The permittee shall keep a record of the date, time, and cause of the malfunction of all air pollution control systems, and the action taken to correct the malfunction. (IP No.0054-I002, Condition V.A.4.d, issued June 13, 2001, §2108.01.b & §2108.01.c)
- f. The permittee shall record at a minimum the following SCR control system information: (IP No. 0054-I002, Condition V.A.4.e, issued June 13, 2001)
- 1) Catalytic bed inlet temperature, ammonia solution injection rate, and ammonia solution concentration (once each shift).
 - 2) All instances or episodes when the catalyst was bypassed due to boiler upset conditions and low boiler load conditions when the boiler exhaust temperature is outside of the operating range of the SCR catalyst (each occurrence).
 - 3) All instances when the catalyst is bypassed (each occurrence).

- g. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance. (§2103.12.h.1, IP No.0054-I002, Condition V.A.4.a, issued June 13, 2001, §2108.01.b & §2108.01.c)
- h. The permittee shall keep on-site for a period of five years copies of all reports, certifications, and other submissions and records required under the Acid Rain Program, and all documents used to complete an Acid Rain permit application or to demonstrate compliance with the requirements of the Acid Rain Program. (40 CFR §72.9(f), Article XXI §2103.22.j, §2103.50)
- i. The permittee shall prepare and maintain on-site a QA/QC Plan as described in 40 CFR Part 75 Appendix B. (40 CFR §75.50(a)(4)) The permittee shall also maintain a file of all measurements, data, reports, and other required information for at least five years. (40 CFR §75.54)
- j. All records of all required monitoring data and support information shall be retained by the facility for at least five (5) years. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j.2)

5. Reporting Requirements (§2103.12.k):

- a. The permittee shall report non-compliance information required to be recorded by V.A.4.g above to the Department in accordance with General Condition III.15 above. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)
- b. The permittee shall report all cold starts of Main Boiler No. 1 to the Department in accordance with Site Level Condition IV.9 above. (§2108.01.d)
- c. The permittee shall submit the results of the continuous nitrogen oxides monitoring systems on a regular schedule and in a format acceptable to the Department and in compliance with 25 Pa. Code 139.101 – 139.111. (§2108.03.b.3)
- d. Within 30 days of the end of each calendar quarter, the following shall be reported to the Department: (Permit No. 1065009-003-00100, issued December 8, 1981; IP No. 0054-I002, Condition V.A.5.a, issued June 13, 2001; §2103.12.k.1)
 - 1) Monthly average coal sulfur content and ash content;
 - 2) Amount of coal fired each month (tons);
 - 3) Maximum measured sulfur content of coal for any sample in each month (mixed coal as fired);
 - 4) Monthly ammonia emissions;
 - 5) Daily average and rolling 30-day average NO_x emissions and cumulative 12-month total NO_x emissions (lb/MMBtu and lb/hr; tons/year);
 - 6) Daily average and rolling 30-day average SO_x emissions and cumulative 12-month total SO_x emissions (lb/MMBtu and lb/hr; tons/year);
 - 7) Cumulative 12-month synfuel usage for each month during the compliance period;
 - 8) All exceedances of the maximum catalytic bed inlet gas temperature (date, time, duration);
 - 9) All exceedances of the 20% and 60% opacity limits (date, time, duration, reason); and
 - 10) The average, maximum, and minimum spark rates and secondary voltages measured at each transformer of the ESP during the reporting period.

- e. The permittee shall provide the Department written notice 21 days prior to dates of periodic relative accuracy testing audits per 40 CFR 75.61(a)(5). (40 CFR §75.21(d), Article XXI §2103.22.j, §2103.50)
- f. The permittee shall report excess opacity emissions to the Department (40 CFR §75.65, Article XXI §2103.22.j, §2103.50).
- g. Reporting instances of non-compliance in accordance with condition V.A.5.a above, does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)
- h. Beginning with 2011, the designated representative of the unit shall submit to the Department an annual report showing monthly gross electrical output and monthly useful thermal energy from the unit. The report is due by January 31 for the preceding calendar year. (Pa Code § 145.213; §2103.12.k)

6. Work Practice Standards

- a. The permittee shall not, at any time, operate Main Boiler No. 1 unless the subject boiler, including the low NOx concentric firing system II, is properly operated and maintained according to good engineering and air pollution control practices. (RACT Order No. 217, Conditions 1.1 and 1.6, issued March 8, 1996; §2105.06; §2105.03)
- b. All air pollution control equipment required by this Article or any permit or order under this Article, and all equivalent compliance techniques which have been approved by the Department pursuant to this Article, shall be properly installed, maintained, and operated consistent with good air pollution control practice. (§2105.03)
- c. The permittee shall take corrective action if an out of control period occurs to a monitoring system (e.g., continuous emission monitor). (40 CFR §75.24, Article XXI §2103.22.j, §2103.50)
- d. The failure to install and operate any continuous emissions monitoring system required by §2108.03 within the time specified, the failure to retain any data or submit any report so required, or the knowing retention or reporting of false data shall be a violation of this permit giving rise to the remedies provided by §2109.02. (§2108.03.f)

7. NOx Annual Emissions Requirements (40 CFR Section 97.106 - Standard Requirements)

- a. Permit requirements (40 CFR §97.106(a))
 - 1) The CAIR designated representative shall: (§97.106(a)(1)(i) & (ii))
 - a) Submit to the PADEP a complete CAIR permit application under §97.122 in accordance with the deadlines specified in §97.121;
 - b) Provide a copy of the CAIR permit application to the Department; (§2103.12.h) and
 - c) Submit in a timely manner any supplemental information that the PADEP or the Department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.
 - 2) The owner or operator shall have a CAIR permit issued by the PADEP under 40 CFR Part 97 Subpart CC for the source and operate the source and the unit in compliance with such CAIR

permit. (§97.106(a)(2))

- b. Monitoring, reporting, and recordkeeping requirements. (§97.106(b)(1) & (2))
- 1) The owners and operators, and the CAIR designated representative, shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 97 Subpart HH.
 - 2) The emissions measurements recorded and reported in accordance with 40 CFR Part 97 Subpart HH shall be used to determine compliance by each CAIR NO_x source with the CAIR NO_x emissions limitation under Condition V.A.7.c below.
- c. Nitrogen oxides emission requirements. (§97.106(c)(1) – (c)(7))
- 1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x allowances available for compliance deductions for the control period under §97.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x Units at the source, as determined in accordance with 40 CFR Part 97 Subpart HH.
 - 2) A CAIR NO_x unit shall be subject to the requirements under Condition V.A.7.c.1) above for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §97.170(b)(1), (2), or (5) and for each control period thereafter.
 - 3) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements under Condition V.A.7.c.1) above, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.
 - 4) CAIR NO_x allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with 40 CFR Part 97 Subparts EE, FF, GG, and II.
 - 5) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §97.105 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
 - 6) A CAIR NO_x allowance does not constitute a property right.
 - 7) Upon recordation by the Administrator under 40 CFR Part 97 Subpart EE, FF, GG, or II, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x source's compliance account is incorporated automatically in any CAIR permit of the source.
- d. Excess emissions requirements. (40 CFR §97.106(d))
- 1) If a CAIR NO_x source emits nitrogen oxides during any control period in excess of the CAIR NO_x emissions limitation, then:
 - a) The owners and operators of the source and each CAIR NO_x Unit at the source shall surrender the CAIR NO_x allowances required for deduction under §97.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
 - b) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97 Subpart AA, the Clean Air Act, and applicable State law.

- e. Recordkeeping and reporting requirements (40 CFR §97.106(e))
- 1) Unless otherwise provided, the owners and operators of the CAIR NO_x source and each CAIR NO_x Unit at the source shall keep on site at the source each of the following documents 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 PADEP, the Department or the Administrator.
 - a) The certificate of representation under §97.113 for the CAIR designated representative for the source and each CAIR NO_x 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 documents are superseded because of the submission of a new certificate of representation under §97.113 changing the CAIR designated representative.
 - b) All emissions monitoring information, in accordance with 40 CFR Part 97 Subpart HH, provided that to the extent that 40 CFR Part 97 Subpart HH provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program.
 - d) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program.
 - 2) The CAIR designated representative shall submit the reports required under the CAIR NO_x Annual Trading Program, including those under 40 CFR Part 97 Subpart HH .
- f. Liability (40 CFR §97.106(f))
- 1) Each CAIR NO_x source and each CAIR NO_x Unit shall meet the requirements of the CAIR NO_x Annual Trading Program.
 - 2) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x source or the CAIR designated representative of a CAIR NO_x source shall also apply to the owners and operators of such source and of the CAIR NO_x Units at the source.
 - 3) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x Unit or the CAIR designated representative of a CAIR NO_x Unit shall also apply to the owners and operators of such unit.
- g. Effect on other authorities. No provision of the CAIR NO_x Annual Trading Program, a CAIR permit application, a CAIR permit, or an exemption under §97.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x source or CAIR NO_x Unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act. (40 CFR §97.106(g))
- 8. SO₂ Annual Emissions Requirements (40 CFR Section 97.206 - Standard Requirements)**
- a. Permit requirements (40 CFR §97.206(a))
- 1) The CAIR designated representative shall:
 - a) Submit to thePADEP a complete CAIR permit application under §97.222 in accordance with the deadlines specified in §97.221; and
 - b) Submit in a timely manner any supplemental information that the PADEP determines is

- necessary in order to review a CAIR permit application and issue or deny a CAIR permit.
- 2) The owners and operators of each CAIR SO₂ source shall have a CAIR permit issued by the permitting authority under 40 CFR Part 97 Subpart CCC for the source and operate the source and the unit in compliance with such CAIR permit.
- b. Monitoring, reporting, and recordkeeping requirements (40 CFR §97.206(b))
- 1) The owners and operators, and the CAIR designated representative, of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 97 Subpart HHH .
 - 2) The emissions measurements recorded and reported in accordance 40 CFR Part 97 Subpart HHH shall be used to determine compliance by each CAIR SO₂ source with the CAIR SO₂ emissions limitation under Condition V.A.8.c below.
- c. Sulfur dioxide emission requirements (40 CFR §97.206(c))
- 1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions for the control period, as determined in accordance with §97.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with 40 CFR Part 97 Subpart HHH .
 - 2) A CAIR SO₂ unit shall be subject to the requirements under Condition V.A.8.c.1) above for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit(s) monitor certification requirements under §97.270(b)(1),(2), or (5) and for each control period thereafter.
 - 3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under Condition V.A.8.c.1) above, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.
 - 4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ allowance Tracking System accounts in accordance with 40 CFR Part 97 Subparts FFF, GGG, and III .
 - 5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §97.205 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
 - 6) A CAIR SO₂ allowance does not constitute a property right.
 - 7) Upon recordation by the Administrator under 40 CFR Part 97 Subparts FFF, GGG, or III, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.
- d. Excess emissions requirements. If a CAIR SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then: (40 CFR §97.206(d))
- 1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under §97.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
 - 2) Each ton of such excess emissions and each day of such control period shall constitute a

separate violation of 40 CFR Part 97 Subpart AAA, the Clean Air Act, and applicable State law.

