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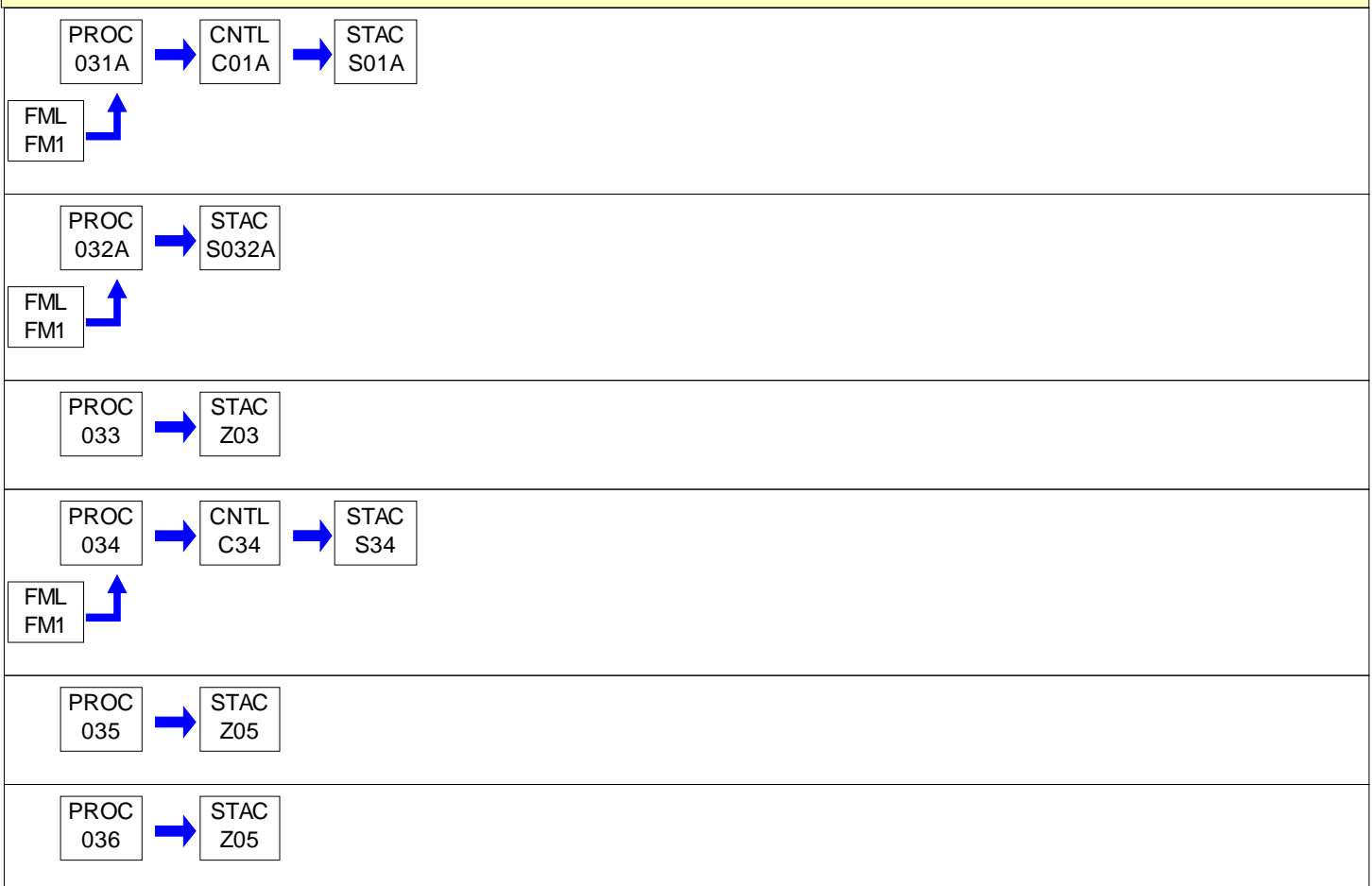
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**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
031A	GE RETRO TURB (31601/31,370 HP@ZERO DEGREE F)		
032A	EMERGENCY GENERATOR, WAUKESHA VGF36GL, 880 BHP		
033	GAS RELEASES		
034	SOLAR TITAN TURBINE, MODEL 250-30002S3, NEMA 26000BHP, LEAN	239.420 MMBTU/HR	
035	VESSELS/TANKS/TRUCK LOADING/PIPING		
036	PARTS WASHER	1.000 Lbs/HR	VOC
C01A	CONTROL, CO OXIDATION CATALYST		
C34	CONTROL, TITAN, CO OXIDATION CATALYST		
FM1	FUEL MATERIAL, NATURAL GAS		
S01A	STACK, GE RETRO TURBINE		
S032A	STACK, WAUKESHA		
S34	STACK, TITAN		
Z03	FUGITIVE EMISSIONS		
Z05	FUGITIVE EMISSIONS		

PERMIT MAPS

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

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

#002 [25 Pa. Code § 121.7]**Prohibition of Air Pollution**

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

#003 [25 Pa. Code § 127.512(c)(4)]**Property Rights**

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

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

This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit. The terms and conditions of the expired permit shall automatically continue pending issuance of a new Title V permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

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

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

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

(c) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413. The application for renewal of the Title V permit shall also include submission of compliance review forms which have been used by the permittee to update information submitted in accordance with either 25 Pa. Code § 127.412(b) or § 127.412(j).

(d) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information during the permit renewal process. The permittee shall also promptly provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

#006 [25 Pa. Code §§ 127.450(a)(4) & 127.464(a)]**Transfer of Ownership or Operational Control**

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

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

(2) A written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee; and,

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

**SECTION B. General Title V Requirements**

the Department.

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

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

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

- (1) Enter at reasonable times upon the permittee's premises where a Title V source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;
- (2) Have access to and copy or remove, at reasonable times, records that are kept under the conditions of this permit;
- (3) Inspect at reasonable times, facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;
- (4) Sample or monitor, at reasonable times, substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act.

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

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

(a) The permittee shall comply with the conditions of this permit. Noncompliance with this permit constitutes a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one (1) or more of the following:

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

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

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this Title V permit.

#009 [25 Pa. Code § 127.512(c)(2)]**Need to Halt or Reduce Activity Not a Defense**

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

**SECTION B. General Title V Requirements****#010 [25 Pa. Code §§ 127.411(d) & 127.512(c)(5)]****Duty to Provide Information**

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

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

#011 [25 Pa. Code §§ 127.463, 127.512(c)(3) & 127.542]**Reopening and Revising the Title V Permit for Cause**

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

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

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

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

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

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

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

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

#012 [25 Pa. Code § 127.543]**Reopening a Title V Permit for Cause by EPA**

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

#013 [25 Pa. Code § 127.522(a)]**Operating Permit Application Review by the EPA**

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

R3_Air_Apps_and_Notices@epa.gov

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

**SECTION B. General Title V Requirements****#014 [25 Pa. Code § 127.541]****Significant Operating Permit Modifications**

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

R3_Air_Apps_and_Notices@epa.gov

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

#015 [25 Pa. Code §§ 121.1 & 127.462]**Minor Operating Permit Modifications**

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

R3_Air_Apps_and_Notices@epa.gov

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

#016 [25 Pa. Code § 127.450]**Administrative Operating Permit Amendments**

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

R3_Air_Apps_and_Notices@epa.gov

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

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

#017 [25 Pa. Code § 127.512(b)]**Severability Clause**

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

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

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

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

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

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

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

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

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

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

#019 [25 Pa. Code §§ 127.14(b) & 127.449]**Authorization for De Minimis Emission Increases**

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

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

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

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

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

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

(2) One ton of NO_x from a single source during the term of the permit and 5 tons of NO_x at the facility during the term of the permit.

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

(4) Six-tenths of a ton of PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.

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

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

(1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.

(2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.

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(3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility, liquefied petroleum gas or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code § 123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.

(4) Space heaters which heat by direct heat transfer.

(5) Laboratory equipment used exclusively for chemical or physical analysis.

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

(d) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:

(1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (b)(4) and (5) of this permit condition.

(2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.

(3) Violate any applicable requirement of the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

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

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

(f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.

(g) Except for de minimis emission increases allowed under this permit, 25 Pa. Code § 127.449, or sources and physical changes meeting the requirements of 25 Pa. Code § 127.14, the permittee is prohibited from making physical changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

(h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

#020 [25 Pa. Code §§ 127.11a & 127.215]**Reactivation of Sources**

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

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

#021 [25 Pa. Code §§ 121.9 & 127.216]**Circumvention**

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

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

(b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this permit, the Air Pollution Control Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors.

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

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

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

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

Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch
Air Section
1650 Arch Street, 3ED21
Philadelphia, PA 19103

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

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

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

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

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

#024 [25 Pa. Code § 127.513]**Compliance Certification**

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

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

(b) The compliance certification shall be postmarked or hand-delivered no later than thirty days after each anniversary of

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the date of issuance of this Title V Operating Permit, or on the submittal date specified elsewhere in the permit, to the Department in accordance with the submission requirements specified in Section B, Condition #022 of this permit. The Title V compliance certification shall be emailed to EPA at R3_APD_Permits@epa.gov.

#025 [25 Pa. Code §§ 127.511 & Chapter 135]**Recordkeeping Requirements**

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

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

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

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

#026 [25 Pa. Code §§ 127.411(d), 127.442, 127.463(e) & 127.511(c)]**Reporting Requirements**

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

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

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

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

**SECTION B. General Title V Requirements****#027 [25 Pa. Code § 127.3]****Operational Flexibility**

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

- (1) Section 127.14 (relating to exemptions)
- (2) Section 127.447 (relating to alternative operating scenarios)
- (3) Section 127.448 (relating to emissions trading at facilities with federally enforceable emissions caps)
- (4) Section 127.449 (relating to de minimis emission increases)
- (5) Section 127.450 (relating to administrative operating permit amendments)
- (6) Section 127.462 (relating to minor operating permit amendments)
- (7) Subchapter H (relating to general plan approvals and operating permits)

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

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

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

- (1) The permittee shall submit the first RMP to a central point specified by EPA no later than the latest of the following:
 - (i) Three years after the date on which a regulated substance is first listed under § 68.130; or,
 - (ii) The date on which a regulated substance is first present above a threshold quantity in a process.

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

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

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

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

- (1) Submit a compliance schedule for satisfying the requirements of 40 CFR Part 68 by the date specified in 40 CFR § 68.10(a); or,
- (2) Certify that the Title V facility is in compliance with all requirements of 40 CFR Part 68 including the registration and submission of the RMP.

**SECTION B. General Title V Requirements**

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

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

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

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

#029 [25 Pa. Code § 127.512(e)]**Approved Economic Incentives and Emission Trading Programs**

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

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

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

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

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

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

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

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

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

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

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

#031 [25 Pa. Code §135.3]**Reporting**

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

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

#032 [25 Pa. Code §135.4]**Report Format**

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

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

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

- (a) Construction or demolition of buildings or structures.
- (b) Grading, paving and maintenance of roads and streets.
- (c) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.
- (d) Clearing of land.
- (e) Stockpiling of materials.
- (f) Open burning operations.
- (g) Sources and classes of sources other than those identified above, for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:
 - (1) The emissions are of minor significance with respect to causing air pollution;
 - (2) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air standard.

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

The permittee shall not allow the emission of fugitive particulate matter into the outdoor atmosphere from a source specified in Condition #001 if the emissions are visible at the point the emissions pass outside the permittee's property.

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

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

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

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

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

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

The emission limitations of 123.41 shall not apply when:

- (a) The presence of uncombined water is the only reason for failure of the emission to meet the limitation;
- (b) The emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions;
- (c) The emission results from sources specified in Section C, Condition #001.

**SECTION C. Site Level Requirements****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall limit the facility's emissions to less than the following quantities, based on any consecutive 12-month rolling total:

- (a) Hazardous Air Pollutant (HAP): 10 tons
- (b) Combined HAPs: 25 tons

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.**# 007 [25 Pa. Code §123.43]****Measuring techniques**

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

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

008 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall conduct a monthly inspection during regular business workdays around the plant periphery during the daylight hours when the plant is in production to detect visible emissions, fugitive visible emissions and malodorous emissions as follows:

- (a) Visible emissions in excess of the limits stated in Section C, Condition #004. Visible emissions may be measured according to the methods specified in Section C, Condition #007. As an alternative, plant personnel who observe such visible emissions shall report each incident to the Department within four hours of the occurrence and arrange for a certified observer to read the visible emissions.
- (b) The presence of fugitive visible emissions beyond the plant property boundaries, as stated in Section C, Condition #002.
- (c) Presence of malodorous air contaminants beyond the plant property boundaries as stated in Section C, Condition #003.

IV. RECORDKEEPING REQUIREMENTS.

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

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

- (a) An annual emissions report containing monthly records of fuel usage and operating hours for the sources listed in this operating permit shall be submitted to the Department's Air Quality District Supervisor. The report for January 1 through December 31 is due no later than March 1 of the following year for each operating year authorized by the operating permit or its renewal.
- (b) The permittee may request an extension of time from the Department for filing of the report specified in paragraph (a), above, and the Department may grant the extension for reasonable cause.