- e. Recordkeeping and reporting requirements. (40 CFR §97.206(e))
- 1) Unless otherwise provided, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall keep on site at the source each of the following documents 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 PADEP, the Department or the Administrator. (§2103.12.h)
 - a) The certificate of representation under §97.213 for the CAIR designated representative for the source and each CAIR SO₂ 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 documents are superseded because of the submission of a new certificate of representation under §97.213 changing the CAIR designated representative.
 - b) All emissions monitoring information, in accordance with 40 CFR Part 97 Subpart HHH, provided that to the extent that 40 CFR Part 97 Subpart HHH provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.
 - d) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.
 - 2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR SO₂ Trading Program, including those under 40 CFR Part 97 Subpart HHH .
- f. Liability. (40 CFR §97.206(f))
- 1) Each CAIR SO₂ source and each CAIR SO₂ unit shall meet the requirements of the CAIR SO₂ Trading Program.
 - 2) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source or the CAIR designated representative of a CAIR SO₂ source shall also apply to the owners and operators of such source and of the CAIR SO₂ units at the source.
 - 3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit or the CAIR designated representative of a CAIR SO₂ unit shall also apply to the owners and operators of such unit.
- g. Effect on other authorities. No provision of the CAIR SO₂ Trading Program, a CAIR permit application, a CAIR permit, or an exemption under §97.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO₂ source or CAIR SO₂ unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act. (40 CFR §97.206(g))

9. NO_x Ozone Season Emission Requirements (40 CFR Section 97.306 - Standard Requirements)

- a. Permit requirements (40 CFR §97.306(a))

- 1) The CAIR designated representative shall:
 - a) Submit to the PADEP a complete CAIR permit application under §97.322 in accordance with the deadlines specified in §97.321; and
 - b) Submit in a timely manner any supplemental information that the PADEP determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.
 - 2) The owners and operators shall have a CAIR permit issued by the PADEP under 40 CFR Part 97 Subpart CCCC for the source and operate the source and the unit in compliance with such CAIR permit.
 - 3) Except as provided in 40 CFR Part 97 Subpart IIII, the owners and operators of a CAIR NOx Ozone Season source that is not otherwise required to have a title V operating permit and each CAIR NOx Ozone Season unit that is not otherwise required to have a title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under 40 CFR Part 97 Subpart CCCC for such CAIR NOx Ozone Season source and such CAIR NOx Ozone Season unit.
- b. Monitoring, reporting, and recordkeeping requirements. (40 CFR §97.306(b))
- 1) The owners and operators, and the CAIR designated representative, of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 97 Subpart HHHH.
 - 2) The emissions measurements recorded and reported in accordance with 40 CFR Part 97 Subpart HHHH shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under Condition V.A.9.c below.
- c. Nitrogen oxides ozone season emission requirements. (40 CFR §97.306(c))
- 1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under §97.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with 40 CFR Part 97 Subpart HHHH
 - 2) A CAIR NOx Ozone Season unit shall be subject to the requirements under Condition V.A.9.c.1) above for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR §97.370(b)(1), (2), (3), or (7) and for each control period thereafter.
 - 3) A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under Condition V.A.9.c.1) above, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.
 - 4) CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 97 Subparts EEEE, FFFF, GGGG, and IIII .
 - 5) A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §97.305 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

- 6) A CAIR NO_x Ozone Season allowance does not constitute a property right.
 - 7) Upon recordation by the Administrator under 40 CFR Part 97 Subparts EEEE, FFFF, GGGG, or IIII, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.
- d. Excess emissions requirements. If a CAIR NO_x Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then: (40 CFR §97.306(d))
- 1) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under §97.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
 - 2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97 Subpart AAAA, the Clean Air Act, and applicable State law.
- e. Recordkeeping and reporting requirements. (40 CFR §97.306(e))
- 1) Unless otherwise provided, the owners and operators of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall keep on site at the source each of the following documents 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 PaDEP or the Administrator.
 - a) The certificate of representation under §97.313 for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under §97.313 changing the CAIR designated representative.
 - b) All emissions monitoring information, in accordance with 40 CFR Part 97 Subpart HHHH, provided that to the extent that 40 CFR Part 97 Subpart HHHH provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Ozone Season Trading Program.
 - d) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Ozone Season Trading Program.
 - 2) The CAIR designated representative of a CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall submit the reports required under the CAIR NO_x Ozone Season Trading Program, including those under 40 CFR Part 97 Subpart HHHH .
- f. Liability. (40 CFR §97.306(f))
- 1) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit shall meet the requirements of the CAIR NO_x Ozone Season Trading Program.
 - 2) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season source or the CAIR designated representative of a CAIR NO_x Ozone Season

source shall also apply to the owners and operators of such source and of the CAIR NOx Ozone Season units at the source.

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

- g. Effect on other authorities. No provision of the CAIR NOx Ozone Season Trading Program, a CAIR permit application, a CAIR permit, or an exemption under §97.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NOx Ozone Season source or CAIR NOx Ozone Season unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act (40 CFR §97.306(g))

10. State Requirements:

Standard Requirements

In addition to the Federal requirements of 40 CFR Part 97, all units that meet the applicability requirements in 25 PA Code §145.203 shall meet any applicable requirement of 25 PA Code §§145.204, 145.205, 145.212, 145.213, 145.221, 145.222, and 145.223.

- a. § 145.204. Incorporation of Federal regulations by reference.
 - 1) Except as otherwise specified in PA Code § 145.204, the provisions of the CAIR NOx Annual Trading Program, found in 40 CFR Part 96 (relating to NOx budget trading program and CAIR NOx and SO₂ trading programs for State implementation plans), including all appendices, future amendments and supplements thereto, are incorporated by reference.
 - 2) Except as otherwise specified in PA Code § 145.204, the provisions of the CAIR SO₂ Trading Program, found in 40 CFR Part 96, including all appendices, future amendments and supplements thereto, are incorporated by reference.
 - 3) Except as otherwise specified in PA Code § 145.204, the provisions of the CAIR NOx Ozone Season Trading Program, found in 40 CFR Part 96, including all appendices, future amendments and supplements thereto, are incorporated by reference.
 - 4) In the event of a conflict between Federal regulatory provisions incorporated by reference in PA Code § 145.204 and Pennsylvania regulatory provisions, the provision expressly set out in PA Code § 145.204 shall be followed unless the Federal provision is more stringent. Federal regulations that are cited in PA Code § 145.204 or that are cross-referenced in the Federal regulations incorporated by reference include any Pennsylvania modifications made to those Federal regulations.

- b. § 145.205. Emission reduction credit provisions.
 - 1) The following conditions shall be satisfied in order for the PADEP to issue a permit or plan approval to the owner or operator of a unit not subject to PA Code § 145.205 that is relying on emission reduction credits (ERCs) or creditable emission reductions in an applicability determination under Chapter 127, Subchapter E (relating to new source review), or is seeking to enter into an emissions trade authorized under Chapter 127 (relating to construction, modification, reactivation and operation of sources), if the ERCs or creditable emission reductions were, or will be, generated by a unit subject to PA Code § 145.205.
 - a) Prior to issuing the permit or plan approval (Installation Permit), the PADEP will

permanently reduce the Commonwealth's CAIR NO_x trading budget or CAIR NO_x Ozone Season trading budget, or both, as applicable, beginning with the sixth control period following the date the plan approval or permit to commence operations or increase emissions is issued. The PADEP will permanently reduce the applicable CAIR NO_x budgets by an amount of allowances equal to the ERCs or creditable emission reductions relied upon in the applicability determination for the non-CAIR unit subject to Chapter 127, Subchapter E or in the amount equal to the emissions trade authorized under Chapter 127, as if these emissions had already been emitted.

- b) The permit or plan approval (Installation Permit) must prohibit the owner or operator from commencing operation or increasing emissions until the owner or operator of the CAIR unit generating the ERC or creditable emission reduction surrenders to the Department an amount of allowances equal to the ERCs or emission reduction credits relied upon in the applicability determination for the non-CAIR unit under Chapter 127, Subchapter E or the amount equal to the ERC trade authorized under Chapter 127, for each of the five consecutive control periods following the date the non-CAIR unit commences operation or increases emissions. The allowances surrendered must be of present or past vintage years.

c. § 145.212. CAIR NO_x allowance allocations.

- 1) *Provisions not incorporated by reference.* The requirements of 40 CFR 96.142 (relating to CAIR NO_x allowance allocations) are not incorporated by reference. Instead of 40 CFR 96.142, the requirements set forth in PA Code § 145.212 apply.
- 2) *Baseline heat input.* Baseline heat input for each CAIR NO_x unit will be converted as follows:
 - a) A unit's control period heat input and a unit's status as coal-fired or oil-fired for a calendar year under Condition V.A.10.c.2 will be determined in one of the following two ways:
 - i) In accordance with 40 CFR Part 75 (relating to continuous emission monitoring), to the extent that the unit was otherwise subject to 40 CFR Part 75 for the year.
 - ii) Based on the best available data reported to the Department for the unit, to the extent the unit was not otherwise subject to the requirements of 40 CFR Part 75 for the year.
 - b) Except as provided in Conditions V.A.10.c.2)b)iv) below and V.A.10.c.2)b)v) below, a unit's converted control period heat input for a calendar year shall be determined as follows:
 - i) The control period gross electrical output of the generators served by the unit multiplied by 7,900 Btu/kWh if the unit is coal-fired for the year, and divided by 1,000,000 Btu/mmBtu.
 - ii) The control period gross electrical output of the generators served by the unit multiplied by 6,675 Btu/kWh if the unit is not coal-fired for the year, and divided by 1,000,000 Btu/mmBtu.
 - iii) If a generator is served by two or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the share of the total control period heat input from each of the units for the year.
 - iv) For a unit that is a boiler and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the total heat energy (in Btus) of the steam produced by the boiler during the annual control period, divided by 0.8 and by 1,000,000 Btu/mmBtu.
 - v) For a unit that is a combustion turbine and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes

through the sequential use of energy, the annual control period gross electrical output of the enclosed device comprising the compressor, combustor and turbine multiplied by 3,413 Btu/kWh, plus the total heat energy (in Btu) of the steam produced by any associated heat recovery steam generator during the annual control period divided by 0.8, and with the sum divided by 1,000,000 Btu/mmBtu.

- vi) Calculations will be based on the best output data available on or before January 31 of the year the allocations are published. If unit level electrical or steam output data are not available from EIA, or submitted by this date by the owner or operator of the CAIR NOx unit, then heat input data for the period multiplied by 0.25 and converted to MWh will be used to determine total output.
- 3) *Existing unit, new unit and § 145.212.(f)(1) qualifying resource allocation baseline.* For each control period beginning with January 1, 2010, and each year thereafter, the PADEP will allocate to qualifying resources and CAIR NOx units, including CAIR NOx units issued allowances under Condition V.A.10.e below, a total amount of CAIR NOx allowances equal to the number of CAIR NOx allowances remaining in the Commonwealth's CAIR NOx trading budget under 40 CFR 96.140 (relating to State trading budgets) for those control periods using summed baseline heat input data as determined under Condition V.A.10.c.2) above and § 145.212.(f)(1) from a baseline year that is 6 calendar years before the control period.
- 4) *Proration of allowance allocations.* The PADEP will allocate CAIR NOx allowances to each existing CAIR NOx unit and qualifying resource in an amount determined by multiplying the amount of CAIR NOx allowances in the Commonwealth's CAIR NOx trading budget available for allocation under Condition V.A.10.c.3) above by the ratio of the baseline heat input of the existing CAIR NOx unit or qualifying resource to the sum of the baseline heat input of existing CAIR NOx units and of the qualifying resources, rounding to the nearest whole allowance as appropriate.
- 5) *Allocations to new CAIR NOx units.* By March 31, 2011, and March 31 each year thereafter, the PADEP will allocate CAIR NOx allowances under § 145.211(c) (relating to timing requirements for CAIR NOx allowance allocations) to CAIR NOx units equal to the previous year's emissions at each unit, unless the unit has been issued allowances of the previous year's vintage in a regular allocation under § 145.211(b). The PADEP will allocate CAIR NOx allowances under § 145.212, of a vintage year that is 5 years later than the year in which the emissions were generated. The number of CAIR NOx allowances allocated may not exceed the actual emission of the year preceding the year in which the PADEP makes the allocation. The allocation of these allowances to the new unit will not reduce the number of allowances the unit is entitled to receive under another provision of § 145.212.
- 6) *Allocations to qualifying resources and units exempted by section 405(g)(6)(a) of the Clean Air Act.* For each control period beginning with 2010 and thereafter, the PADEP will allocate CAIR NOx allowances to qualifying resources under § 145.212(1) in this Commonwealth that are not also allocated CAIR NOx allowances under another provision of § 145.212 and to existing units under Condition V.A.10.c.2) above that were exempted at any time under section 405(g)(6)(a) of the Clean Air Act (42 U.S.C.A. § 7651d(g)(6)(A)), regarding phase II SO₂ requirements, and that commenced operation prior to January 1, 2000, but did not receive an allocation of SO₂ allowances under the EPA's Acid Rain Program, as follows:
 - a) The PADEP will allocate CAIR NOx allowances to a renewable energy qualifying resource or demand side management energy efficiency qualifying resource in accordance with Conditions V.A.10.c.6)c) below and V.A.10.c.6)d) below upon receipt by the PADEP of an application, in writing, on or before June 30 of the year following the control period, except for vintage year 2011 and 2012 NOx allowance allocations whose application deadline will be prescribed by the PADEP, meeting the requirements

of Condition V.A.10.c.6) above. The number of allowances allocated to the qualifying resource will be determined by converting the certified quantity of electric energy production, useful thermal energy, and energy equivalent value of the measures approved under the Pennsylvania Alternative Energy Portfolio Standard to equivalent thermal energy. Equivalent thermal energy is a unit's baseline heat input for allocation purposes. The conversion rate for converting electrical energy to equivalent thermal energy is 3,413 Btu/kWh. To receive allowances under § 145.212, the qualifying resource must have commenced operation after January 1, 2005, must be located in this Commonwealth and may not be a CAIR NO_x unit. The following procedures apply:

- i) The owner of a qualifying renewable energy resource shall appoint a CAIR-authorized account representative and file a certificate of representation with the EPA and the PADEP.
 - ii) The PADEP will transfer the allowances into an account designated by the owner's CAIR-authorized account representative of the qualifying resource, or into an account designated by an aggregator approved by the Pennsylvania Public Utility Commission or its designee.
 - iii) The applicant shall provide the PADEP with the corresponding renewable energy certificate serial numbers.
 - iv) At least one whole allowance must be generated per owner, operator or aggregator for an allowance to be issued.
- b) The PADEP will allocate CAIR NO_x allowances to the owner or operator of a CAIR SO₂ unit that commenced operation prior to January 1, 2000, that has not received an SO₂ allocation for that compliance period, as follows:
- i) By January 31, 2011, and each year thereafter, the owner or operator of a unit may apply, in writing, to the PADEP under § 145.212 to receive extra CAIR NO_x allowances.
 - ii) The owner or operator may request under Condition V.A.10.c.6)b) above one CAIR NO_x allowance for every 8 tons of SO₂ emitted from a qualifying unit during the preceding control period. An owner or operator of a unit covered under Condition V.A.10.c.6)b) above that has opted into the Acid Rain Program may request one CAIR NO_x allowance for every 8 tons of SO₂ emissions that have not been covered by the SO₂ allowances received as a result of opting into the Acid Rain Program.
 - iii) If the original CAIR NO_x allowance allocation for the unit for the control period exceeded the unit's actual emissions of NO_x for the control period, the owner or operator shall also deduct the excess CAIR NO_x allowances from the unit's request under Condition V.A.10.c.6)b)ii) above. This amount is the unit's adjusted allocation and will be allocated unless the proration described in Condition V.A.10.c.6)b)iv) below applies.
 - iv) The PADEP will make any necessary corrections and then sum the requests. If the total number of NO_x allowances requested by all qualified units under Condition V.A.10.c.6)b) above, as adjusted by Condition V.A.10.c.6)b)iii) above, is less than 1.3% of the Commonwealth's CAIR NO_x Trading Budget, the PADEP will allocate the corrected amounts. If the total number of NO_x allowances requested by all qualified units under Condition V.A.10.c.6)b) above exceeds 1.3% of the Commonwealth's CAIR NO_x Trading Budget, the PADEP will prorate the allocations based upon the following equation:

$$A_A = [E_A \times (0.013 \times B_{NA})] / T_{RA}$$

where,

A_A is the unit's prorated allocation,

E_A is the adjusted allocation the unit may request under V.A.10.c.6)b)iii) above,

B_{NA} is the total number of CAIR NO_x allowances in the Commonwealth's CAIR NO_x trading budget,

T_{RA} is the total number of CAIR NO_x allowances requested by all units requesting allowances under Condition V.A.10.c.6)b) above.