**SECTION C. Site Level Requirements****# 010 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall report malfunctions which occur at the facility to the Department. As defined in 40 CFR Section 60.2 and incorporated by reference in 25 Pa. Code Chapter 122, a malfunction is any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or unusual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. Malfunctions shall be reported as follows:

(1) Malfunctions which pose an imminent danger to public health, safety, welfare and the environment, shall be immediately reported to the Department by telephone. Telephone reports can be made to the Air Quality Program at 814-946-7290 during normal business hours, or to the Department's Emergency Hotline 1800-541-2050 at any time. The Emergency Hotline phone number is changed/updated periodically. The current Emergency Hotline phone number can be found at <https://www.dep.pa.gov/About/Regional/SouthcentralRegion/Pages/default.aspx>. The permittee shall submit a written report of instances of such malfunctions to the Department within three (3) days of the telephone report.

(2) Unless otherwise required by this permit, any other malfunction that is not subject to the reporting requirements of paragraph (a) above, shall be reported to the Department, in writing, within five (5) days of discovery of the malfunction.

VI. WORK PRACTICE REQUIREMENTS.**# 011 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

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

(a) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.

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

(c) Paving and maintenance of roadways.

(d) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means [25 Pa. Code 123.1 and 123.2].

VII. ADDITIONAL REQUIREMENTS.**# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall calculate the monthly air emissions from the facility using AP-42 emission factors, manufacturer supplied emission factors, mass material balance, performance (stack) test data, or other method(s) acceptable to the Department. The permittee shall maintain records of the monthly air emissions and calculations.

(b) The permittee shall calculate the cumulative facility air emissions for each consecutive 12-month period. The permittee shall maintain records of the cumulative facility air emissions for each consecutive 12-month period in order to demonstrate compliance with Section C, Condition #006.

(c) The permittee shall maintain records of the monthly and annual usage of each fuel consumed at the entire facility.

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

013 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

Per Site Level Category VIII COMPLIANCE CERTIFICATION BELOW, as alternative to Section B Condition #020(b), forward

SECTION C. Site Level Requirements

the annual compliance certification report electronically to EPA, in lieu of the hard copy version, to the email address: R3_APD_Permits@epa.gov

014 [25 Pa. Code §129.14]**Open burning operations**

(a) No person shall conduct open burning of materials in such a manner that:

- (1) The emissions are visible, at any time, at the point such emissions pass outside the permittee's property.
- (2) Malodorous air contaminants from the open burning are detectable outside the permittee's property.
- (3) The emissions interfere with the reasonable enjoyment of life and property.
- (4) The emissions cause damage to vegetation or property.
- (5) The emissions are or may be deleterious to human or animal.

(b) Exceptions. The requirements of paragraph (a), above, do not apply where the open burning operations result from:

- (1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public official.
- (2) Any fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
- (3) A fire set for the prevention and control of disease or pests, when approved by the Department.
- (4) A fire set solely for recreational or ceremonial purposes.
- (5) A fire set solely for cooking food.

(c) This permit does not constitute authorization to burn solid waste pursuant to Section 610 (3) of the Solid Waste Management Act, 35 P. S. Section 6018.610 (3), or any other provision of the Solid Waste Management Act.

VIII. COMPLIANCE CERTIFICATION.

The permittee shall submit within thirty days of 01/01/2022 a certificate of compliance with all permit terms and conditions set forth in this Title V permit as required under condition #24 of section B of this permit, and annually thereafter.

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

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

SECTION D. Source Level Requirements

Source ID: 031A

Source Name: GE RETRO TURB (31601/31,370 HP@ZERO DEGREE F)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: 02
04
05
06



I. RESTRICTIONS.

Emission Restriction(s).

001 [25 Pa. Code §123.13]

Processes

The permittee shall not allow the emission into the outdoor atmosphere of particulate matter from Source ID 031A, at any time, in a manner that the concentration of the particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot.

002 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The permittee shall limit the NOx and CO emissions from the GE Turbine to the following:

- NOx: Normal Operations: 29.07 lb/hr
- NOx: Normal Operations: 72 tpy (based on a 12-month rolling total)
- NOx: All Modes of Operation: 197 lb/hr
- NOx: All Modes of Operation: 74 tpy (based on a 12-month rolling total)
- CO: Normal Operations: 6.12 lb/hr
- CO: Normal Operations: 15.4 tpy (based on a 12-month rolling total)
- CO: All Modes of Operation: 579 lb/hr
- CO: All Modes of Operation: 69 tpy (based on a 12-month rolling total)

Note: Until the NOx CEM is installed, begins collecting emission data for Source 031A, and is certified pursuant to Group 02 of the Title V operating permit No. 31-05019, Source 031A shall remain subject to a limit of 25 tons of NOx per ozone season, from May 1 through September 30.

II. TESTING REQUIREMENTS.

003 [25 Pa. Code §127.441]

Operating permit terms and conditions.

(a) Unless otherwise approved in writing by DEP, the permittee shall do the following:

- (1) conduct a reference method performance test for CO on Source 031A.
- (2) for the test in (a)(1), submit to DEP a test protocol for review and approval by no later than 365 days prior to the expiration of this permit, and not conduct the test that is the subject of the protocol until the protocol has been approved by DEP.
- (3) if DEP finds deficiencies in the protocol, the permittee shall provide a response to DEP addressing the deficiencies within 30 days of being notified of the deficiencies.

**SECTION D. Source Level Requirements**

(4) complete the performance test within 120 days of DEP's approval of the test protocol.

(5) conduct the test while the unit is operating within the 10 percent of 100 percent peak (or the highest achievable) source load, or at the normal achievable load based on the pipeline demands.

(b) Pursuant to 25 Pa. Code § 139.3 at least 15 calendar days prior to commencing an emission testing program, the permittee shall notify the appropriate Regional Office and the Division of Source Testing and Monitoring of the date and time of the performance test. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 25 Pa. Code § 139.53(a)(3) within 15 calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring and the Southcentral Regional Office indicating the completion date of the on-site testing.

(d) Pursuant to 40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g) a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test.

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

- (1) A statement that the permittee has reviewed the report from the emissions testing body and agrees with the findings.
- (2) Permit number(s) and condition(s) which are the basis for the evaluation.
- (3) Summary of results with respect to each applicable permit condition.
- (4) Statement of compliance or non-compliance with each applicable permit condition.

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

(g) All testing shall be performed in accordance with the provisions of 25 Pa. Code Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(h) Pursuant to 25 Pa. Code § 139.53(a)(1) and § 139.53(a)(3) all submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecomm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, the submittal shall be made as follows:

DEP's Southcentral Regional Office: Digital copy: RA-epscstacktesting@pa.gov

DEP's Bureau of Air Quality: Digital copy: RA-epstacktesting@pa.gov

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

[Compliance with the above permit condition assures compliance with 40 CFR 60 Subpart GG]

III. MONITORING REQUIREMENTS.

004 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The permittee shall operate and maintain a continuous monitoring system for CO emissions from the GE Turbine in

**SECTION D. Source Level Requirements**

accordance with the CO Monitoring Plan submitted on March 25, 2014.

005 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall monitor the following parameters for Source ID 031A while the turbine is operating, and use the most recent source testing results and these data to estimate and track the NOx and CO emissions from the source annually:

- (a) Fuel combustion on daily and monthly basis
- (b) Operating hours on daily and monthly basis
- (c) Exhaust gas and ambient temperatures

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

The applicant shall record dates and times of startup, shutdown, transient and low ambient periods for the turbine.

007 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall maintain comprehensive and accurate records of the following for Source ID 031A, retain the records for five years, and submit them to the Department's representative upon request:

- (a) Number of operating hours on a monthly basis, during the ozone season from May 1 through September 30, and on a yearly basis.
- (b) Amount of fuel consumed on both a monthly and yearly basis.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.**# 008 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The emissions levels specified in Condition #002 for "normal operations" do not apply to startup, shutdown, transient, low temperature, or low load operations. The "Normal" and "Non-normal" operations are defined as follows:

- (a) Startup: Commences with the fuel ignition in the combustion chamber and ends when the unit startup sequence is complete and stable DLN mode has been reached. The start-up period for the Frame 5 turbine shall not exceed 45 minutes per event.
- (b) Shutdown: Commences when the turbine stop sequence is initiated and ends when the fuel injection into the combustion chamber is terminated. The shutdown period for the Frame 5 turbine shall not exceed 42.5 minutes per event.
- (c) Transient: Periods when the turbine experiences combustion instability and reverts from the Pre-Mix Steady State (PMSS) operation to Lean-Lean Extended operation. Transient Periods is when operating conditions dynamically change and the turbine combustion system operates in diffusion flame mode (i.e., non-DLN mode) not to exceed 8 consecutive hours duration. Does not include startup, shutdown, low load, or low temperature events.
- (d) Low Load: Operation when load or load surrogate is outside manufacturer DLN performance guarantee. Low load

**SECTION D. Source Level Requirements**

operation is defined as "Operation when load or load surrogate is outside manufacturer DLN performance guarantee.

(e) Low Temperature: Operation when ambient air temperature is outside manufacturer DLN performance guarantee (e.g., < 0 degrees F).

VII. ADDITIONAL REQUIREMENTS.

009 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The opacity of exhaust gas from Source ID 031A shall not exceed ten percent at any time.

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

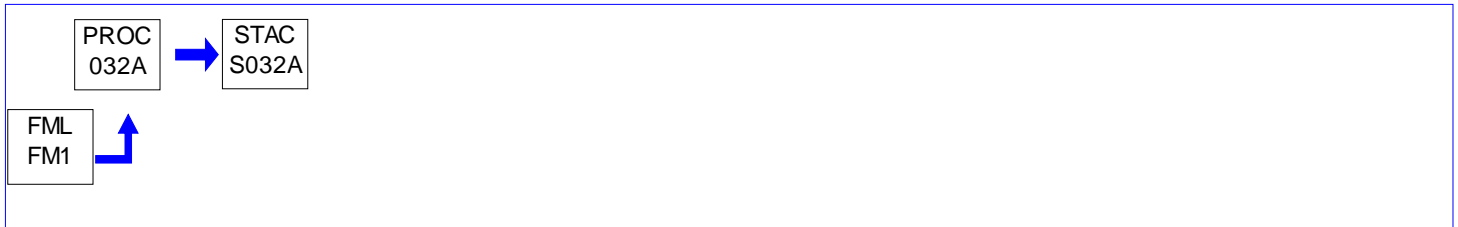
**SECTION D. Source Level Requirements**

Source ID: 032A

Source Name: EMERGENCY GENERATOR, WAUKESHA VGF36GL, 880 BHP

Source Capacity/Throughput:

Conditions for this source occur in the following groups: 03

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

(c)(1)(i) No person may permit the emission into the outdoor atmosphere of particulate matter from Source ID 032A in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

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

003 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

The permittee shall limit the operation of Source ID 032A to 500 hours per year or less.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

**SECTION D. Source Level Requirements****VI. WORK PRACTICE REQUIREMENTS.**

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

VII. ADDITIONAL REQUIREMENTS.**# 004 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6590]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What parts of my plant does this subpart cover?**

63.6590(a) An affected source is any existing, new, or reconstructed stationary RICE located at a major or area source of HAP emissions.

63.6590(a) (1) & (2), NA. SOURCE NOT LOCATED AT MAJOR HAP FACILITY.

63.6590(a)(3), Reconstructed stationary RICE: NOT APPLICABLE.

63.6590(b), Stationary RICE subject to limited requirements. NA.

[63.6590(b)(3)(vii) Existing commercial emergency stationary RICE located at an area source of HAP emissions; or

63.6590(b)(3)(viii) Existing institutional emergency stationary RICE located at an area source of HAP emissions.]

63.6590(c), Stationary RICE subject to Regulations under 40 CFR Part 60.

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

63.6590(c)(1): APPLICABLE. A new or reconstructed stationary RICE located at an area source. (OF HAPS).

63.6590(c)(2) through (c)(6): NOT APPLICABLE, THIS IS FOR ENGINES, NEW OR RECONSTRUCTED RICE, LESS THAN 500 BHP, LOCATED AT MAJOR SOURCE OF HAP EMISSIONS.

63.6590(c)(7): NOT APPLICABLE, FOR CI ENGINES AT MAJOR SOURCE OF HAPS.

005 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6665]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What parts of the General Provisions apply to me?**

63.6665, General Provisions:

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

(b) Any reports or notifications for the EPA Administrator of EPA Region 3 should be addressed to:

Air Enforcement Branch (3AP00)
United States Environmental Protection Agency



SECTION D. Source Level Requirements

Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

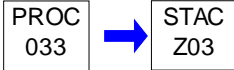
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 033

Source Name: GAS RELEASES

Source Capacity/Throughput:

**I. RESTRICTIONS.****Emission Restriction(s).**

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The permittee shall keep the VOC emissions from the gas release events at or less than 31.3 tons based on any consecutive 12-month rolling total.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

002 [25 Pa. Code §127.441]

Operating permit terms and conditions.

(a) The permittee shall maintain a monthly record of the VOC emissions attributable to gas release events, and demonstrate continued compliance with the 12-month rolling total upon request.

(b) The permittee shall maintain an annual record of all activities that result in the VOC emissions attributable to fugitive gas releases. The records shall also include the following activities:

(1) All routine maintenance blowdown, as well as emergency shut down (ESD), and the follow up maintenance and repairs including the oil vapor mist separators.

(2) The quantities of natural gas released, and its VOC content for each routine maintenance or ESD.