- c) The PADEP will review each CAIR NO_x allowance allocation request under § 145.212, and will allocate CAIR NO_x allowances for each control period under a request as follows:
 - i) The PADEP will accept an allowance allocation request only if the request meets, or is adjusted by the PADEP as necessary to meet, the requirements of PA Code § 145.212.
 - ii) On or after January 1 of the year of allocation, the PADEP will determine the sum of the CAIR NO_x allowances requested.
 - d) Up to 1.3% of the Commonwealth's CAIR NO_x trading budget is available for allocation in each allocation cycle from 2011-2016 to allocate 2010-2015 allowances for the purpose of offsetting SO₂ emissions from units described in Condition V.A.10.c.6)b) above. Beginning January 1, 2017, and for each allocation cycle thereafter, the units will no longer be allocated CAIR NO_x allowances under Condition V.A.10.c.6)b) above. Any allowances remaining after this allocation will be allocated to units under Condition V.A.10.c.6)c) above during the next allocation cycle.
 - e) Notwithstanding the provisions of Conditions V.A.10.c.6)b) above, V.A.10.c.6)c) above and V.A.10.c.6)d) above, the PADEP may extend, terminate or otherwise modify the allocation of NO_x allowances made available under § 145.212, for units exempted under section 405(g)(6)(a) of the Clean Air Act after providing notice in the *Pennsylvania Bulletin* and at least a 30-day public comment period.
- 7) The PADEP will correct any errors in allocations made by the PADEP and discovered after final allocations are made but before the next allocation cycle, in the subsequent allocation cycle using future allowances that have not yet been allocated.
- d. Section § 145.213. Supplemental monitoring, recordkeeping and reporting requirements for gross electrical output and useful thermal energy for units subject to 40 CFR 96.170--96.175.
 - 1) By January 1, 2009, or by the date of commencing commercial operation, whichever is later, the owner or operator of the CAIR NO_x unit shall install, calibrate, maintain and operate a wattmeter, measure gross electrical output in megawatt-hours on a continuous basis and record the output of the wattmeter. If a generator is served by two or more units, the information to determine the heat input of each unit for that control period shall also be recorded, so as to allow each unit's share of the gross electrical output to be determined. If heat input data are used, the owner or operator shall comply with the applicable provisions of 40 CFR Part 75 (relating to continuous emission monitoring).
 - 2) By September 1, 2008, for a CAIR NO_x unit that is a cogeneration unit, and for a CAIR NO_x unit with cogeneration capabilities, the owner or operator shall install, calibrate, maintain and operate meters for steam flow in lbs/hr, temperature in degrees Fahrenheit, and pressure in PSI, to measure and record the useful thermal energy that is produced, in mmBtu/hr, on a

continuous basis. The owner or operator of a CAIR NO_x unit that produces useful thermal energy but uses an energy transfer medium other than steam, such as hot water or glycol, shall install, calibrate, maintain and operate the necessary meters to measure and record the data necessary to express the useful thermal energy produced, in mmBtu/hr, on a continuous basis. If the unit ceases to produce useful thermal energy, the owner or operator may cease operation of the meters, but operation of the meters shall be resumed if the unit resumes production of useful thermal energy.

- 3) Beginning with 2009, the designated representative of the unit shall submit to the PADEP an annual report showing monthly gross electrical output and monthly useful thermal energy from the unit. The report is due by January 31 for the preceding calendar year.
- 4) Beginning with 2011, the designated representative of the unit shall submit to the Department an annual report showing monthly gross electrical output and monthly useful thermal energy from the unit. The report is due by January 31 for the preceding calendar year. (§2103.12.k)
- 5) The owner or operator of a CAIR NO_x unit shall maintain onsite the monitoring plan detailing the monitoring system and maintenance of the monitoring system, including quality assurance activities. The owner or operator of a CAIR NO_x unit shall retain the monitoring plan for at least 5 years from the date that it is replaced by a new or revised monitoring plan. The owner or operator of a CAIR NO_x unit shall provide the PADEP with a written copy of the monitoring plan by January 1, 2009, and thereafter within 3 calendar months of making updates to the plan.

The owner or operator of a CAIR NO_x unit shall provide the Department with a written copy of the monitoring plan required by Condition V.A.10.d.5) above by January 1, 2011 and thereafter within 3 calendar months of making updates to the plan. (§2103.12.k)

- 6) The owner or operator of a CAIR NO_x unit shall retain records for at least 5 years from the date the record is created or the data collected as required by Conditions V.A.10.d.1) and V.A.10.d.2) above, and the reports submitted to the PADEP and the EPA in accordance with Conditions V.A.10.d.3) and V.A.10.d.5).

e. § 145.222. CAIR NO_x Ozone Season allowance allocations.

- 1) *Provisions not incorporated by reference.* The requirements of 40 CFR 96.342 (relating to CAIR NO_x Ozone Season allowance allocations) are not incorporated by reference. Instead of 40 CFR 96.342, the requirements in § 145.222 apply.
- 2) *Baseline heat input.* Baseline heat input for each CAIR NO_x Ozone Season unit will be converted as follows:
 - a) A unit's control period heat input and a unit's status as coal-fired or oil-fired for the ozone season portion of a calendar year under Condition V.A.10.e.2) above will be determined in one of the following two ways:
 - i) In accordance with 40 CFR Part 75 (relating to continuous emission monitoring), to the extent that the unit was otherwise subject to the requirements of 40 CFR Part 75 for the control period.
 - ii) Based on the best available data reported to PADEP for the unit, to the extent the unit was not otherwise subject to the requirements of 40 CFR Part 75 for the year.
 - b) Except as provided in Conditions V.A.10.e.2)b)iv) below and V.A.10.e.2)b)v) below, a unit's converted control period heat input for the ozone season portion of a calendar year shall be determined as follows:
 - i) The control period gross electrical output of the generators served by the unit multiplied by 7,900 Btu/kWh if the unit is coal-fired for the ozone season control period, and divided by 1,000,000 Btu/mmBtu.
 - ii) The control period gross electrical output of the generators served by the unit

- multiplied by 6,675 Btu/kWh if the unit is not coal-fired for the ozone season control period, and divided by 1,000,000 Btu/mmBtu.
- iii) If a generator is served by 2 or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the share of the total control period heat input from each of the units for the ozone season control period.
 - iv) For a unit that is a boiler and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the total heat energy (in Btus) of the steam produced by the boiler during the ozone season control period, divided by 0.8 and by 1,000,000 Btu/mmBtu.
 - v) For a unit that is a combustion turbine and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the control period gross electrical output of the enclosed device comprising the compressor, combustor and turbine multiplied by 3,413 Btu/kWh, plus the total heat energy (in Btu) of the steam produced by any associated heat recovery steam generator during the ozone season control period divided by 0.8, and with the sum divided by 1,000,000 Btu/mmBtu.
 - vi) Calculations will be based on the best output data available on or before January 31 of the year the allocations are published. If unit level electrical or steam output data are not available from EIA, or submitted by this date by the owner or operator of the CAIR NOx Ozone Season unit, then heat input data for the period multiplied by 0.25 and converted to MWh will be used to determine total output.
- c) *Existing unit, new unit and § 145.212.(f)(1) qualifying resource allocation baseline.* For each control period beginning with the 2010 control period and thereafter, the PADEP will allocate to qualifying resources and CAIR NOx Ozone Season units, including CAIR NOx Ozone Season units issued allowances under Condition V.A.10.e.2)e) below, a total amount of CAIR NOx Ozone Season allowances equal to the number of CAIR NOx Ozone Season allowances remaining in the Commonwealth's CAIR NOx Ozone Season trading budget under 40 CFR 96.140 (relating to State trading budgets) for those control periods using summed baseline heat input data as determined under Conditions V.A.10.e.2)b) above and V.A.10.e.2)f)i) below from an ozone season control period in a baseline year that is 6 calendar years before the control period.
 - d) *Proration of allowance allocations.* The PADEP will allocate CAIR NOx Ozone Season allowances to each existing CAIR NOx Ozone Season unit and qualifying resource in an amount determined by multiplying the amount of CAIR NOx Ozone Season allowances in the Commonwealth's CAIR NOx Ozone Season trading budget available for allocation under Condition V.A.10.e.2)c) above by the ratio of the baseline heat input of the existing CAIR NOx Ozone Season unit or qualifying resource to the sums of the baseline heat input of existing CAIR NOx Ozone Season units and of the qualifying resources, rounding to the nearest whole allowance as appropriate.
 - e) *Allocations to new CAIR NOx Ozone Season units.* By March 31, 2011, and March 31 each year thereafter, the PADEP will allocate CAIR NOx Ozone Season allowances under § 145.221(c) (relating to timing requirements for CAIR NOx Ozone Season allowance allocations) to CAIR NOx Ozone Season units equal to the previous year's emissions at each unit, unless the unit has been issued allowances of the previous year's vintage in a regular allocation under § 145.221(b). The PADEP will allocate CAIR NOx allowances under § 145.222. of a vintage year that is 5 years later than the year in which the emissions were generated. The number of CAIR NOx Ozone Season allowances allocated shall not exceed the actual emission of the year preceding the year in which the PADEP makes the allocation. The allocation of these allowances to the new unit will not

reduce the number of allowances the unit is entitled to receive under another provision of § 145.222.

- f) *Allocations to qualifying resources.* For each control period beginning with the 2010 control period, and thereafter, the PADEP will allocate CAIR NOx Ozone Season allowances to qualifying resources in this Commonwealth that are not also allocated CAIR NOx Ozone Season allowances under another provision of § 145.222, as follows:
 - i) The PADEP will allocate CAIR NOx Ozone Season allowances to a renewable energy qualifying resource or demand side management energy efficiency qualifying resource in accordance with Conditions V.A.10.e.2)c) above and V.A.10.e.2)d) above upon receipt by the PADEP of an application, in writing, on or before June 30 of the year following the control period, except for vintage year 2011 and 2012 NOx Ozone Season allowance allocations whose application deadline will be prescribed by the PADEP, meeting the requirements of this condition. The number of allowances allocated to the qualifying resource will be determined by converting the certified quantity of electric energy production, useful thermal energy, and energy equivalent value of the measures approved under the Pennsylvania Alternative Energy Portfolio Standard to equivalent thermal energy. Equivalent thermal energy is a unit's baseline heat input for allocation purposes. The conversion rate for converting electrical energy to equivalent thermal energy is 3,413 Btu/kWh. To receive allowances under § 145.222, the qualifying resource must have commenced operation after January 1, 2005, must be located in this Commonwealth and may not be a CAIR NOx Ozone Season unit. The following procedures apply:
 - (1) The owner of a qualifying renewable energy resource shall appoint a CAIR-authorized account representative and file a certificate of representation with the EPA and the PADEP.
 - (2) The PADEP will transfer the allowances into an account designated by the owner's CAIR-authorized account representative of the qualifying resource, or into an account designated by an aggregator approved by the Pennsylvania Public Utility Commission or its designee.
 - (3) The applicant shall provide the PADEP with the corresponding renewable energy certificate serial numbers.
 - (4) At least one whole allowance must be generated per owner, operator or aggregator for an allowance to be issued.
 - g) The PADEP will correct any errors in allocations made by the PADEP and discovered after final allocations are made but before the next allocation cycle, in the subsequent allocation cycle using future allowances that have not yet been allocated.

f. § 145.223. Supplemental monitoring, recordkeeping and reporting requirements for gross electrical output and useful thermal energy for units subject to 40 CFR 96.370--96.375.

- 1) By January 1, 2009, or by the date of commencing commercial operation, whichever is later, the owner or operator of the CAIR NOx Ozone Season unit shall install, calibrate, maintain and operate a wattmeter, measure gross electrical output in megawatt-hours on a continuous basis and record the output of the wattmeter. If a generator is served by two or more units, the information to determine the heat input of each unit for that control period shall also be recorded, so as to allow each unit's share of the gross electrical output to be determined. If heat input data are used, the owner or operator shall comply with the applicable provisions of 40 CFR Part 75 (relating to continuous emission monitoring).
- 2) By September 1, 2008, for a CAIR NOx Ozone Season unit that is a cogeneration unit, and for a CAIR NOx Ozone Season unit with cogeneration capabilities, the owner or operator

shall install, calibrate, maintain and operate meters for steam flow in lbs/hr, temperature in degrees Fahrenheit and pressure in PSI, to measure and record the useful thermal energy that is produced, in mmBtu/hr, on a continuous basis. The owner or operator of a CAIR NOx Ozone Season unit that produces useful thermal energy but uses an energy transfer medium other than steam, such as hot water or glycol, shall install, calibrate, maintain and operate the necessary meters to measure and record the data necessary to express the useful thermal energy produced, in mmBtu/hr, on a continuous basis. If the unit ceases to produce useful thermal energy, the owner or operator may cease operation of the meters, but operation of the meters shall be resumed if the unit resumes production of useful thermal energy.

- 3) Beginning with 2009, the designated representative of the unit shall submit to the PADEP an annual report showing monthly gross electrical output and monthly useful thermal energy from the unit. The report is due by January 31 for the preceding calendar year.
- 4) The owner or operator of a CAIR NOx Ozone Season unit shall maintain onsite the monitoring plan detailing the monitoring system and maintenance of the monitoring system, including quality assurance activities. The owner or operator of a CAIR NOx Ozone Season unit shall retain the monitoring plan for at least 5 years from the date that it is replaced by a new or revised monitoring plan. The owner or operator of a CAIR NOx Ozone Season unit shall provide the PADEP with a written copy of the monitoring plan by January 1, 2009, and thereafter within 3 calendar months of making updates to the plan.
- 5) The owner or operator of a CAIR NOx Ozone Season unit shall provide the PADEP with a written copy of the monitoring plan required by Condition V.A.10.f.4) above by January 1, 2011 and thereafter within 3 calendar months of making updates to the plan. (§2103.12.k)
- 6) The owner or operator of a CAIR NOx Ozone Season unit shall retain records for at least 5 years from the date the record is created or the data collected as required by Conditions V.A.10.f.1) above and V.A.10.f.2) above, and the reports submitted to the PADEP and the EPA in accordance with Conditions V.A.10.f.3) above and V.A.10.f.4) above.

“PERMIT SHIELD” IN EFFECT.

B. Auxiliary Boiler, Stack No. 2

Process Description: Oil-fired external combustion boiler
Facility ID: Auxiliary Boiler
Capacity: 160 MMBtu/hr
Fuel(s): No. 2 Fuel Oil, 0.2% (wt.) sulfur content
Control Device: None

1. Restrictions:

- a. Particulate matter (PM) emissions from the Auxiliary Boiler shall not exceed 0.015 lb/MMBTU. (§2104.02.a.1.B)
- b. Sulfur dioxide (SO₂) emissions from the Auxiliary Boiler shall not exceed the allowable emissions A (in lb/MMBTU) calculated by the formula $A = 1.7E^{-0.14}$, where E = actual heat input in MMBtu/hr (§2104.03.a.2.B)
- c. The permittee shall limit the heat input rate to the Auxiliary Boiler to less than 438,000 MMBtu per twelve (12) consecutive month period. (§2103.12.a.2.B, §2105.06.d.2)
- d. All fuel oil combusted by the permittee in the Auxiliary Boiler shall meet ASTM specifications for No.2 fuel oil and have a maximum sulfur content at or less than 0.2% by weight at all times. (§2103.12.h.1, Permit No. 106509-003-00600, issued May 2, 1995)
- e. Emissions from the Auxiliary Boiler shall not exceed the limitations in Table V.B.1 below at any time: (§2103.12.a.2.B, §2105.06.d.2, Permit No. 106509-003-00600, issued May 2, 1995)

TABLE V.B.1 Auxiliary Boiler Emission Limitations

Pollutant	Hourly Emission Limit lb/hr	Annual Emission Limit tons/year*
Particulate Matter	2.4	3.3
Nitrogen Oxides	23.2	31.8
Carbon Monoxide	6.7	9.2
Sulfur Dioxide	26.7	36.5
Volatile Organic Compounds	0.3	0.4

* A year is defined as any consecutive 12-month period.

2. Testing Requirements:

- a. The permittee shall perform nitrogen oxides emissions testing on the Auxiliary Boiler at least once every five years in order to demonstrate compliance with the emission limitations of this permit. Such testing shall be conducted in accordance with U.S. EPA test method 7E or an alternative method approved by the Department and Article XXI §2108.02. (§2103.12.h.1; §2108.02.b, §2108.02.e.)

- b. Unless specifically requested in writing by the Department, emissions testing on the Auxiliary Boiler is not required until the unit has operated 500 hours during any 12 consecutive months. (§2103.12.h.1)
- c. The Department reserves the right to require any additional emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing, if required, shall be performed in accordance with Article XXI §2108.02 and Site Level Condition IV.13 above entitled "Emissions Testing." (§2103.12.h.1)

3. Monitoring Requirements (§2103.12.i):

- a. The permittee shall install operate and maintain a fuel flow meter to monitor the amount of fuel oil combusted in the Auxiliary Boiler. (§2103.12.i)

4. Record Keeping Requirements (§§2103.12.j & k):

- a. The permittee shall maintain all appropriate records to demonstrate compliance with the requirements of both Section 2105.06 Article XXI, and conditions V.B.1.c and V.B.6.b below. Such records shall provide sufficient data to clearly demonstrate that all requirements of Section 2105.06 of Article XXI, and conditions V.B.1.c and V.B.6.b below, are being met. (§2105.06.g)
- b. The permittee shall keep and maintain the following data for the Auxiliary Boiler: (§2103.12.h.1)
 - 1) Amount of fuel oil used (daily and 12-month, gallons);
 - 2) Records of fuel oil supplier's certification of sulfur content, and fuel oil heating value (each shipment received);
 - 3) Total operating hours, (hours/day, monthly and 12-month);
 - 4) Total heat input rate (12-month, MMBtu)
 - 5) Records of operation, maintenance, inspection, calibration and/or replacement of combustion equipment.
 - 6) Stack test protocols and reports.
 - 7) Records of the annual adjustment required by V.B.6.b below.
- c. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance. (§2103.12.h.1)
- d. All records shall be retained by the facility for at least five (5) years. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j.2)

5. Reporting Requirements:

- a. The permittee shall report the following information to the Department in accordance with General Condition III.15 above on a semi-annual. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)
 - 1) Monthly and 12-month data required to be recorded by condition V.B.4.b above;
 - 2) A statement from the permittee that the record of fuel supplier certifications required by condition V.B.4.b above represents all the fuel oil received during the reporting period;; and
 - 3) Non-compliance information required to be recorded by V.B.4.c above.

- b. Reporting instances of non-compliance in accordance with condition V.B.5.a above does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)

6. Work Practice Standards

- a. The permittee shall not, at any time, operate the Auxiliary Boiler unless the subject boiler is properly operated and maintained according to good engineering and air pollution control practices. (§2105.03)
- b. The permittee shall perform an annual adjustment in accordance with the EPA document “Combustion Efficiency Optimization Manual for Operators of Oil and Gas-fired Boilers”, September, 1983, (EPA-340/1-83-023) or equivalent procedures approved in writing by the Department. (§2105.06.d.5)

“PERMIT SHIELD” IN EFFECT.

C. Process Equipment: Ammonia Storage Tanks

Process Description: Four 42,000 gallon storage tanks
Raw Material(s)/Fuel(s): Aqueous Ammonia (19%)
Control Device: Vapor balancing and bottom loading

1. Restrictions:

The storage tanks shall not be loaded or unloaded unless the vapor balancing system is in place and operating properly according to manufacturer's specifications at all times during the operation. (IP No. 0054-I002, Condition V.B.1, issued June 13, 2001)

2. Testing Requirements:

The Department reserves the right to require any additional emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing, if required, shall be performed in accordance with Article XXI §2108.02 and Site Level Condition IV.13 above entitled "Emissions Testing." (§2103.12.h.1)

3. Monitoring Requirements (§2103.12.i):

The storage tanks and vapor balance system shall be inspected monthly to assure structural integrity of the tanks and that no leaks are present. (IP No.0054-I002, Condition V.B.3, issued June 13, 2001)

4. Record Keeping Requirements (§2103.12.j):

Records shall be kept of monthly throughput and the results of the inspections required by V.C.3 above. (IP No.0054-I002, Condition V.B.4, issued June 13, 2001)

5. Reporting Requirements (§2103.12.k):

Reports of monthly throughput shall be provided to the Department on an annual basis. (IP No.0054-I002, Condition V.B.5, issued June 13, 2001)

6. Work Practice Standards (§2105.03)

The permittee shall calibrate, maintain, and operate all instrumentation, process equipment, and control equipment according to manufacturers' recommendations and good engineering practices. (§2105.03)

"PERMIT SHIELD" IN EFFECT.