(c) The record may be retained on hard copy or in electronic format, and shall be made available to the Department's representative upon request.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

**SECTION D. Source Level Requirements****VII. ADDITIONAL REQUIREMENTS.**

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

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

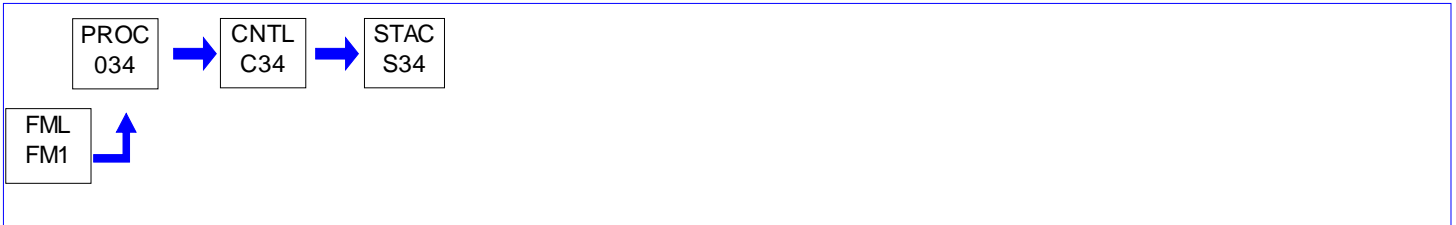
**SECTION D. Source Level Requirements**

Source ID: 034

Source Name: SOLAR TITAN TURBINE, MODEL 250-30002S3, NEMA 26000BHP, LEAN

Source Capacity/Throughput: 239.420 MMBTU/HR

Conditions for this source occur in the following groups: 01

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

(c)(1)(i) No person may permit the emission into the outdoor atmosphere of particulate matter from Source ID 034 in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

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

003 [25 Pa. Code §127.1]**Purpose.**

Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code Section 127.1, the permittee shall limit the emissions from the combustion turbine to the following quantities:

NO_x: Normal Operations: 15 ppm at 15% O₂

NO_x: Normal Operations: 12.96 lb/hr

NO_x: All Modes of Operation: 37.8 tpy (based on a 12-month rolling total)

CO: Normal Operations: 0.66 lb/hr

CO: All Modes of Operation: 7.2 tpy (based on a 12-month rolling total)

VOC (NMHC): Normal Operations: 0.82 lb/hr

VOC (NMHC): All Modes of Operation: 2.4 tpy (based on a 12-month rolling total)

004 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The emission levels specified in Conditions #003 for "normal operations" do not apply to startup, shutdown, transient, low temperature, or low load operations. The normal and non-normal operations are defined as follows:

(a) Start-Up: Commences with the fuel ignition in the combustion chamber and ends when the unit startup sequence is complete and stable DLN mode has been reached. The start-up period for the Titan 250 turbine shall not exceed 30 minutes per event.

(b) Shut-Down: Commences when the turbine stop sequence is initiated and ends when the fuel injection into the combustion chamber is terminated. The shutdown period for the Titan 250 turbine shall not exceed 30 minutes per event.

(c) Transient: Periods when operating conditions dynamically change and the turbine combustion system operates in diffusion flame mode (i.e., non-DLN mode) not to exceed 8 consecutive hours duration. Does not include startup, shutdown, low load, or low temperature events.

**SECTION D. Source Level Requirements**

(d) Low Load: Operation when load or load surrogate is outside manufacturer DLN performance guarantee.

(e) Low Temperature: Operation when ambient air temperature is outside manufacturer DLN performance guarantee (e.g., <0 degree F).

005 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall limit the Solar Titan Turbine's fuel consumption at 1,353,263,000 scf for each consecutive 12-month period.

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

The visible air contaminants from each combustion turbine exhaust stack shall not be emitted in such a manner that the opacity of the emission is equal to or greater than 10% for a period of periods aggregating more than 3 minutes in any one hour; or equal to or greater than 30% at any time.

007 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The natural gas combusted in the combustion turbines shall meet the definition of pipeline natural gas as per 40 CFR Part 60.331(u). Documentation shall be gas quality characteristics in a current, valid purchase contract, tariff sheet, or transportation contract for gaseous fuel, that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less, or as otherwise provided by 40 CFR 60.334(h)(3).

II. TESTING REQUIREMENTS.**# 008 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) Unless otherwise approved in writing by DEP, the permittee shall perform source testing for verification of compliance with the short-term NO_x, CO, and VOC emissions limits, once during the term of the permit, approximately six months prior to the permit expiration, and submit the results with the permit renewal application. The testing shall be done while the turbine is operating at 95 to 100 percent of maximum load for the ambient temperature at the time of the test, unless otherwise determined in writing by the Department.

(b) Unless otherwise approved in writing by DEP, the permittee shall do the following:

(1) Submit a test protocol to DEP at least forty-five (45) calendar days prior to commencing an emission testing program required by this permit. A Test Protocol shall be submitted to the Department's Division of Source Testing and Monitoring and the Air Quality Program Manager at the Southcentral Regional Office for review and approval. The Test Protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(2) If DEP finds deficiencies in the protocol, the permittee shall provide a response to DEP addressing the deficiencies within 30 days of being notified of the deficiencies.

(3) The emissions testing shall not commence prior to receipt of a protocol acceptance letter from the Department.

(c) Pursuant to 25 PA. Code Section 139.3 at least fifteen (15) calendar days prior to commencing an emission testing program required by this permit, written notification of the date and time of testing shall be provided to the Department's Southcentral Regional Office. Notification, in writing, shall also be sent to the Department's Bureau of Air Quality, Division of Source Testing and Monitoring. The Department is under no obligation to accept the results of any testing performed without adequate advance written notice to the Department of such testing. Notification shall also be sent to the Department's Division of Source Testing and Monitoring so that an observer may be present.

(d) Pursuant to 25 PA. Code Section 139.53(a)(3) within fifteen (15) calendar days after completion of the on-site testing portion of an emission test program required by this permit, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring at RA-epstacktesting@pa.gov and the Southcentral Regional Office indicating the completion date of the on-site testing.

**SECTION D. Source Level Requirements**

(e) Pursuant to 40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g) a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the on-site testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, a complete test report shall be submitted within 31 days after completion of the test.

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

- (1) A statement that the permittee has reviewed the report from the emissions testing body and agrees with the findings;
- (2) Permit number and condition(s) which are the basis for the evaluation;
- (3) Summary of results with respect to each applicable permit condition; and
- (4) Statement of compliance or non-compliance with each applicable permit condition.

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

(h) All testing shall be performed in accordance with 25 Pa. Code Chapter 139 (relating to sampling and testing).

(i) The following process data shall be recorded during each test run to document the operation of the combustion turbines:

- (1) The hours of operation for each combustion turbine
- (2) Hourly fuel consumption rate
- (3) The heat input rate for each combustion turbine for each hour, mmBtu/hr.
- (4) The gross and net power output in MW.
- (5) The gross and net heat rate for each turbine, Btu/kWh.

(j) Pursuant to 25 Pa. Code § 139.53(a)(1) and § 139.53(a)(3) all submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecommm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, the submittal shall be made as follows:

DEP's Southcentral Regional Office: Digital copy: RA-epscstacktesting@pa.gov

DEP's Bureau of Air Quality: Digital copy: RA-epstacktesting@pa.gov

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

(l) If, at any time, the Department has reason to believe that the air contaminant emissions from the combustion turbines are, or may be, in excess of any applicable air contaminant emission limitation, the permittee shall conduct such stack tests or source tests as are deemed necessary by the Department to determine the actual air contaminant emission rate. The permittee shall, upon the request of the Department, provide input material analyses, or input material samples used in the combustion turbines that are authorized to operate under this permit.

**SECTION D. Source Level Requirements****III. MONITORING REQUIREMENTS.****# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall monitor and record the inlet temperature for the CO oxidation catalyst on the turbine exhaust, and shall keep record of it as a 4-hour block average.

(b) Each 4-hour average of the catalyst inlet temperature which is not within the range 450 degree F - 1,350 degree F shall be considered a deviation.

(c) It shall be considered a deviation if the permittee fails to record at least 95% 4-hour temperature blocks per calendar half, expressed as a percentage of 4-hour blocks of source operating time.

(d) The permittee shall report to DEP semiannually, within 30 days of the end of each calendar half, any deviations per this condition. The report shall include:

(1) the date, time and 4-hour average reading of any blocks considered deviations

(2) the number of 4-hour blocks where temperature data was not collected, expressed as a percentage of 4-hour blocks of source operating time. A block is considered not collected unless there are three full hours of temperature data collected in it.

(3) if there were no deviations, a statement to that effect

(e) If there are more than 5% temperature block deviations, or more than 5% uncollected data, the permittee shall submit within 90 days of the end of the relevant calendar quarter, and plan to improve the performance of the relevant equipment in order to reduce or eliminate the deviations in future reporting periods.

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

The permittee shall maintain the following records, keep the records for five years, and make them available to the Department's representative upon request:

(a) Turbine operating hours, monthly and 12-month rolling total.

(b) Fuel usage, monthly and 12-month rolling total.

011 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall record dates and times of startup, shutdown, transient and low ambient periods for the turbine.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.**# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Department reserves the right to use the stack test results, and the operating parameters determined during



SECTION D. Source Level Requirements

optimization of the turbines and their associated air cleaning devices to verify emission rates, to establish emission factors, and to develop compliance assurance measures in the Operating Permit.

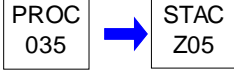
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 035

Source Name: VESSELS/TANKS/TRUCK LOADING/PIPING

Source Capacity/Throughput:

**I. RESTRICTIONS.****Emission Restriction(s).**

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The permittee shall keep the VOC emissions from the equipment that is part of this source at or less than 9.5 tons based on any consecutive 12-month rolling total.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION D. Source Level Requirements**

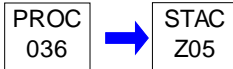
Source ID: 036

Source Name: PARTS WASHER

Source Capacity/Throughput:

1.000 Lbs/HR

VOC

**I. RESTRICTIONS.****Emission Restriction(s).**

001 [25 Pa. Code §129.63]

Degreasing operations

(a) Cold cleaning machines. This section applies to cold cleaning machines that use 2 gallons or more of solvents containing greater than 5% VOC content by weight for the cleaning of metal parts.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

002 [25 Pa. Code §129.63]

Degreasing operations

(a) Cold cleaning machines:

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

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

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

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

(ii) Be equipped with a cover that shall be closed at all times except during cleaning of parts or the addition or removal of

**SECTION D. Source Level Requirements**

solvent. For remote reservoir cold cleaning machines which drain directly into the solvent storage reservoir, a perforated drain with a diameter of not more than 6 inches shall constitute an acceptable cover.

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

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

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

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

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

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

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

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

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

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

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

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

(7) Paragraph (4) does not apply:

(i) To cold cleaning machines used in extreme cleaning service.

(ii) If the owner or operator of the cold cleaning machine demonstrates, and the Department approves in writing, that compliance with paragraph (4) will result in unsafe operating conditions.

(iii) To immersion cold cleaning machines with a freeboard ratio equal to or greater than 0.75.

(b) - (e) Batch /In-line vapor /Airless and airtight cleaning machines. NOT APPLICABLE

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION E. Source Group Restrictions.**

Group Name: 01

Group Description: NSPS, 40 CFR 60, Subpart KKKK, Source ID 034, Solar Titan Gas Turbine Driven Pipeline Gas (

[Sources included in this group](#)

ID	Name
034	SOLAR TITAN TURBINE, MODEL 250-30002S3, NEMA 26000BHP, LEAN

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4305]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****Does this subpart apply to my stationary combustion turbine?**

(a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart.

(b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part.

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4315]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What pollutants are regulated by this subpart?**

The pollutants regulated by this Subpart KKKK are nitrogen oxide (NOx) and sulfur dioxide (SO₂).

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4320]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What emission limits must I meet for nitrogen oxides (NOX)?**

(a) You must meet the emission limits for NOx specified in Table 1 to this subpart.

TABLE 1:

New Turbine firing natural gas, greater than 50 mmbtu/hr but ≤ 850 mmBtu.hr: 25 ppm at 15 % oxygen.

(b) NOT APPLICABLE, NO TWO OR MORE TURBINES ON ONE GENERATOR.

004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4330]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What emission limits must I meet for sulfur dioxide (SO₂)?**

(a) If your turbine is located in a continental area, you must comply with either paragraph (a)(1), (a)(2), or (a)(3) of this section. If your turbine is located in Alaska, you do not have to comply with the requirements in paragraph (a) of this section until January 1, 2008.

(1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO₂ in excess of 110 nanograms per Joule (ng/J) (0.90 pounds per megawatt-hour (lb/MWh)) gross output;

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO₂ /J (0.060 lb SO₂ /MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement; or

(3) [NA - DOES NOT BURN BIOGAS]

(b) [NA - TURBINE DOES NOT HAVE SPECIFIED GEOGRAPHY]

**SECTION E. Source Group Restrictions.****II. TESTING REQUIREMENTS.****# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4340]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I demonstrate continuous compliance for NOX if I do not use water or steam injection?**

(a) If you are not using water or steam injection to control NOx emissions, you must perform annual performance tests in accordance with §60.4400 to demonstrate continuous compliance. If the NOx emission result from the performance test is less than or equal to 75 percent of the NOx emission limit for the turbine, you may reduce the frequency of subsequent performance tests to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NOx emission limit for the turbine, you must resume annual performance tests.

(b) [NA - CMS OPTION NOT CHOSEN]

006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4400]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I conduct the initial and subsequent performance tests, regarding NOX ?**

60.4400(a) You must conduct an initial performance test, as required in §60.8. Subsequent NOx performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

(1) There are two general methodologies that you may use to conduct the performance tests. For each test run:

(i) Measure the NOx concentration (in parts per million (ppm)), using EPA Method 7E or EPA Method 20 in appendix A of this part. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then, use the following equation to calculate the NOx emission rate:

"Equation 5"

(Formula omitted...refer to regulation for exact formula notation).

Where:

E = NOx emission rate, in lb/MWh

1.194×10^{-7} = conversion constant, in lb/dscf-ppm

(NOx)c = average NOX concentration for the run, in ppm

Qstd = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

(ii) Measure the NOx and diluent gas concentrations, using either EPA Methods 7E and 3A, or EPA Method 20 in appendix A of this part. Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the NOx emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the NOx emission rate in lb/MWh.

(a)(2): Sampling traverse points for NOx and (if applicable) diluent gas are to be selected following EPA Method 20 or EPA Method 1 (non-particulate procedures), and sampled for equal time intervals. The sampling must be performed with a traversing single-hole probe, or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(a)(3) Notwithstanding paragraph (a)(2) of this section, you may test at fewer points than are specified in EPA Method 1 or EPA Method 20 in appendix A of this part if the following conditions are met:

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

**SECTION E. Source Group Restrictions.**

(A): [Reserved], or

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

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

60.4400(A)(3)(II)(A): If each of the individual traverse point NO_x concentrations is within ± 10 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 5 ppm or ± 0.5 percent CO₂ (or O₂) from the mean for all traverse points, then you may use three points (located either 16.7, 50.0 and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three points must be located along the measurement line that exhibited the highest average NO_x concentration during the stratification test; or

60.4400(A)(3)(II)(B): For turbines with a NO_x standard greater than 15 ppm @ 15% O₂, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO_x concentrations is within ± 5 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 3 ppm or ± 0.3 percent CO₂ (or O₂) from the mean for all traverse points; or

60.4400(A)(3)(II)(C): For turbines with a NO_x standard less than or equal to 15 ppm @ 15% O₂, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO_x concentrations is within ± 2.5 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 1 ppm or ± 0.15 percent CO₂ (or O₂) from the mean for all traverse points.

60.4400(b): The performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. You may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. You must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

(1) If the stationary combustion turbine combusts both oil and gas as primary or backup fuels. NOT APPLICABLE.

(2) For a combined cycle (duct burner). NOT APPLICABLE.

(3) If water or steam injection is used to control NO_x. NOT APPLICABLE.

(4) Compliance with the applicable emission limit in §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NO_x emission rate at each tested level meets the applicable emission limit in §60.4320.

(5) If you elect to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in §60.4405) as part of the initial performance test of the affected unit.

(6) The ambient temperature must be greater than 0 °F during the performance test.

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4415]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

How do I conduct the initial and subsequent performance tests for sulfur?

[NA - SULFUR FUEL TESTING NOT ELECTED PER 60.4365]

NOTE: 85 FR 63410, Oct. 7, 2020

III. MONITORING REQUIREMENTS.

008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4345]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What are the requirements for the continuous emission monitoring system equipment, if I choose to use this option?

N/A. CEMS OPTION NOT CHOSEN.

**SECTION E. Source Group Restrictions.**

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4350]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How do I use data from the continuous emission monitoring equipment to identify excess emissions?

N/A. CEMS OPTION NOT CHOSEN.

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4355]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How do I establish and document a proper parameter monitoring plan?

[NA - CMS OPTION NOT CHOSEN]

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4360]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How do I determine the total sulfur content of the turbine's combustion fuel?

You must monitor the total sulfur content of the fuel being fired in the turbine, except as provided in §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17), which measure the major sulfur compounds, may be used.

012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4365]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How can I be exempted from monitoring the total sulfur content of the fuel?

You may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO₂ /J (0.060 lb SO₂ /MMBtu) heat input for units located in continental areas and 180 ng SO₂ /J (0.42 lb SO₂ /MMBtu) heat input for units located in noncontinental areas or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit. You must use one of the following sources of information to make the required demonstration:

(a) The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use in continental areas is 0.05 weight percent (500 ppmw) or less and 0.4 weight percent (4,000 ppmw) or less for noncontinental areas, the total sulfur content for natural gas use in continental areas is 20 grains of sulfur or less per 100 standard cubic feet and 140 grains of sulfur or less per 100 standard cubic feet for noncontinental areas, has potential sulfur emissions of less than less than 26 ng SO₂ /J (0.060 lb SO₂ /MMBtu) heat input for continental areas and has potential sulfur emissions of less than less than 180 ng SO₂ /J (0.42 lb SO₂ /MMBtu) heat input for noncontinental areas; or

(b) Representative fuel sampling data which show that the sulfur content of the fuel does not exceed 26 ng SO₂ /J (0.060 lb SO₂ /MMBtu) heat input for continental areas or 180 ng SO₂ /J (0.42 lb SO₂ /MMBtu) heat input for noncontinental areas. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4370]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How often must I determine the sulfur content of the fuel?

[NA - FUEL SULFUR MONITORING NOT REQUIRED PER ELECTION TO USE 60.4365]

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4380]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How are excess emissions and monitor downtime defined for NOX ?

For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that must be reported are defined as follows:

(a) NOT APPLICABLE. THIS IS FOR TURBINES USING STEAM/WATER

(b) NOT APPLICABLE. CEMS NOT CHOSEN.

(c) NOT APPLICABLE. CMS NOT CHOSEN.

**SECTION E. Source Group Restrictions.**

**# 015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4405]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How do I perform the initial performance test if I have chosen to install a NOX-diluent CEMS?**

[NA - NOX CEM NOT ELECTED]

**# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4410]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
How do I establish a valid parameter range if I have chosen to continuously monitor parameters?**

[NA - CMS OPTION NOT ELECTED]

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

**# 017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4375]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
What reports must I submit?**

(a) [NA - CMS OPTION NOT SELECTED]

(b) For each affected unit that performs annual performance tests in accordance with §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

**# 018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4395]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
When must I submit my reports?**

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

VI. WORK PRACTICE REQUIREMENTS.

**# 019 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4333]
Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
What are my general requirements for complying with this subpart?**

(a) You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

(b) NOT APPLICABLE, THIS IS FOR HEAT RECOVERY UNIT.

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION E. Source Group Restrictions.**

Group Name: 02

Group Description: CEMS, Source ID 031A, GE Retro Turbine

Sources included in this group

ID	Name
031A	GE RETRO TURB (31601/31,370 HP@ZERO DEGREE F)

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.**# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The following continuous emission monitoring systems (CEMS) must be installed, approved by the Department, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources), and the Submittal and Approval, Record Keeping and Reporting, and Quality Assurance requirements of Revision No. 8 of the Department's Continuous Source Monitoring Manual, 274-0300-001, and as specified in Phase I, Phase II, And Phase III approval issued by the Department.

1. NO_xCEMS

- Source Combination to be Monitored: Source IDs 031A
- Parameter to be Reported: NO₂
- Units of Measurement to be Reported: lb/hr
- Moisture Basis of Measurement to be Reported: NA
- Correction basis of Measurements to be Reported: 15 percent oxygen
- Emission Standard: 29.07 lb/hr during normal operations

2. NO_xCEMS

- Source Combination to be Monitored: Source IDs 031A
- Parameter to be Reported: NO₂
- Units of Measurement to be Reported: lb/hr
- Moisture Basis of Measurement to be Reported: NA
- Correction basis of Measurements to be Reported: 15 percent oxygen
- Emission Standard: 197 lb/hr during all operations

3. NO_xCEMS

- Source Combination to be Monitored: Source IDs 031A
- Parameter to be Reported: NO₂
- Units of Measurement to be Reported: 12-month rolling total
- Moisture Basis of Measurement to be Reported: NA
- Correction basis of Measurements to be Reported: 15 percent oxygen
- Emission Standard: 72 tons per 12-month rolling total during normal operations

4. NO_xCEMS

- Source Combination to be Monitored: Source IDs 031A
- Parameter to be Reported: NO₂
- Units of Measurement to be Reported: 12-month rolling total
- Moisture Basis of Measurement to be Reported: NA
- Correction basis of Measurements to be Reported: 15 percent oxygen
- Emission Standard: 74 tons per 12-month rolling total during all operations

**SECTION E. Source Group Restrictions.**

Compliance with any subsequently issued revisions to the Continuous Source Monitoring Manual will constitute compliance with the regulations.

The permittee shall operate the CEMS during periods of start-up and shutdown in a manner consistent with the requirements set forth in 40 CFR Part 75. The permittee shall assure that data obtained during those periods are valid and suitable for inclusion into reporting.

002 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Continuous emission monitoring for NOx shall meet the following minimum data availability requirements:

a.) In accordance with 25 Pa. Code Section 139.101(12), required monitoring shall, at a minimum, meet one of the following data availability requirements unless otherwise stipulated in this permit, a plan approval, Title 25 or an order issued under Section 4 of the Air Pollution Control Act:

1.) In each calendar month, at least 90% of the time periods for which each emission standard applies, shall be valid as set forth in the Quality Assurance section of Revision No.8 of the Department's Continuous Source Monitoring Manual, 274-0300-001, or

2.) In each calendar quarter, at least 95% of the hours shall be valid as set forth in the Quality Assurance section of Revision No. 8 of the Department's Continuous Source Monitoring Manual, 274-0300-001.

Compliance with any subsequently issued revisions to the Continuous Source Monitoring Manual will constitute compliance with the regulations.

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

The permittee shall comply with the recordkeeping requirements established in 25 Pa. Code Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources), and the "Record Keeping and Reporting" requirements in the Department's Continuous Source Monitoring Manual, Revision No. 8, 274-0300-001.

Records shall be retained for at least 5 years and shall be made available to the Department upon request.

Compliance with any subsequently issued revision to the Continuous Source Monitoring Manual will constitute compliance with this permit condition.

V. REPORTING REQUIREMENTS.**# 004 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall submit quarterly reports of continuous emission monitoring to the Department in accordance with the requirements established in 25 Pa. Code Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources), and the "Record Keeping and Reporting" requirements as established in the Department's Continuous Source Monitoring Manual, Revision No. 8, 274-0300-001.

The permittee shall report emissions for all periods of unit operation, including startup, shutdown and malfunction.

Initial quarterly reports following system certification shall be submitted to the Department within 35 days following the date upon which the Department notifies the owner or operator, in writing, of the approval of the continuous source monitoring system for use in determining compliance with applicable emission standards.

Subsequent quarterly reports shall be submitted to the Department within 30 days after the end of each calendar quarter.

Failure to submit required reports of continuous emission monitoring within the time periods specified in this Condition, shall constitute violations of this Permit, unless approved in advance by the Department in writing.

Compliance with any subsequently issued revision to the Continuous Source Monitoring Manual will constitute compliance

**SECTION E. Source Group Restrictions.**

with this permit condition.

VI. WORK PRACTICE REQUIREMENTS.**# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Continuous Emission Monitoring Systems and components must be operated and maintained in accordance with the requirements established in 25 Pa. Code Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources) and the "Quality Assurance" requirements in the Department's Continuous Source Monitoring Manual, Revision No. 8, 274-0300-001.

Compliance with any subsequently issued revision to the Continuous Source Monitoring Manual will constitute compliance with this permit condition.

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION E. Source Group Restrictions.**

Group Name: 03

Group Description: Emergency Engine Generator subject to NSPS JJJJ

Sources included in this group

ID	Name
032A	EMERGENCY GENERATOR, WAUKESHA VGF36GL, 880 BHP

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

**# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4230]
Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
Am I subject to this subpart?**

§ 60.4230 Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (6) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary SI ICE with a maximum engine power less than or equal to 19 kilowatt (KW) (25 horsepower (HP)) that are manufactured on or after July 1, 2008.

(2) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are gasoline fueled or that are rich burn engines fueled by liquefied petroleum gas (LPG), where the date of manufacture is:

(i) On or after July 1, 2008; or

(ii) On or after January 1, 2009, for emergency engines.

(3) Manufacturers of stationary SI ICE with a maximum engine power greater than 19 KW (25 HP) that are not gasoline fueled and are not rich burn engines fueled by LPG, where the manufacturer participates in the voluntary manufacturer

**SECTION E. Source Group Restrictions.**

certification program described in this subpart and where the date of manufacture is:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) On or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) On or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) On or after January 1, 2009, for emergency engines.

(4) Owners and operators of stationary SI ICE that commence construction after June 12, 2006, where the stationary SI ICE are manufactured:

(i) On or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP);

(ii) on or after January 1, 2008, for lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP;

(iii) on or after July 1, 2008, for engines with a maximum engine power less than 500 HP; or

(iv) on or after January 1, 2009, for emergency engines with a maximum engine power greater than 19 KW (25 HP).

(5) Owners and operators of stationary SI ICE that are modified or reconstructed after June 12, 2006, and any person that modifies or reconstructs any stationary SI ICE after June 12, 2006.

(6) The provisions of § 60.4236 of this subpart are applicable to all owners and operators of stationary SI ICE that commence construction after June 12, 2006.

(b) [NA - ENGINE TEST CELL NOT RELEVANT HERE]

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

(d) For the purposes of this subpart, stationary SI ICE using alcohol-based fuels are considered gasoline engines.

(e) [NA - NO NATIONAL SECURITY EXEMPTION]

(f) [NA - NOT TEMPORARY REPLACEMENT UNITS]

(h) Owners and operators of stationary SI ICE that are required to meet standards that reference 40 CFR 1048.101 must, if testing their engines in use, meet the standards in that section applicable to field testing, except as indicated in paragraph (e) of this section.

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37972, June 28, 2011]

Emission Standards for Owners and Operators

§ 60.4233 What emission standards must I meet if I am an owner or operator of a stationary SI internal combustion engine?