D. Process Equipment: Coal Handling and Storage

Process Description: Coal barge unloading, coal conveying, pile maintenance and storage, indoor storage, and crushing operations

Capacity: **Unloading = 1800 tons/hr;** Conveying = 600 tons/hr each (two units)

Control Method: Fugitive dust control measures

1. Restrictions:

- a. The permittee shall conduct coal handling operations in a manner such that emissions from these operations are not visible at or beyond the facility property line at any time. (§2104.05)
- b. Particulate matter emissions from coal crushing, grinding, or screening shall not at any time exceed the rate determined by the following formula (§2104.02.c):

$$A \text{ (lb/hr)} = 0.76E^{0.42},$$

where E = emission index = (F) x (W)

F = 20 lbs/ton feed

W = charge rate (tons/hr)

- c. Unless the ambient temperature is 32°F or below, the permittee shall ensure that the coal handling operations, including material handling and storage pile wet suppression systems, are in operation and control emissions in accordance with the Fugitive Dust Emissions Control Plan submitted to the Department, as follows: (§2105.49)
 - 1) Barge Unloader:
 - a) The permittee shall ensure that the barge unloader is properly operated in order to minimize material spillage. The permittee shall ensure prompt clean-up of any spillage at the barge unloading operations upon occurrence.
 - b) The permittee shall repair any leaks in chutes and hoppers as necessary.
 - 2) Crusher Building:
 - a) The permittee shall enclose the crusher building to minimize the emissions of fugitive dust to the environment.
 - b) The permittee shall ensure prompt clean-up of any spillage at the Crusher Building upon occurrence.
 - c) The permittee shall repair any leaks in chutes, hoppers or seals.
 - d) The permittee shall minimize operation of unloaded equipment in order to minimize disturbance of loose material, except as needed during freezing temperatures.
 - 3) Material Conveyors:
 - a) Except during maintenance, the permittee shall ensure that all conveyors that are equipped to be covered by canopies are covered by canopy. Upon canopy removal for maintenance, such canopies shall be replaced as soon as possible, and prior to routine conveyor operation.
 - b) The permittee shall ensure that scrapers on conveyors are maintained in good operating condition.
 - c) The permittee shall inspect all belts and ensure that such are in good operating condition to achieve proper tracking and loading.

- d) The permittee shall minimize the operation of unloaded conveyors except as needed during freezing temperatures..
- 4) Coal Yard:
 - a) Plant personnel shall instruct coal trucks to dump as close as practical to the coal storage area.
 - b) The permittee shall compact the storage piles as needed.
 - c) Plant personnel shall restrict the number of vehicles on the pile to those engaged only in essential plant operations.
 - d) Plant personnel shall ensure that all trucks entering the plant are tarped, free of debris and not leaking. Trucks shall be restricted to drive on designated thoroughfares and shall not drive on road shoulders or other restricted plant areas.
 - e) Plant personnel shall ensure that all trucks leaving the coal pile are washed as necessary at the on-site truck wash station unless the average ambient temperature is 32°F or lower.
 - f) The permittee shall control fugitive particulate emissions from material storage piles through the use of water or water and chemical suppression, as needed.

2. Testing Requirements:

The Department reserves the right to require emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing, if required, shall be performed in accordance with Article XXI §2108.02 and Site Level Condition IV.13 above entitled "Emissions Testing." (§2103.12.h.1)

3. Monitoring Requirements (§2103.12.i):

- a. Observations of visible emissions from barge unloading, coal conveying, coal pile maintenance and storage, coal tripper room exhaust vents, and coal crusher building vent exhausts shall be performed once per week during normal daylight operations during every week that the units are operating. A trained employee shall record whether any emissions are observed and whether these emissions extend beyond the facility property line.
- b. A trained employee is an employee who has worked at the plant at least one month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

4. Record Keeping Requirements (§2103.12.j):

- a. The permittee shall keep and maintain the following data for the coal handling and storage equipment (§2103.12.h.1):
 - 1) Coal throughput (tons/day);
 - 2) A daily log of time and location of treated pile areas, identification of dust suppressants if applied, meter readings of spray bar and/or pump or odometer reading of trucks used to apply water and/or dust suppressants, dilution ratios of the dust suppressants and diluent used if chemical suppressants are used, and purchase records of the chemical suppressants, if used.
 - 3) Records of the visible emission notations as required by V.D.3 above;
 - 4) Records of operation, maintenance, inspection, calibration and/or replacement of coal handling and storage equipment.
- b. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance. (§2103.12.h.1)

- c. All records shall be retained by the facility for at least five (5) years. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j.2)

5. Reporting Requirements (§2103.12.k):

- a. The permittee shall report the following information to the Department quarterly in accordance with General Condition III.15 above. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)
 - 1) Coal throughput data required to be recorded by condition V.D.4.a above; and
 - 2) Non-compliance information required to be recorded by V.D.4.b above.
- b. Reporting instances of non-compliance in accordance with condition V.D.5.a.2) above does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)

6. Work Practice Standards

- a. The permittee shall not, at any time, conduct coal handling and storage operations unless all equipment is properly operated and maintained according to good engineering and air pollution control practices. (§2105.03)
- b. If any visible emissions from coal handling and storage operations are observed to extend beyond the facility property line, the permittee shall take reasonable response steps in accordance with the Fugitive Dust Emissions Control Plan submitted to the Department. Failure to take corrective steps shall be considered a deviation from this permit.

“PERMIT SHIELD” IN EFFECT.

E. Process Equipment: Ash Handling, Processing, and Storage

Process Description: Fly ash handling/processing (vacuum pump discharge vents located inside the boiler building, fly ash silo dust collector, fly ash silo loadout) and bottom ash handling/processing (truck loading/unloading, hopper loading, conveying, stacking, screening, and storage pile wind erosion)

Capacity: Approximately 221,110 tons/yr fly ash; approximately 70,000 tons/yr bottom ash
Control Device: Fabric filters (fly ash vacuum pump discharge vents and fly ash silo dust collector); wet suppression primarily used for fugitive dust control

1. Restrictions:

- a. The permittee shall conduct fly ash and bottom ash handling, processing, and storage operations in a manner such that emissions from these operations are not visible at or beyond the facility property line at any time. (§2104.05)
- b. The permittee shall not cause to be discharged into the atmosphere from either of the two (2) fly ash silo baghouse vents particulate matter emissions in excess of 0.02 grains/dscf at any time. (§2105.03)
- c. The permittee shall ensure that the fly and bottom ash handling operations, including material handling and storage pile wet suppression systems, are in operation and control emissions in accordance with the Fugitive Dust Emissions Control Plan submitted to the Department, as follows: (§2105.49)
 - 1) Fly Ash Handling:
 - a) The permittee shall conduct fly ash load-out operations in such a manner that overfilling of trucks does not occur.
 - b) The permittee shall ensure prompt clean-up of any spillage of ash during load-out upon occurrence.
 - c) The permittee shall inspect the ash unloaders at least once per week to ensure that the ash is uniformly wet and flow is unimpeded.
 - d) Plant personnel shall ensure that all trucks leaving the ash loading area are washed at the on-site truck wash station unless the average ambient temperature is 32°F or lower.
 - e) The permittee shall control fugitive particulate emissions from material storage piles, ash load-out, and other ash handling activities through the use of water or water and chemical suppression, as needed.
 - f) Plant personnel shall ensure that all trucks leaving the ash loading area are tarped prior to leaving the loading area.
 - 2) Bottom Ash Processing:
 - a) The permittee shall instruct plant operators not to overfill truck beds.
 - b) The permittee shall minimize pile inventory.

2. Testing Requirements:

The Department reserves the right to require emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing, if required, shall be performed in accordance with Site Level Condition IV.13 above entitled "Emissions Testing." (§2103.12.h.1)

3. Monitoring Requirements (§2103.12.i):

- a. Observations of visible emissions from the fly ash handling operations (fly ash silo dust collector vents, and fly ash silo loadout) and bottom ash processing operations (truck loading/unloading, hopper loading, conveying, stacking, screening, and wind erosion from storage piles) shall be performed once per week during normal daylight operations during every week that the units are operating. A trained employee shall record whether any emissions are observed and whether these emissions extend beyond the facility property line.
- b. A trained employee is an employee who has worked at the plant at least one month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.
- c. An inspection shall be performed each calendar quarter of the dust collectors controlling particulate emissions from the fly ash vacuum pump discharge vents and fly ash silo vents.

4. Record Keeping Requirements (§2103.12.j):

- a. The permittee shall keep and maintain the following data for the ash handling and storage equipment (§2103.12.h.1):
 - 1) Fly ash and bottom ash throughput (tons/day);
 - 2) A daily log of time and location of treated pile areas, identification of dust suppressants if applied, meter readings of spray bar and/or pump or odometer reading of trucks used to apply water and/or dust suppressants, dilution ratios of the dust suppressants and diluent used if chemical suppressants are used, and purchase records of the chemical suppressants, if used.
 - 3) Records of the visible emission notations as required by V.E.3.a above; and
 - 4) Records of operation, maintenance, inspection, calibration and/or replacement of ash handling and storage equipment and fly ash vacuum pump discharge and silo dust collector vent fabric filters.
- b. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance.(§2103.12.h.1)
- c. All records shall be retained by the facility for at least five (5) years. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j.2)

5. Reporting Requirements (§2103.12.k):

- a. The permittee shall report the following information to the Department quarterly in accordance with General Condition III.15 above. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)
 - 1) Fly ash and bottom ash throughput data required to be recorded by V.E.4.a above above;
 - 2) Non-compliance information required to be recorded by V.E.4.b above.
- b. Reporting instances of non-compliance in accordance with condition V.E.5.a.2) above does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)

6. Work Practice Standards

- a. The permittee shall not, at any time, conduct ash handling and storage operations unless all equipment is properly operated and maintained according to good engineering and air pollution control practices. (§2105.03)
- b. If any visible emissions from ash handling and storage operations are observed to extend beyond the facility property line, the permittee shall take reasonable response steps in accordance with the Fugitive Dust Emissions Control Plan submitted to the Department, as specified at condition V.E.1.c above. Failure to take corrective steps shall be considered a deviation from this permit.