(a) [NA - OVER 25 HP]

**SECTION E. Source Group Restrictions.**

(b) [NA - DOES NOT USE GASOLINE]

(c) [NA - DOES NOT USE LPG]

(d) [NA - >100 HP]

(e) Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. For owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 100 HP (except gasoline and rich burn engines that use LPG) manufactured prior to January 1, 2011 that were certified to the certification emission standards in 40 CFR part 1048 applicable to engines that are not severe duty engines, if such stationary SI ICE was certified to a carbon monoxide (CO) standard above the standard in Table 1 to this subpart, then the owners and operators may meet the CO certification (not field testing) standard for which the engine was certified.

TABLE 1 REQUIREMENTS (EMERGENCY ENGINES \geq 130 HP)

NOx: 2.0 g/hp-hr

CO: 4.0 g/hp-hr

VOC: 1.0 g/hp-hr

For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

(f) [NA - UNIT(S) NOT MODIFIED OR RECONSTRUCTED]

(g) [NA - STATIONARY WELLHEAD GAS NOT USED]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37973, June 28, 2011]

§ 60.4234 How long must I meet the emission standards if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in § 60.4233 over the entire life of the engine.

Other Requirements for Owners and Operators

§ 60.4235 What fuel requirements must I meet if I am an owner or operator of a stationary SI gasoline fired internal combustion engine subject to this subpart?

[NA - GASOLINE IS NOT USED]

NOTE: 85 FR 78463, Dec. 4, 2020

§ 60.4236 What is the deadline for importing or installing stationary SI ICE produced in previous model years?

[NA - IMPORTATION NOT RELEVANT IN THIS CASE]

§ 60.4237 What are the monitoring requirements if I am an owner or operator of an emergency stationary SI internal combustion engine?

(a) Starting on July 1, 2010, if the emergency stationary SI internal combustion engine that is greater than or equal to 500 HP that was built on or after July 1, 2010, does not meet the standards applicable to non-emergency engines, the owner or operator must install a non-resettable hour meter.

(b) [NA - >500 HP]

**SECTION E. Source Group Restrictions.**

(c) [NA - >500 HP]

Compliance Requirements for Owners and Operators

§ 60.4243 What are my compliance requirements if I am an owner or operator of a stationary SI internal combustion engine?

(a) [NA - 60.4233(e) APPLIES]

(b) If you are an owner or operator of a stationary SI internal combustion engine and must comply with the emission standards specified in § 60.4233(d) or (e), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) and (2) of this section.

(1) Purchasing an engine certified according to procedures specified in this subpart, for the same model year and demonstrating compliance according to one of the methods specified in paragraph (a) of this section.

(2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in § 60.4233(d) or (e) and according to the requirements specified in § 60.4244, as applicable, and according to paragraphs (b)(2)(i) and (ii) of this section.

(i) [NA - >500 HP]

(ii) If you are an owner or operator of a stationary SI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

(c) [NA - UNIT(S) NOT MODIFIED OR RECONSTRUCTED]

(d) If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (d)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (d)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

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

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

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

(ii) NA. ENGINE NOT FOR DEMAND RESPONSE TO SUPPLY POWER TO GRID.

(iii) Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

**SECTION E. Source Group Restrictions.**

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (d)(2) of this section. Except as provided in paragraph (d)(3)(i) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) NA. ENGINE NOT FOR DEMAND RESPONSE TO SUPPLY POWER TO GRID.

(ii) [Reserved]

(e) NA. ENGINE NOT FOR PROPANE FUEL.

(f) [NA - >500 HP]

(g) It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

(h) [NA - 60.4233(e) APPLIES]

(i) [NA - 60.4233(e) APPLIES]

[73 FR 3591, Jan. 18, 2008, as amended at 76 FR 37974, June 28, 2011; 78 FR 6697, Jan. 30, 2013]

Testing Requirements for Owners and Operators

§ 60.4244 What test methods and other procedures must I use if I am an owner or operator of a stationary SI internal combustion engine?

Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of this section.

(a) Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in § 60.8 and under the specific conditions that are specified by Table 2 to this subpart.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in § 60.8(c). If your stationary SI internal combustion engine is non-operational, you do not need to startup the engine solely to conduct a performance test; however, you must conduct the performance test immediately upon startup of the engine.

(c) You must conduct three separate test runs for each performance test required in this section, as specified in § 60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

(d) To determine compliance with the NOX mass per unit output emission limitation, convert the concentration of NOX in the engine exhaust using Equation 1 of this section:

[SEE REGULATION FOR EQUATION]

(e) To determine compliance with the CO mass per unit output emission limitation, convert the concentration of CO in the engine exhaust using Equation 2 of this section:

[SEE REGULATION FOR EQUATION]

(f) For purposes of this subpart, when calculating emissions of VOC, emissions of formaldehyde should not be included. To determine compliance with the VOC mass per unit output emission limitation, convert the concentration of VOC in the engine exhaust using Equation 3 of this section:

**SECTION E. Source Group Restrictions.**

[SEE REGULATION FOR EQUATION]

(g) If the owner/operator chooses to measure VOC emissions using either Method 18 of 40 CFR part 60, appendix A, or Method 320 of 40 CFR part 63, appendix A, then it has the option of correcting the measured VOC emissions to account for the potential differences in measured values between these methods and Method 25A. The results from Method 18 and Method 320 can be corrected for response factor differences using Equations 4 and 5 of this section. The corrected VOC concentration can then be placed on a propane basis using Equation 6 of this section.

[SEE REGULATION FOR EQUATIONS]

Notification, Reports, and Records for Owners and Operators

§ 60.4245 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary SI internal combustion engine?

Owners or operators of stationary SI ICE must meet the following notification, reporting and recordkeeping requirements.

(a) Owners and operators of all stationary SI ICE must keep records of the information in paragraphs (a)(1) through (4) of this section.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards.

(b) For all stationary SI emergency ICE greater than or equal to 500 HP manufactured on or after July 1, 2010, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than or equal to 130 HP and less than 500 HP manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. For all stationary SI emergency ICE greater than 25 HP and less than 130 HP manufactured on or after July 1, 2008, that do not meet the standards applicable to non-emergency engines, the owner or operator of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

(c) Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in § 60.4231 must submit an initial notification as required in § 60.7(a)(1). The notification must include the information in paragraphs (c)(1) through (5) of this section.

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

**SECTION E. Source Group Restrictions.**

(d) Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in § 60.4244 within 60 days after the test has been completed. Performance test reports using EPA Method 18, EPA Method 320, or ASTM D6348-03 (incorporated by reference - see 40 CFR 60.17) to measure VOC require reporting of all QA/QC data. For Method 18, report results from sections 8.4 and 11.1.1.4; for Method 320, report results from sections 8.6.2, 9.0, and 13.0; and for ASTM D6348-03 report results of all QA/QC procedures in Annexes 1-7.

(e) If you own or operate an emergency stationary SI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in § 60.4243(d)(2)(ii) and (iii) or that operates for the purposes specified in § 60.4243(d)(3)(i), you must submit an annual report according to the requirements in paragraphs (e)(1) through (3) of this section.

(1) The report must contain the following information:

- (i) Company name and address where the engine is located.
- (ii) Date of the report and beginning and ending dates of the reporting period.
- (iii) Engine site rating and model year.
- (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
- (v) Hours operated for the purposes specified in § 60.4243(d)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in § 60.4243(d)(2)(ii) and (iii).
- (vi) Number of hours the engine is contractually obligated to be available for the purposes specified in § 60.4243(d)(2)(ii) and (iii).
- (vii) Hours spent for operation for the purposes specified in § 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in § 60.4243(d)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.

(2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.

(3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in § 60.4.

[73 FR 3591, Jan. 18, 2008, as amended at 73 FR 59177, Oct. 8, 2008; 78 FR 6697, Jan. 30, 2013; 81 FR 59809, Aug. 30, 2016]

General Provisions

§ 60.4246 What parts of the General Provisions apply to me?

Table 3 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

Regulatory Changes

Individual sources within this source group that are subject to 40 CFR Part 60 Subpart JJJJ shall comply with all applicable requirements of the Subpart. 40 CFR 63.13(a) requires submission of copies of all requests, reports and other communications to both the Department and the EPA. The EPA copies shall be forwarded to:

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

The Department copies shall be forwarded to:

Regional Air Program Manager
PA Department of Environmental Protection

**SECTION E. Source Group Restrictions.**

909 Elmerton Avenue
Harrisburg, PA 17110-8200

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

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

**SECTION E. Source Group Restrictions.**

Group Name: 04

Group Description: NOX Budget

Sources included in this group

ID	Name
031A	GE RETRO TURB (31601/31,370 HP@ZERO DEGREE F)

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.**# 001 [25 Pa. Code §145.4.]****Applicability.**

GENERAL PROVISIONS

§ 145.4. Applicability.

(a) The following units shall be NO_x budget units, and any source that includes one or more of the units shall be a NO_x budget source, subject to the requirements of this subchapter:

(1) [NA - NOT EGU]

(2) Nonelectric generating units.

(i) For units that commenced operation before January 1, 1997, a unit that has a maximum design heat input greater than 250 mmBtu/hr and that did not serve during 1995 or 1996 a generator producing electricity for sale under firm contract to the electric grid. [NOTE: GE FRAME 5 IS A NO_x BUDGET UNIT > 250 MMBTU/HR AND A NONELECTRIC GENERATING UNIT PER 145.4(a)(iii)(A).]

(ii) [NA - COMMENCED OPERATION BEFORE 1/1/97]

(iii) [NA - COMMENCED OPERATION BEFORE 1/1/97]

**SECTION E. Source Group Restrictions.****(b) [NA - NO 25 TON EXEMPTION****§ 145.6. Standard requirements.****(a) Monitoring requirements.**

(1) The owners and operators and the NOx authorized account representative of each NOx budget source and each NOx budget unit at the source shall comply with the monitoring requirements of § § 145.70—145.76 (relating to recordkeeping and recording requirements).

(2) The emissions measurements recorded and reported in accordance with § § 145.70—145.76 shall be used to determine compliance by the unit with the NOx budget emissions limitation under subsection (c).

(b) NOx requirements.

(1) The owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under § 145.54 (relating to compliance), as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with § § 145.70—145.76 plus any amount necessary to account for actual heat input under § 145.42(e) (relating to NOx allowance allocations) for the control period or to account for excess emissions for a prior control period under § 145.54(d) or to account for withdrawal from the NOx Budget Trading Program, or a change in regulatory status, of a NOx budget opt-in unit under § 145.86 or § 145.87 (relating to opt-in source withdrawal from NOx Budget Trading Program; and opt-in source change in regulatory status).

(2) Each ton of NOx emitted in excess of the NOx budget emissions limitation shall constitute a separate violation of this subchapter and the act.

(3) A NOx budget unit shall be subject to paragraph (1) starting on May 1, 2003, or the date on which the unit commences operation, whichever is later.

(4) NOx allowances shall be held in, deducted from or transferred among NOx Allowance Tracking System accounts in accordance with § § 145.40—145.43, 145.50—145.57, 145.60—145.62 and 145.80—145.88.

(5) A NOx allowance may not be deducted, to comply with paragraph (1), for a control period in a year prior to the year for which the NOx allowance was allocated.

(6) A NOx allowance allocated by the Department under the NOx Budget Trading Program is a limited authorization to emit 1 ton of NOx in accordance with the NOx Budget Trading Program. No provision of the NOx Budget Trading Program or an exemption under § 145.4(b) or § 145.5 (relating to applicability; and retired unit exemption) and no provision of law limit the authority of the United States or the Department to terminate or limit the authorization.

(7) A NOx allowance allocated by the Department under the NOx Budget Trading Program does not constitute a property right.

(c) Excess emissions. The owners and operators of a NOx budget unit that has excess emissions in any control period shall do the following:

(1) Surrender the NOx allowances required for deduction under § 145.54(d)(1).

(2) Pay any fine, penalty or assessment or comply with any other remedy imposed under § 145.54(d)(3) or the act.

(d) Recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget unit at the source shall maintain at a central location and provide upon request by the Department or the NOx Budget Administrator the following documents for 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Department or the Administrator.

**SECTION E. Source Group Restrictions.**

(i) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with § 145.13 (relating to account certificate of representation). The certificate and documents shall be retained beyond the 5-year period until the documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.

(ii) The emissions monitoring information, in accordance with §§ 145.70—145.76. To the extent that §§ 145.70—145.76 provides for a 3-year period for recordkeeping, the 3-year period applies.

(iii) Copies of all reports, compliance certifications and other submissions and all records made or required under the NOx Budget Trading Program.

(iv) Copies of the documents used to complete any submission under the NOx Budget Trading Program or to demonstrate compliance with the NOx Budget Trading Program.

(2) The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the NOx Budget Trading Program, including those under §§ 145.30, 145.31, 145.70—145.76 and 145.80—145.88.

(e) Liability.

(1) A permit revision may not excuse any violation of the requirements of the NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

(2) Each NOx budget source and each NOx budget unit shall meet the requirements of the NOx Budget Trading Program.

(3) Any provision of the NOx Budget Trading Program that applies to a NOx budget source (including a provision applicable to the NOx authorized account representative of a NOx budget source) shall also apply to the owners and operators of the source and of the NOx budget units at the source.

(4) Any provision of the NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of the unit. Except with regard to the requirements applicable to units with a common stack under §§ 145.70—145.76 the owners and operators and the NOx authorized account representative of one NOx budget unit is not liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

(f) Effect on other authorities. No provision of the NOx Budget Trading Program or an exemption under § 145.4(b) or § 145.5 shall be construed as exempting or excluding the owners and operators and the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provision of the regulations promulgated under the CAA or the act.

§ 145.7. Computation of time.

(a) Unless otherwise stated, any time period scheduled, under the NOx Budget Trading Program, to begin on the occurrence of an act or event shall begin on the day the act or event occurs.

(b) Unless otherwise stated, any time period scheduled, under the NOx Budget Trading Program, to begin before the occurrence of an act or event shall be computed so that the period ends the day before the act or event occurs.

(c) Unless otherwise stated, if the final day of any time period, under the NOx Budget Trading Program, falls on a weekend or a State or Federal holiday, the time period shall be extended to the next business day.

§ 145.8. Transition to CAIR NOx trading programs.

(a) - (c) [NA - NON-EGU].

**SECTION E. Source Group Restrictions.**

(d) Non-EGU NOx Trading Program Budget. For units subject to the applicability requirements of § 145.4 (relating to applicability), but not subject to the CAIR NOx Ozone Season Trading Program requirements of Subchapter D, the following requirements apply:

(1) Statewide limitation. The sum of NOx ozone season emissions from all units subject to this subsection may not exceed the Commonwealth's non-EGU NOx Trading Program budget of 3,619 tons during any ozone season.

(2) CAIR NOx Ozone Season allowances. All units subject to this subsection shall monitor and report NOx emissions in accordance with 40 CFR Part 96, Subpart HHHH (relating to monitoring and reporting), and establish a CAIR-authorized account representative and general account, in accordance with 40 CFR Part 96, Subparts BBBB and FFFF (relating to CAIR designated representative for CAIR NOx Ozone Season sources; and CAIR NOx Ozone Season Allowance Tracking System), incorporated into Subchapter D by reference, for the purposes of ensuring continued compliance with the non-EGU NOx Trading Program budget limitation of paragraph (1) and of retiring CAIR NOx Ozone Season allowances.

(3) CAIR NOx allowances. All units subject to this subsection shall establish a CAIR-authorized account representative and general account in accordance with 40 CFR Part 96, Subparts BB and FF (relating to CAIR designated representative for CAIR NOx sources; and CAIR NOx allowance tracking system), incorporated into Subchapter D by reference, for the purpose of retiring CAIR NOx allowances.

(4) Emissions below Statewide limitation. If the total ozone season emissions from all units subject to this subsection are less than 3,438 tons of NOx, the Department's permanent retirement of allowances covers all applicable emissions and no additional account transactions are required by the units covered under this subsection.

(5) Allowable emissions per unit. By January 31, 2009, and by January 31 of each year thereafter, the Department will determine the allowable amount of NOx emissions for the next ozone season for each unit subject to this subsection, as follows:

Allowable emission rate X each unit's heat input

Where "Allowable emission rate" =

3,438 tons of NOx Combined heat input of all units during the most recent ozone season

(6) Allowance surrender for excess emissions. If the combined NOx emissions from all units subject to this subsection exceed 3,438 tons in an ozone season, then a unit whose actual emissions exceed the unit's allowable emissions for that ozone season, as determined under paragraph (5), shall surrender to the Department by April 30 of the year following the ozone season one CAIR NOx Ozone Season allowance and one CAIR NOx allowance for each ton of excess emissions. A unit whose excess emissions are 0.5 ton or greater of the next excess ton shall surrender 1 full ton of CAIR NOx allowances (banked or current) for that excess emission. Units under common ownership may include the allowable and actual emissions from multiple units to determine whether a unit must surrender allowances.

(7) Surrender procedure. To surrender allowances under paragraph (6), an owner or operator of a unit shall surrender the required CAIR NOx Ozone Season allowances and CAIR NOx allowances to the Department's designated NOx allowance tracking system account and provide to the Department, in writing, the following:

(i) The serial number of each allowance surrendered.

(ii) The calculations used to determine the quantity of allowances required to be surrendered.

(8) Failure to surrender allowances. If an owner or operator fails to comply with paragraph (6), the owner or operator shall by June 30 surrender three CAIR NOx Ozone Season allowances and three CAIR NOx allowances of the current or later year vintage for each ton of excess emissions as calculated under paragraph (6).

(9) Liability not affected. The surrender of CAIR NOx ozone season allowances and CAIR NOx allowances under paragraph (6) does not affect the liability of the owner or operator of the unit for any fine, penalty or assessment, or an obligation to comply with any other remedy for the same violation, under the CAA or the act.

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(i) For purposes of determining the number of days of violation, if a facility has excess emissions for the period May 1 through September 30, each day in that period (153 days) constitutes a day in violation unless the owner or operator of the unit demonstrates that a lesser number of days should be considered.

(ii) Each ton of excess emissions is a separate violation.

(10) Allowance retirement. The Department will permanently retire to the Department's CAIR NOx retirement account the allowances surrendered under paragraphs (6)—(9).

(11) Actual emissions below allowable emissions. If a facility's allowable emissions exceed the facility's actual emissions for an ozone season, the owner or operator may deduct the difference or any portion of the difference from the actual emissions of units under the facility's common control that are subject to §§ 129.201—129.203 (relating to boilers; stationary combustion turbines; and stationary internal combustion engines).

(12) Corrections. One hundred and eighty-one tons of allowable NOx emissions are available to the Department annually for accounting corrections.

NOx ACCOUNT

§ 145.10. Authorization and responsibilities of the NOx authorized account representative.

(a) Except as provided under § 145.11 (relating to alternate NOx authorized account representative), each NOx budget source, including all NOx budget units at the source, shall have only one NOx authorized account representative, with regard to all matters under the NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

(b) The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

(c) Upon receipt by the Department and the NOx Budget Administrator of a complete account certificate of representation under § 145.13 (relating to account certificate of representation), the NOx authorized account representative of the source shall represent and, by his representations, actions, inactions or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the NOx Budget Trading Program, notwithstanding any agreement between the NOx authorized account representative and the owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the Department, the Administrator or a court regarding the source or unit.

(d) A NOx Allowance Tracking System account will not be established for a NOx budget unit at a source, until the Department and the NOx Budget Administrator have received a complete account certificate of representation under § 145.13 for a NOx authorized account representative of the source and the NOx budget units at the source.

(e) Document submission requirements are as follows:

(1) Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx budget source on behalf of which the submission is made. Each submission shall include the following certification statement by the NOx authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget 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."

(2) The Department and NOx Budget Administrator will accept or act on a submission made on behalf of owner or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed and certified in accordance with paragraph (1).

**SECTION E. Source Group Restrictions.****§ 145.11. Alternate NOx authorized account representative.**

(a) An account certificate of representation may designate only one alternate NOx authorized account representative who may act on behalf of the NOx authorized account representative. The agreement by which the alternate NOx authorized account representative is selected shall include a procedure for authorizing the alternate NOx authorized account representative to act in lieu of the NOx authorized account representative.

(b) Upon receipt by the Department and NOx Budget Administrator of a complete account certificate of representation under § 145.13 (relating to account certificate of representation), any representation, action, inaction or submission by the alternate NOx authorized account representative shall be deemed to be a representation, action, inaction or submission by the NOx authorized account representative.

(c) Except in this section and § § 145.10(a), 145.12, 145.13 and 145.51, whenever the term "NOx authorized account representative" is used in this subchapter, the term shall include the alternate NOx authorized account representative.

§ 145.12. Changing the NOx authorized account representative and the alternate NOx authorized account representative; changes in the owners and operators.

(a) Changing the NOx authorized account representative. The NOx authorized account representative may be changed at any time upon receipt by the Department and the NOx Budget Administrator of a superseding complete account certificate of representation under § 145.13 (relating to account certificate of representation). Notwithstanding a change, the representations, actions, inactions and submissions by the previous NOx authorized account representative prior to the time and date when the Department and the NOx Budget Administrator receives the superseding account certificate of representation shall be binding on the new NOx authorized account representative and the owners and operators of the NOx budget source and the NOx budget units at the source.

(b) Changing the alternate NOx authorized account representative. The alternate NOx authorized account representative may be changed at any time upon receipt by the Department and the NOx Budget Administrator of a superseding complete account certificate of representation under § 145.13. Notwithstanding a change, the representations, actions, inactions and submissions by the previous alternate NOx authorized account representative prior to the time and date when the Department and the NOx Budget Administrator receives the superseding account certificate of representation shall be binding on the new alternate NOx authorized account representative and the owners and operators of the NOx budget source and the NOx budget units at the source.

(c) Changes in the owners and operators.

(1) If a new owner or operator of a NOx budget source or a NOx budget unit is not included in the list of owners and operators submitted in the account certificate of representation, the new owner or operator shall be deemed to be subject to and bound by the account certificate of representation, the representations, actions, inactions and submissions of the NOx authorized account representative and any alternate NOx authorized account representative of the source or unit, and the decisions, orders, actions and inactions of the Department or the NOx Budget Administrator, as if the new owner or operator were included in the list.

(2) Within 30 days following any change in the owners and operators of a NOx budget source or a NOx budget unit, including the addition of a new owner or operator, the NOx authorized account representative or alternate NOx authorized account representative shall submit a revision to the account certificate of representation amending the list of owners and operators to include the change.

§ 145.13. Account certificate of representation.

(a) A complete account certificate of representation for a NOx authorized account representative or an alternate NOx authorized account representative shall include the following elements in a format prescribed by the NOx Budget Administrator:

(1) Identification of the NOx budget source and each NOx budget unit at the source for which the account certificate of representation is submitted.

**SECTION E. Source Group Restrictions.**

(2) The name, address, e-mail address (if any), telephone number and facsimile transmission number (if any) of the NOx authorized account representative and any alternate NOx authorized account representative.

(3) A list of the owners and operators of the NOx budget source and of each NOx budget unit at the source.

(4) The following certification statement by the NOx authorized account representative and any alternate NOx authorized account representative:

"I certify that I was selected as the NOx authorized account representative or alternate NOx authorized account representative, as applicable, by an agreement binding on the owners and operators of the NOx budget source and each NOx budget unit at the source. I certify that I have all the necessary authority to carry out my duties and responsibilities under the NOx Budget Trading Program on behalf of the owners and operators of the NOx budget source and of each NOx budget unit at the source and that each owner and operator shall be fully bound by my representations, actions, inactions, or submissions and by any decision or order issued to me by the Department, the Administrator or a court regarding the source or unit."

(5) The signature of the NOx authorized account representative and any alternate NOx authorized account representative and the dates signed.

(b) Unless otherwise required by the Department or the Administrator, documents of agreement referred to in the account certificate of representation may not be submitted to the Department or Administrator. The Department and Administrator are not under any obligation to review or evaluate the sufficiency of these documents, if submitted.

§ 145.14. Objections concerning the NOx authorized account representative.

(a) Once a complete account certificate of representation under § 145.13 (relating to account certificate of representation) has been submitted and received, the Department and the NOx Budget Administrator will rely on the account certificate of representation unless a superseding complete account certificate of representation under § 145.13 is received by the Department and the NOx Budget Administrator.

(b) Except as provided in § 145.12(a) or (b) (relating to changing the NOx authorized account representative and the alternate NOx authorized account representative; changes in the owners and operators), an objection or other communication submitted to the Department or Administrator concerning the authorization, or any representation, action, inaction or submission of the NOx authorized account representative will not affect any representation, action, inaction or submission of the NOx authorized account representative or the finality of a decision or order by the Department or Administrator under the NOx Budget Trading Program.

(c) The Department and the Administrator will not adjudicate any private legal dispute concerning the authorization or any representation, action, inaction or submission of a NOx authorized account representative, including private legal disputes concerning the proceeds of NOx allowance transfers.

COMPLIANCE CERTIFICATION

§ 145.30. Compliance certification report.

(a) Applicability and deadline. For each control period in which one or more NOx budget units at a source are subject to the NOx budget emissions limitation, the NOx authorized account representative of the source shall submit to the Department and the NOx Budget Administrator by November 30 of that year, a compliance certification report for the source covering all of the units.

(b) Contents of report. The NOx authorized account representative shall include in the compliance certification report under subsection (a) the following elements, in a format prescribed by the Department, concerning each unit at the source and subject to the NOx budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx budget unit.

(2) At the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted

**SECTION E. Source Group Restrictions.**

from each unit's compliance account under § 145.54 (relating to compliance) for the control period.

(3) At the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with §§ 145.70—145.76 (relating to recordkeeping and reporting requirements), the percentage of allowances that is to be deducted from each unit's compliance account under § 145.54(e).

(4) The compliance certification under subsection (c).

(c) Compliance certification. In the compliance certification report under subsection (a), the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the NOx Budget Trading Program applicable to the unit, including the following:

(1) Whether the unit was operated in compliance with the NOx budget emissions limitation.

(2) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains the information necessary to attribute NOx emissions to the unit, in accordance with §§ 145.70—145.76.

(3) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with §§ 145.70—145.76. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made.

(4) Whether the facts that form the basis for certification under §§ 145.70—145.76 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under §§ 145.70—145.76, if any, has changed.

(5) If a change is required to be reported under paragraph (4), specify the nature of the change, the reason for the change, when the change occurred and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

§ 145.31. Department's action on compliance certifications.

(a) The Department or the Administrator may review and conduct independent audits concerning any compliance certification or any other submission under the NOx Budget Trading Program and make appropriate adjustments of the information in the compliance certifications or other submissions.

(b) NOx allowances may be deducted from or transferred to a unit's compliance account or a source's overdraft account based on the information in the compliance certifications or other submissions, as adjusted under subsection (a).