“PERMIT SHIELD” IN EFFECT.

F. Plant Roads

Process Description: Vehicular traffic on plant paved and unpaved roads

Annual Vehicle Miles: 37,313 (approximate, paved roads); 15,100 (approximate, unpaved roads)

Control Methods: Wet suppression, chemical treatment, road cleaning, and traffic speed enforcement primarily used for fugitive dust control

1. Restrictions:

- a. The permittee shall take actions to minimize the potential for fugitive emissions from vehicular traffic, including but not limited to, the following: (§2105.49)
 - 1) The periodic scraping of fine dust from haul roads;
 - 2) The use of water sprays and dust suppressants;
 - 3) Periodic street sweeping of paved roads, including Pittsburgh Street in front of the plant; and
 - 4) Post and maintain vehicle speed below ten (10) miles per hour.

2. Testing Requirements (§2103.12.h.1):

None except as specified elsewhere.

3. Monitoring Requirements (§2103.12.i):

The permittee shall maintain a log of the time, location, type and amount of roadway surface treatment required at condition V.F.1.a above.

4. Record Keeping Requirements (§2103.12.j):

- a. The permittee shall maintain records describing the time, location, type and amount of roadway surface treatment required at condition V.F.3 above. Records shall be maintained on-site for at least five years and provided to the Department upon request. Such records shall include the following: (§2103.12.j)
 - 1) For paved roads and parking areas:
 - a) Daily log of time and location of any vacuum sweeping conducted, including daily engine run time or odometer readings;
 - b) Identification, time and location of any maintenance, repairs, patching, treatment, or repaving of roads; and
 - c) Maintenance of a log explaining the reasons any required vacuum sweeping was not performed.
 - 2) For unpaved roads and shoulders of paved roads:
 - a) Daily log of time and location of treated areas;
 - b) Identification of dust suppressants if applied;
 - c) Daily log of meter readings of spray bar and/or pump or odometer reading of trucks used to apply water and/or dust suppressants;
 - d) Daily log of the dilution ratios of the dust suppressants and diluent used if chemical suppressants are used; and,

- e) Purchase records of the chemical suppressants, if used.
- b. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance. (§2103.12.h.1)
- c. All records shall be retained by the facility for at least five (5) years. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j.2)

5. Reporting Requirements (§2103.12.k):

- a. The permittee shall report non-compliance information required to be recorded by the Department in condition V.F.4.b above in accordance with General Condition III.15. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)
- b. Reporting instances of non-compliance in accordance with condition V.F.5.a does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)

6. Work Practice Standards (§2103.12.h.1)

- a. In addition to the requirements of condition V.F.1.a above, the permittee shall comply with the operation and control emissions as specified in the Fugitive Dust Emissions Control Plan submitted to the Department as follows:
 - 1) Plant personnel shall ensure that all trucks entering the plant are tarped, free of debris and not leaking, and shall prohibit trucks not complying with such requirements from entering the plant.
 - 2) Trucks shall be restricted to driving on designated thoroughfares and shall not drive on unpaved road shoulders or other restricted plant areas.
 - 3) The permittee shall ensure prompt clean-up of any roadway spillage upon occurrence.

“PERMIT SHIELD” IN EFFECT.

G. Station Cooling Water Cooling Tower

Process Description: One cooling tower of cross flow forced draft design, consisting of three (3) identical cells
Capacity: 13,000 gallons recirculating water per minute
Raw Material(s)/Fuel(s): River make-up water
Control Device: Mist eliminators

1. Restrictions:

- a. The permittee shall properly maintain and operate the subject cooling tower at all times according to the following conditions: (§2103.12.a.2.B)
 - 1) The subject unit shall use treated river water at all times.
 - 2) The cooling tower shall be equipped with a mist eliminator which shall operate at all times of unit operation and shall achieve a drift factor of 0.0011% of the circulating water flow or better, as established by the manufacturer.
 - 3) The cooling tower shall be operated and maintained in accordance with the manufacturer’s specifications and instructions.
- b. Particulate emissions from each cooling tower cell shall not exceed the limitations in Table V.G.1. below at any time: (§2103.12.a.2.B)

TABLE V.G.1 Cooling Tower Emission Limitations

Pollutant	Hourly Emission Limit lb/hr	Annual Emission Limit tons/year*
Particulate Matter	0.04	0.17
PM-10	0.04	0.17
PM-2.5	0.04	0.17

* A year is defined as any consecutive 12-month period.

2. Testing Requirements:

The Department reserves the right to require emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing shall be performed in accordance with Site Level Condition IV.13 entitled “Emissions Testing.” (§2103.12.h.1)

3. Monitoring Requirements (§2102.04.e):

- a. The permittee shall monitor the total dissolved solids (TDS) of the make-up water at least once per month. (§2103.12.i)

4. Record Keeping Requirements (§§2103.12.j & k):

- a. The permittee shall keep and maintain the records of TDS required to be monitored by condition V.G.3.a above and present such records upon request by the Department. (§2103.12.j)
- b. The permittee shall keep and maintain the manufacturer's specifications for the mist eliminator including the drift factor and present such records upon request by the Department. (§2103.12.j)
- c. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance. (§2103.12.j)
- d. All records shall be retained by the facility for at least five (5) years. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j)

5. Reporting Requirements:

- a. The permittee shall report non-compliance information required to be recorded by the Department in V.G.4.c accordance with General Condition III.15 above. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)
- b. Reporting instances of non-compliance in accordance with condition V.G.5.a does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)

6. Work Practice Standards:

None unless provided elsewhere.

“PERMIT SHIELD” IN EFFECT.

H. Facility Space Heaters

Process Description:	Seven portable torpedo space heaters, four rated at 0.6 MMBtu/hr each; two rated at 0.35 MMBtu/hr each, and one rated at 0.15 MMBtu/hr
Max. Heat Input:	3.25 MMBtu/hr, combined
Raw Material(s)/Fuel(s):	Kerosene
Control Device:	None

1. Restrictions:

- a. The permittee shall maintain and operate the subject equipment in accordance with good engineering and air pollution control practices. (§2103.12.a.2.B)
- b. The kerosene fuel combusted in the space heaters shall have a maximum fuel sulfur content of 0.05% (weight). (§2103.12.a.2.B)
- c. Kerosene fuel usage in the space heaters shall not exceed a total of 210.9 thousand gallons in any 12 consecutive months, based on a heating value of 135,000 btu per gallon. (§2103.12.a.2.B)

2. Testing Requirements:

The Department reserves the right to require emissions testing sufficient to assure compliance with the terms and conditions of this permit. Such testing shall be performed in accordance with Site Level Condition IV.13 entitled "Emissions Testing." (§2103.12.h.1)

3. Monitoring Requirements (§2102.04.e):

None unless provided elsewhere.

4. Record Keeping Requirements (§§2103.12.j & k):

- a. The permittee shall keep and maintain the following data for the space heaters: (§2103.12.a.2.B)
 - 1) Combined kerosene consumption (monthly and 12-month);
 - 2) Records of kerosene supplier's certification of sulfur content, and kerosene heating value (each shipment received);
 - 3) Records of operation, maintenance, inspection, calibration and/or replacement of combustion equipment.
- b. The permittee shall record all instances of non-compliance with the conditions of this permit upon occurrence along with corrective action taken to restore compliance. (§2103.12.j)
- c. All records shall be retained by the facility for at least five (5) years. These records shall be made available to the Department upon request for inspection and/or copying. (§2103.12.j)

5. Reporting Requirements:

- a. The permittee shall report non-compliance information required to be recorded by the Department in V.H.4.b accordance with General Condition III.15 above. The reports shall contain all required information for the time period of the report: (§2103.12.k.1)

- b. Reporting instances of non-compliance in accordance with condition V.H.5.a above does not relieve the permittee of the requirement to report breakdowns in accordance with Site Level Condition IV.8 above, if appropriate. (§2103.12.k.1)

6. Work Practice Standards:

None unless provided elsewhere.

“PERMIT SHIELD” IN EFFECT.

VI. ALTERNATIVE OPERATING SCENARIOS

There are no alternative operating scenarios for this facility.

VII. EMISSIONS LIMITATION SUMMARY

[This section is provided for informational purposes only and is not intended to be an applicable requirement.]

The tons/year emission limitations for the Cheswick Power Station are summarized in the following table:

**TABLE VII-1
Emission Limitations**

POLLUTANT	ANNUAL EMISSION LIMIT (tons/year)*
Particulate Matter	1,933.27
PM-10	1,933.27
PM-2.5	1,933.27
SO_x	67,508.5
NO_x	10,883.2
CO	582.5
VOC	82.4

* A year is defined as any consecutive 12-month period.

VIII. MISCELLANEOUS

The following table summarizes the processes and/or activities conducted at the Cheswick Power Station that were determined to be insignificant.