ACCOUNTING PROCESS FOR DEPOSIT, USE AND TRANSFER OF ALLOWANCES

§ 145.50. NOx Allowance Tracking System accounts.

(a) Nature and function of compliance accounts and overdraft accounts. Consistent with § 145.51(a) (relating to establishment of accounts), the NOx Budget Administrator will establish one compliance account for each NOx budget unit and one overdraft account for each source with two or more NOx budget units. Allocations of NOx allowances under §§ 145.40—145.42 or § 145.88 (relating to NOx allowance allocations; and opt-in source change in regulatory status) and deductions or transfers of NOx allowances under § 145.31, § 145.54, § 145.56, § 145.60—145.62 or § 145.80—145.88 will be recorded in the compliance accounts or overdraft accounts.

(b) Nature and function of general accounts. Consistent with § 145.51(b), the NOx Budget Administrator will establish, upon

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request, a general account for any person. Transfers of allowances under § § 145.60—145.62 (relating to NOx allowance transfers) will be recorded in the general account.

Cross References

This section cited in 25 Pa. Code § 145.4 (relating to applicability); 25 Pa. Code § 145.5 (relating to retired unit exemption); and 25 Pa. Code § 145.81 (relating to opt-in source general provisions).

§ 145.51. Establishment of accounts.

(a) Compliance accounts and overdraft accounts. Upon receipt of a complete account certificate of representation under § 145.13 (relating to account certificate of representation), the NOx Budget Administrator will establish the following:

- (1) A compliance account for each NOx budget unit for which the account certificate of representation was submitted.
- (2) An overdraft account for each source for which the account certificate of representation was submitted and that has two or more NOx budget units.

(b) General accounts.

(1) Elements for account.

(i) A person may apply to open a general account for the purpose of holding and transferring allowances. A complete application for a general account shall be submitted to the NOx Budget Administrator and shall include the following elements in a format prescribed by the NOx Budget Administrator:

(A) The name, mailing address, e-mail address (if any), telephone number and facsimile transmission number (if any) of the NOx authorized account representative and any alternate NOx authorized account representative.

(B) The organization name and type of organization.

(C) A list of all persons subject to a binding agreement for the NOx authorized account representative or any alternate NOx authorized account representative to represent their ownership interest with respect to the allowances held in the general account.

(D) The following certification statement by the NOx authorized account representative and any alternate NOx authorized account representative:

"I certify that I was selected as the NOx authorized account representative or the NOx alternate authorized account representative, as applicable, by an agreement that is binding on all persons who have an ownership interest with respect to allowances held in the general account. I certify that I have all the necessary authority to carry out my duties and responsibilities under the NOx Budget Trading Program on behalf of such persons and that each such person shall be fully bound by my representations, actions, inactions, or submissions and by any order or decision issued to me by the Department, Administrator or a court regarding the general account."

(E) The signature of the NOx authorized account representative and any alternate NOx authorized account representative and the dates signed.

(ii) Unless otherwise required by the NOx Budget Administrator, documents of agreement referred to in the account certificate of representation may not be submitted to the NOx Budget Administrator. The Department or NOx Budget Administrator are not under any obligation to review or evaluate the sufficiency of the documents, if submitted.

(2) Receipt of complete application. Upon receipt by the NOx Budget Administrator of a complete application for a general account under paragraph (1):

(i) The NOx Budget Administrator will establish a general account for the person for whom the application is submitted.

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(ii) The NOx authorized account representative and any alternate NOx authorized account representative for the general account shall represent and, by his representations, actions, inactions or submissions, legally bind each person who has an ownership interest with respect to NOx allowances held in the general account in all matters pertaining to the NOx Budget Trading Program, notwithstanding an agreement between the NOx authorized account representative or an alternate NOx authorized account representative and the person. This person shall be bound by any order or decision issued to the NOx authorized account representative or an alternate NOx authorized account representative by the Department, the Administrator or a court regarding the general account.

(iii) Each submission concerning the general account shall be submitted, signed and certified by the NOx authorized account representative or an alternate NOx authorized account representative for the persons having an ownership interest with respect to NOx allowances held in the general account. Each submission shall include the following certification statement by the NOx authorized account representative or an alternate NOx authorized account representative:

"I am authorized to make this submission on behalf of the persons having an ownership interest with respect to the NOx allowances held in the general account. 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."

(iv) The NOx Budget Administrator will accept or act on a submission concerning the general account only if the submission has been made, signed and certified in accordance with subparagraph (iii).

(3) Representative designation.

(i) An application for a general account may designate only one NOx authorized account representative and one alternate NOx authorized account representative who may act on behalf of the NOx authorized account representative. The agreement by which the alternate NOx authorized account representative is selected shall include a procedure for authorizing the alternate NOx authorized account representative to act in lieu of the NOx authorized account representative.

(ii) Upon receipt by the NOx Budget Administrator of a complete application for a general account under paragraph (1), any representation, action, inaction or submission by an alternate NOx authorized account representative shall be deemed to be a representation, action, inaction or submission by the NOx authorized account representative.

(4) Revising the account representative.

(i) The NOx authorized account representative for a general account may be changed at any time upon receipt by the NOx Budget Administrator of a superseding complete application for a general account under paragraph (1). Notwithstanding a change, the representations, actions, inactions and submissions by the previous NOx authorized account representative prior to the time and date when the NOx Budget Administrator receives the superseding application for a general account shall be binding on the new NOx authorized account representative and the persons with an ownership interest with respect to the allowances in the general account.

(ii) The alternate NOx authorized account representative for a general account may be changed at any time upon receipt by the NOx Budget Administrator of a superseding complete application for a general account under paragraph (1). Notwithstanding a change, the representations, actions, inactions and submissions by the previous alternate NOx authorized account representative prior to the time and date when the NOx Budget Administrator receives the superseding application for a general account shall be binding on the new alternate NOx authorized account representative and the persons with an ownership interest with respect to the allowances in the general account.

(iii) A revision of ownership listing shall include the following:

(A) If a new person having an ownership interest with respect to NOx allowances in the general account is not included in the list of persons in the account certificate of representation, the new person shall be subject to and bound by the account certificate of representation, the representation, actions, inactions and submissions of the NOx authorized account representative and any alternate NOx authorized account representative of the source or unit, and the decisions, orders,

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actions and inactions of the NOx Budget Administrator, as if the new person were included in the list.

(B) Within 30 days following any change in the persons having an ownership interest with respect to NOx allowances in the general account, including the addition of persons, the NOx authorized account representative or an alternate NOx authorized account representative shall submit a revision to the application for a general account amending the list of persons having an ownership interest with respect to the NOx allowances in the general account to include the change.

(5) Reliance on application.

(i) Once a complete application for a general account under paragraph (1) has been submitted and received, the NOx Budget Administrator will rely on the application until a superseding complete application for a general account under paragraph (1) is received by the NOx Budget Administrator.

(ii) Except as provided in paragraph (4), no objection or other communication submitted to the NOx Budget Administrator concerning the authorization, or any representation, action, inaction or submission of the NOx authorized account representative or any alternate NOx authorized account representative for a general account will affect any representation, action, inaction or submission of the NOx authorized account representative or an alternate NOx authorized account representative or the finality of a decision or order by the Department or NOx Budget Administrator under the NOx Budget Trading Program.

(iii) The Department or NOx Budget Administrator will not adjudicate a private legal dispute concerning the authorization or representation, action, inaction or submission of the NOx authorized account representative or any alternate NOx authorized account representative for a general account, including private legal disputes concerning the proceeds of NOx allowance transfers.

(c) Account identification. The NOx Budget Administrator will assign a unique identifying number to each account established under subsection (a) or (b).

§ 145.52. NOx Allowance Tracking System responsibilities of NOx authorized account representative.

(a) Establishment of account. Following the establishment of a NOx Allowance Tracking System account, the submissions to the Department or the NOx Budget Administrator pertaining to the account, including, but not limited to, submissions concerning the deduction or transfer of NOx allowances in the account, shall be made only by the NOx authorized account representative for the account.

(b) Authorized account representative identification. The NOx Budget Administrator will assign a unique identifying number to each NOx authorized account representative.

§ 145.53. Recordation of NOx allowance allocations.

(a) The NOx Budget Administrator will record the NOx allowances for 2003 in the NOx budget units' compliance accounts and the allocation set-asides, as allocated under § § 145.40—145.43 (relating to NOx allowance allocations). The NOx Budget Administrator will also record the NOx allowances allocated under § 145.88(a)(1) (relating to NOx allowance allocations to opt-in units) for each NOx budget opt-in source in its compliance account. NOx allowances under § 145.4(b)(4)(ii) or § 145.5(c)(2) (relating to applicability; and retired unit exemption) will be recorded in the general account specified by the owners and operators of the unit.

(b) By May 1, 2001, the NOx Budget Administrator will record the NOx allowances for 2004 for a NOx budget unit allocated under § § 145.40—145.43 in the unit's compliance account, except for NOx allowances under § 145.4(b)(4)(ii) or § 145.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The NOx Budget Administrator will record NOx allowances for 2004 for a NOx budget opt-in unit in the unit's compliance account as allocated under § 145.88(a).

(c) By May 1, 2002, the NOx Budget Administrator will record the NOx allowances for 2005 for a NOx budget unit allocated under § § 145.40—145.43 in the unit's compliance account, except for NOx allowances under § 145.4(b)(4)(ii) or § 145.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The NOx Budget Administrator will record NOx allowances for 2005 for a NOx budget opt-in unit in the unit's compliance account as

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allocated under § 145.88(a).

(d) By May 1, 2003, the NOx Budget Administrator will record the NOx allowances for 2006 for a NOx budget unit allocated under §§ 145.40—145.43 in the unit's compliance account, except for NOx allowances under § 145.4(b)(4)(ii) or § 145.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The NOx Budget Administrator will record NOx allowances for 2006 for a NOx budget opt-in unit in the unit's compliance account as allocated under § 145.88(a).

(e) Each year starting with 2004, after the NOx Budget Administrator has made all deductions from a NOx budget unit's compliance account and the overdraft account under § 145.54 (relating to compliance) (except deductions under § 145.54(d)(2)), the NOx Budget Administrator will record the following:

(1) NOx allowances, in the compliance account, as allocated to the unit under §§ 145.40—145.43 for the third year after the year of the control period for which the deductions were or could have been made.

(2) NOx allowances, in the general account specified by the owners and operators of the unit, as allocated under § 145.4(b)(4)(ii) or § 145.5(c)(2) for the third year after the year of the control period for which the deductions are or could have been made.

(3) NOx allowances, in the compliance account, as allocated to the unit under § 145.88(a).

(f) Each NOx allowance will be assigned a unique identification number that will include digits identifying the year for which the NOx allowance is allocated.

§ 145.54. Compliance.

(a) NOx allowance transfer deadline. The NOx allowances are available to be deducted for compliance with a unit's NOx budget emissions limitation for a control period in a given year only if the NOx allowances meet the following conditions:

(1) The allowances are allocated for a control period in a prior year or the same year.

(2) The allowances are held in the unit's compliance account, or the overdraft account of the source where the unit is located, as of the NOx allowance transfer deadline for that control period or are transferred into the compliance account or overdraft account by a NOx allowance transfer correctly submitted for recordation under § 145.60 (relating to submission of NOx allowance transfers) by the NOx allowance transfer deadline for that control period.

(b) Deductions for compliance.

(1) Following the recordation, in accordance with § 145.61 (relating to NOx transfer recordation), of NOx allowance transfers submitted for recordation in the unit's compliance account or the overdraft account of the source where the unit is located by the NOx allowance transfer deadline for a control period, the NOx Budget Administrator will deduct NOx allowances available under subsection (a) to cover the unit's NOx emissions (as determined in accordance with §§ 145.70—145.76 (relating to recordkeeping and reporting requirements)), or to account for actual heat input under § 145.42(e) (relating to NOx allowance allocations), for the control period:

(i) From the compliance account.

(ii) Only if no more NOx allowances available under subsection (a) remain in the compliance account, from the overdraft account. In deducting allowances for units at the source from the overdraft account, the NOx Budget Administrator will begin with the unit having the compliance account with the lowest NOx Allowance Tracking System account number and end with the unit having the compliance account with the highest NOx Allowance Tracking System account number (with account numbers sorted beginning with the left-most character and ending with the right-most character and the letter characters assigned values in alphabetical order and less than all numeric characters).

(2) NOx allowances will be deducted first under subparagraph (i) and then under subparagraph (ii):

(i) Until the number of NOx allowances deducted for the control period equals the number of tons of NOx emissions,

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determined in accordance with §§ 145.70—145.76, from the unit for the control period for which compliance is being determined, plus the number of NOx allowances required for deduction to account for actual heat input under § 145.42(e) for the control period.

(ii) Until no more NOx allowances available under subsection (a) remain in the respective account.

(c) Allowance identification.

(1) Identification of NOx allowances by serial number. The NOx authorized account representative for each compliance account may identify by serial number the NOx allowances to be deducted from the unit's compliance account under subsection (b), (d), (e) or (f). The identification shall be made in the compliance certification report submitted in accordance with § 145.30 (relating to compliance certification report).

(2) First-in, first-out. NOx allowances will be deducted for a control period from the compliance account, in the absence of an identification or in the case of a partial identification of NOx allowances by serial number under paragraph (1), or the overdraft account on a first-in, first-out (FIFO) accounting basis in the following order:

(i) Those NOx allowances that were allocated for the control period to the unit under §§ 145.40—145.43 or §§ 145.80—145.88 (relating to NOx allowance allocations; and opt-in process).