TABLE VIII-1
Insignificant Processes

I.D.	SOURCE DESCRIPTION	BASIS FOR EXEMPTION
F-001	Boiler Bldg. Deaerator Drain Overboard to Waste	Water treatment/Inert gas emissions
F-002	Boiler Bldg. Chemical Cleaning Connections	Maintenance activity
F-003	Boiler Bldg. Bypass Line Drains	Maintenance activity
V-002	Gas Header Vents	Inert gas emissions
F-004, F-005	Boiler Bldg. Penthouse Door and Ports	Maintenance activity
F-007	Boiler Bldg. Chemical Feed Safety Valve	Water treatment/Inert gas emissions
F-008	Auxiliary Boiler Circ. Pump Excess Oil Drain	Maintenance activity
F-009	Boiler Blowoff Tank Acid Cleaning Conn.	Maintenance activity
V-013	Boiler Bldg. Condenser Hogging Pump Vents	Water treatment/Inert gas emissions
V-014	Turb. Rm. Bowser Vapor Extractor Vent	Turbine oil vapor extractors
V-015	Turb. Rm. Main Unit Res. Vapor Extractor	Turbine oil vapor extractors
V-016	Machine Shop and Weld Vents	Machine shop for routine maintenance
V-017	Turbine Lube Oil Room	Storage/distribution of turbine lube oil
V-018, V-019	Boiler Bldg. Transformer Room Vents	Air conditioning/ventilation systems
F-010	Boiler Bldg. Drain for Booster Pump	Maintenance activity
F-011	Boiler Bldg. Economizer Inlet HDR Conn.	Maintenance activity
F-016	Boiler Bldg. Condenser Tube Cleaning Conn.	Maintenance activity
T-001	Boiler Bldg. Waste Neutralizing Tank Vent	Water/wastewater treatment
F-017	Waste Neutralizing Tank Sample Conn.	Water/wastewater treatment
F-018	Boiler Bldg. Caustic Measuring Tank Drain	Inert gas emissions
F-019, T-002	Boiler Bldg. Acid Storage Tank Fill Conn. & Vent	Acid storage/distribution (non-HAP)
F-020, T-003	Boiler Bldg. Caustic Storage Tank Fill Conn. & Vent	Caustic storage/distribution
F-021, F-022	Boiler Bldg. Cation Exchange Unit Vent & Drains	Inert gas emissions
F-023	Boiler Bldg. Degasifier Vent	Inert gas emissions
F-024, F-025	Boiler Bldg. Anion Exchange Unit Vent & Sample Port	Water/wastewater treatment
T-004, F-027	Turbine Lube Oil Tank Vent & Mist Eliminator Vent	Storage/distribution of turbine lube oil
T-005, T-006	BFP Turbine Lube Oil Tank Vent	Storage/distribution of turbine lube oil
V-020, V-021, V-022	Lube Oil Conditioner Vent, Water Overflow Drain, Filter Compart. Drain	Maintenance activity
V-024, V-025	Lube Oil Conditioner Sample Conn. Inlets & Discharge	Maintenance activity
T-007	Lube Oil Storage Tank Vent	Storage/distribution of turbine lube oil
V-026, V-027, V-028	Lube Oil System Makeup Point, Fill Connection & Drain Connection	Maintenance activity
F-028, F-029	Fuel Oil Truck Unloading Vents, Drains, & Strainer	Storage/distribution of fuel oil
T-008 ⁽¹⁾	Fuel Oil Storage Tank Vent	Storage/distribution of fuel oil
F-030, F-031,	Fuel Oil Storage Tank Drains and Tank Overflow	Storage/distribution of fuel oil

I.D.	SOURCE DESCRIPTION	BASIS FOR EXEMPTION
F-032		
F-033	Diesel Oil Pump & Hose Station	Storage/distribution of fuel oil
F-034, F-035, F-036, F-037	Hydrogen Storage Bottles, Safety Valve, Control Cabinet & Drains	Inert gas emissions
F-038	H2/CO2 Drain to Floor	Inert gas emissions
F-039	Condensate Overboard Drain to Waste	Water/wastewater treatment
F-040	Boiler Drains, Vents & Sample Points	Maintenance activity
V-031, F-041	Oil Storage Room Vent; Dozer Maintenance Area	Service/maintenance shop for mobile sources
T-009	Waste Oil Storage Tanks	Storage/distribution of waste oil
F-042	New Oil Storage Drum Area	Storage/distribution of fuel oil
V-032	Pump House – Oil & Solvent Storage	Storage/distribution of fuel oil & solvents
V-033	Deep Well Pump Vent	Water/wastewater treatment
F-043	Pyrite Dump Hopper	Material handling system with no emissions
V-037	Battery Room Vent	Inert gas/pure air emissions
V-038, V-039	Natural Gas Vent (Outside) & Building Vent	Inert gas/pure air emissions
V-040	Sewage Ejector Pit Vent	Water/wastewater treatment
F-049	East & West Switch Yards & Open Lot	Equipment with no emissions
F-054	Hydrobin Tanks (2 tanks)	Material handling system with no emissions
V-041	Pump House	Water/wastewater treatment
V-042	Sump Pump Bldg.	Water/wastewater treatment
V-043	Cycle Pump House	Water/wastewater treatment
V-044	Turbine Oil Storage for Hydraulics	Storage/distribution of turbine oil
V-045	Coal Pile Runoff Lime Silo Baghouse	Water/wastewater treatment
F-058	Bldg. Air Conditioner Systems	Air conditioning/ventilation system
F-059	Fire Protection CO2 Bottles	Fire protection equipment
T-011	Bottom Ash Processing Fuel Oil Tank	Storage/distribution of fuel oil

IX. APPENDIX A: ACID RAIN PERMIT

(ATTACHED)



*Allegheny County Health Department
Air Quality Program*

PHASE II Acid Rain Permit

Issued to: Orion Power Midwest
Cheswick Power Plant Unit No.1
Operated by: Orion Power Midwest
ORIS: 8226
Effective:

Acid Rain Permit Contents

- 1. Statement of Basis**
- 2. Unit Specific Requirements and Allowances**
- 3. Additional Permit Requirements (Article XXI, §2103.22.j)**
- 4. Permit Application (Attached)**



Sandra L. Etzel
Air Pollution Control Manager

December 30, 2010

Date Issued

Statement of Basis

Statutory and Regulatory Authority

In accordance with 40 CFR 70.6(a)(1) and 40 CFR 72.70(b), the Allegheny County Health Department issues this permit pursuant to §2103.22.j, *Allegheny County Health Department, Rules and Regulations, Article XXI, Air Pollution Control*.

Unit Specific Requirements

Unit 1 - Source ID #1:

Year:	2010	2011	2012	2013	2014
SO2 Allowances:	16919	16919	16919	16919	16919

Year:	2010	2011	2012	2013	2014
NOx Limitation:	0.45 lbs/mmBtu on an annual average basis				

Definitions

The definitions found in 40 CFR §72.2 are incorporated by reference into this permit.

Permit Shield

Each affected unit operated in accordance with this Acid Rain permit shall be deemed to be operating in compliance with the Acid Rain Program, except as provided in § 72.9(g)(6).

Additional Permit Requirements:

1. In accordance with Article XXI §2103.22.j.4, the source is required to achieve compliance with this permit as soon as possible but no later than the date required by the Clean Air Act or the regulations thereunder for the source.
2. In accordance with Article XXI §2103.22.j.6 this permit prohibits the following:
 - a) 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.
 - b) Exceeding applicable emission rates or standards, including ambient air quality standards.
 - c) The use of an allowance prior to the year for which it is allocated.
 - d) Contravention of other provisions of the permit.
3. In accordance with Article XXI §2103.22.j.7, this permit prohibits the emission of sulfur dioxide which exceeds any allowances that the source lawfully holds under Title IV of the Clean Air Act or the regulations thereunder.
 - a) 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.
 - b) 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.
 - c) An allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.
4. The source shall comply with all of the requirements in the Phase II Acid Rain Permit Application.



Phase II NO_x Averaging Plan

For more information, see instructions and refer to 40 CFR 76.11

Page 1

This submission is: New Revised

STEP 1

Identify the units participating in this averaging plan by plant name, State, and boiler ID# from NADB. In column (a), fill in each unit's applicable emission limitation from 40 CFR 76.5, 76.6, or 76.7. In column (b), assign an alternative contemporaneous annual emissions limitation (ACEL) in lb/mmBtu to each unit. In column (c), assign an annual heat input limitation in mmBtu to each unit. Continue to page 3 if necessary.

Plant Name	State	ID#	(a) Emission Limitation	(b) ACEL	(c) Annual Heat Input Limit
Cheswick	PA	1	0.45	0.44	29,100,000
Elrama	PA	1	0.80	0.57	4,200,000
Elrama	PA	2	0.80	0.57	5,130,000
Elrama	PA	3	0.80	0.57	4,540,000
Elrama	PA	4	0.46	0.57	9,500,000
New Castle	PA	3	0.46	0.50	4,220,000
New Castle	PA	4	0.46	0.50	3,860,000
New Castle	PA	5	0.46	0.50	6,510,000
Avon Lake	OH	10	0.40	0.60	4,723,000
Avon Lake	OH	12	0.68	0.65	38,695,000

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan

0.56

Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7

0.57

≤

$$\frac{\sum_{i=1}^n (R_{Li} \times HI_i)}{\sum_{i=1}^n HI_i}$$

$$\frac{\sum_{i=1}^n [R_{Li} \times HI_i]}{\sum_{i=1}^n HI_i}$$

≤

Where,

- R_{Li} = Alternative contemporaneous annual emission limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;
- R_{ii} = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;
- HI_i = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;
- n = Number of units in the averaging plan

Plant Name (from Step 1) Avon Lake

STEP 3

Mark one of the two options and enter dates.

X This plan is effective for calendar year 2010 through calendar year 2014 unless notification to terminate the plan is given.

Treat this plan as identical plans, each effective for one calendar year for the following calendar years: _____, _____, _____, _____ and _____ unless notification to terminate one or more of these plans is given.

STEP 4

Read the special provisions and certification, enter the name of the designated representative, and sign and date.

Special Provisions

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO_x under the plan only if the following requirements are met:

- (i) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
 - (a) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan,
 - (b) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan, or
- (ii) If one or more of the units does not meet the requirements of (i), the designated representative shall demonstrate, in accordance with 40 CFR 76.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
- (iii) If there is a successful group showing of compliance under 40 CFR 76.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (i).

Liability

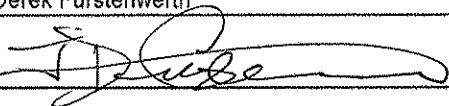
The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name J. Derek Furstenwerth	
Signature 	Date 21 Dec 09