(ii) Those NOx allowances that were allocated for the control period to any unit and transferred and recorded in the account under §§ 145.60—145.62 (relating to NOx allowance transfers), in order of their date of recordation.

(iii) Those NOx allowances that were allocated for a prior control period to the unit under §§ 145.40—145.43 or §§ 145.80—145.88.

(iv) Those NOx allowances that were allocated for a prior control period to any unit and transferred and recorded in the account under §§ 145.60—145.62, in order of their date of recordation.

(d) Deductions for excess emissions.

(1) After making the deductions for compliance under subsection (b), the NOx Budget Administrator will deduct from the unit's compliance account or the overdraft account of the source where the unit is located a number of NOx allowances, allocated for a control period after the control period in which the unit has excess emissions, equal to three times the number of the unit's excess emissions.

(2) If the compliance account or overdraft account does not contain sufficient NOx allowances, the NOx Budget Administrator will deduct the required number of NOx allowances, regardless of the control period for which they were allocated, whenever NOx allowances are recorded in either account.

(3) An allowance deduction required under subsection (d) does not affect the liability of the owners and operators of the NOx budget unit for any fine, penalty or assessment, or their obligation to comply with any other remedy, for the same violation, as ordered under the CAA or the act. The following guidelines will be followed in assessing fines, penalties or other obligations:

(i) For purposes of determining the number of days of violation, if a NOx budget unit has excess emissions for a control period, each day in the control period (153 days) constitutes a day in violation unless the owners and operators of the unit demonstrate that a lesser number of days should be considered.

(ii) Each ton of excess emissions is a separate violation.

(e) Deductions for units sharing a common stack. In the case of units sharing a common stack and having emissions that are not separately monitored or apportioned in accordance with §§ 145.70—145.76:

(1) The NOx authorized account representative of the units may identify the percentage of NOx allowances to be deducted from each unit's compliance account to cover the unit's share of NOx emissions from the common stack for a control period. The identification shall be made in the compliance certification report submitted in accordance with § 145.30.

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(2) Notwithstanding subsection (b)(2)(i), the NOx Budget Administrator will deduct NOx allowances for each unit until the number of NOx allowances deducted equals the unit's identified percentage (under paragraph (1)) of the number of tons of NOx emissions, as determined in accordance with § § 145.70—145.76, from the common stack for the control period for which compliance is being determined or, if no percentage is identified, an equal percentage for each unit, plus the number of allowances required for deduction to account for actual heat input under § 145.42(e) for the control period.

(f) Deduction of banked allowances. Each year starting in 2005, after the NOx Budget Administrator has completed the designation of banked allowances under § 145.55(b) (relating to banking) and before May 1 of the year, the NOx Budget Administrator will determine the extent to which banked NOx allowances otherwise available under subsection (a) are available for compliance in the control period for the current year as follows:

(1) The NOx Budget Administrator will determine the total number of banked NOx allowances held in compliance accounts, overdraft accounts or general accounts.

(2) If the total number of banked NOx allowances determined, under paragraph (1), to be held in compliance accounts, overdraft accounts or general accounts is less than or equal to 10% of the sum of the trading program budgets under § 145.40 (relating to State Trading Program budget) for all states for the control period, any banked NOx allowance may be deducted for compliance in accordance with subsections (a)—(e).

(3) If the total number of banked NOx allowances determined, under paragraph (1) to be held in compliance accounts, overdraft accounts or general accounts exceeds 10% of the sum of the trading program budgets under § 145.40 for Pennsylvania and the trading program budgets approved by the administrator for other states participating in the NOx budget trading program for the control period, any banked allowance may be deducted for compliance in accordance with subsections (a)—(e), except as follows:

(i) The NOx Budget Administrator will determine the following ratio: 0.10 multiplied by the sum of the trading program budgets under § 145.40 for all states for the control period and divided by the total number of banked NOx allowances determined, under paragraph (1), to be held in compliance accounts, overdraft accounts, or general accounts.

(ii) The NOx Budget Administrator will multiply the number of banked NOx allowances in each compliance account or overdraft account by the ratio determined under subparagraph (i). The resulting product is the number of banked NOx allowances in the account that may be deducted for compliance in accordance with subsections (a)—(e), except that, if the NOx allowances are used to make a deduction under subsection (b) or (e), two (rather than one), these NOx allowances shall authorize up to 1 ton of NOx emissions during the control period and shall be deducted for each deduction of one NOx allowance required under subsection (b) or (e).

(g) The NOx Budget Administrator will record in the appropriate compliance account or overdraft account all deductions from the account under subsection (b), (d) or (f).

§ 145.55. Banking.

NOx allowances may be banked for future use or transfer in a compliance account, an overdraft account or a general account, as follows:

(1) A NOx allowance that is held in a compliance account, an overdraft account or a general account will remain in the account until the NOx allowance is deducted or transferred under § 145.31, § 145.54, § 145.56, § § 145.60—145.62 or § § 145.80—145.88.

(2) The NOx Budget Administrator will designate, as a “banked” NOx allowance, a NOx allowance that remains in a compliance account, an overdraft account or a general account after deductions have been made for a given control period from the compliance account or overdraft account under § 145.54 (relating to compliance) (except deductions under § 145.54(d)(2)) and that were allocated for that control period or a control period in a prior year).

§ 145.56. Account error.

The NOx Budget Administrator may correct any error in any NOx Allowance Tracking System account. Within 10 business days of making the correction, the NOx Budget Administrator will notify the NOx authorized account representative for the

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account.

§ 145.57. Closing of general accounts.

(a) The NOx authorized account representative of a general account may instruct the NOx Budget Administrator to close the account by submitting a statement requesting deletion of the account from the NOx Allowance Tracking System and by correctly submitting for recordation under § 145.60 (relating to submission of NOx allowance transfers) an allowance transfer of all NOx allowances in the account to one or more other NOx Allowance Tracking System accounts.

(b) If a general account shows no activity for 1 year or more and does not contain any NOx allowances, the NOx Budget Administrator may notify the NOx authorized account representative for the account that the account will be closed and deleted from the NOx Allowance Tracking System following 20 business days after the notice is sent. The account will be closed after the 20-day period unless before the end of the 20-day period the NOx Budget Administrator receives a correctly submitted transfer of NOx allowances into the account under § 145.60 or a statement submitted by the NOx authorized account representative requesting that the account should not be closed.

002 [25 Pa. Code §145.4.]

Applicability.

NOx ALLOWANCE TRANSFERS

§ 145.60. Submission of NOx allowance transfers.

The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the NOx Budget Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the NOx Budget Administrator:

- (1) The numbers identifying both the transferor and transferee accounts.
- (2) A specification by serial number of each NOx allowance to be transferred.
- (3) The printed name and signature of the NOx authorized account representative of the transferor account and the date signed.

§ 145.61. NOx transfer recordation.

(a) Within 5 business days of receiving a NOx allowance transfer, except as provided in subsection (b), the NOx Budget Administrator will record a NOx allowance transfer by moving each NOx allowance from the transferor account to the transferee account as specified by the request, if the following conditions are met (relating to submission of NOx allowance transfers):

- (1) The transfer is correctly submitted under § 145.60 (relating to submission of NOx allowance transfers).
- (2) The transferor account includes each NOx allowance identified by serial number in the transfer.

(b) A NOx allowance transfer that is submitted for recordation following the NOx allowance transfer deadline and that includes any NOx allowances allocated for a control period prior to or the same as the control period to which the NOx allowance transfer deadline applies will not be recorded until after completion of the process of recordation of NOx allowance allocations in § 145.53 (relating to recordation of NOx allowance allocations) in the same year as the NOx allowance transfer deadline.

(c) A NOx allowance transfer submitted for recordation that fails to meet the requirements of subsection (a) will not be recorded.

§ 145.62. Notification.

(a) Notification of recordation. Within 5 business days of recordation of a NOx allowance transfer under § 145.61 (relating to

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NOx transfer recordation), the NOx Budget Administrator will notify each party to the transfer. Notice will be given to the NOx authorized account representatives of both the transferor and transferee accounts.

(b) Notification of nonrecordation. Within 10 business days of receipt of a NOx allowance transfer that fails to meet the requirements of § 145.61(a), the NOx Budget Administrator will notify the NOx authorized account representatives of both accounts subject to the transfer of:

- (1) A decision not to record the transfer.
- (2) The reasons for the nonrecordation.

(c) Resubmission. Nothing in this section precludes the submission of a NOx allowance transfer for recordation following notification of nonrecordation.

RECORDKEEPING AND REPORTING REQUIREMENTS**§ 145.70. General monitoring requirements.**

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this section and §§ 145.71—145.76 (relating to recordkeeping and reporting requirements) and in 40 CFR Part 75, Subpart H (relating to continuous emission monitoring). For purposes of complying with these requirements, the definitions in § 145.2 (relating to definitions) and in 40 CFR 72.2 (relating to definitions) apply, and the terms “affected unit,” “designated representative” and “continuous emission monitoring system” (or “CEMS”) in 40 CFR Part 75 shall be replaced by the terms “NOx budget unit,” “NOx authorized account representative” and “continuous emission monitoring system” (or “CEMS”), respectively, as defined in § 145.2. The owner and operator of a unit that is not a NOx budget unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the monitoring, recordkeeping and reporting requirements for a NOx budget unit under this subchapter.

(1) Requirements for installation, certification and data accounting. The owner or operator of each NOx budget unit shall meet the following requirements. These provisions also apply to a unit for which an application for a NOx budget opt-in approval is submitted and not denied or withdrawn, as provided in §§ 145.80—145.88 (relating to opt-in process).

(i) Install all monitoring systems required under this subchapter for monitoring NOx mass emissions. This includes all systems required to monitor NOx emission rate, NOx concentration, heat input rate and stack flow rate, in accordance with 40 CFR Part 75, Subpart H.

(ii) Install the monitoring systems for monitoring heat input.

(iii) Successfully complete the certification tests required under § 145.71 (relating to initial certification and recertification procedures) and meet all other provisions of this subchapter and 40 CFR Part 75 applicable to the monitoring systems under subparagraphs (i) and (ii).

(iv) Record, report and quality-assure the data from the monitoring systems under subparagraphs (i) and (ii).

(2) Compliance dates. The owner or operator shall meet the requirements of paragraph (1)(i)—(iii) on or before the following dates and shall record and report data on and after the following dates:

(i) [NA - EARLY REDUCTION CREDITS DO NOT APPLY]

(ii) Except for NOx budget units under subparagraph (i), NOx budget units under § 145.4 (relating to applicability) that commence operation before January 1, 2002, shall comply with this section and §§ 145.71—145.76 by May 1, 2002. [FACILITY USED THE 25 TPY EXEMPTION THROUGH THE 2013 OZONE SEASON; THEREFORE (v) OR (vi) applies.]

(iii) [NA - NOT AN EGU]

(iv) [NA - NOT AN EGU]

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(v) For the owner or operator of a NOx budget unit under § 145.4(a)(2) that commences operation on or after January 1, 2002, and that reports on an annual basis under § 145.72(d) (relating to out of control periods), [TYPO IN REGULATION: THIS SHOULD REFER TO 145.74(d)] by the later of the following dates:

(A) May 1, 2002.

(B) One hundred-eighty days after the date on which the unit commences operation.

(vi) For the owner or operator of a NOx budget unit under § 145.4(a)(2) that commences operation on or after January 1, 2002, and that reports on a control period basis under § 145.72(d)(2)(ii) (relating to out of control periods), [TYPO IN REGULATION: THIS SHOULD REFER TO 145.74(d)(2)(ii)] by 180 days after the date on which the unit commences operation, provided that this date is during a control period. If this date does not occur during a control period, the applicable deadline is May 1 immediately following this date.

(vii) [NA - NO NEW STACK OR FLUE]

(viii) [NA - NO NEW STACK OR FLUE]

(ix) [NA - NOT AN OPT-IN SOURCE]

(3) Reporting data prior to initial certification. The owner or operator of a NOx budget unit under paragraph (2)(iii), (iv), (v) or (vi) shall determine, record and report NOx mass emissions, heat input rate, and any other values required to determine NOx mass emissions (for example, NOx emission rate and heat input rate, or NOx concentration and stack flow rate) in accordance with 40 CFR 75.70(g) (relating to NOx mass emissions provisions), from the date and hour that the unit starts operating until the date and hour on which the continuous emission monitoring system, excepted monitoring system under 40 CFR Part 75, Appendix D or E, or excepted monitoring system under 40 CFR 75.19 (relating to optional SO2, NOx, and CO2 emissions calculation for low mass emissions units) is provisionally certified.

(4) Prohibitions.

(i) An owner or operator of a NOx budget unit or a non-NOx budget unit may not use an alternative monitoring system, alternative reference method or another alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with § 145.75 (relating to petitions).

(ii) An owner or operator of a NOx budget unit or a non-NOx budget unit may not operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for these emissions in accordance with the applicable provisions of this subchapter and 40 CFR Part 75 except as provided for in 40 CFR 75.74 (relating to annual and ozone season monitoring and reporting requirements).

(iii) An owner or operator of a NOx budget unit or a non-NOx budget unit may not disrupt the continuous emission monitoring system, a portion thereof or another approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing or maintenance is performed in accordance with the applicable provisions of this subchapter and 40 CFR Part 75 except as provided for in 40 CFR 75.74.

(iv) An owner or operator of a NOx budget unit or a non-NOx budget unit may not retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this subchapter, except under one of the following circumstances:

(A) During the period that the unit is covered by an exemption under § 145.4(b) or § 145.5 (relating to applicability; and retired unit exemption) that is in effect.

(B) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subchapter and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system.

(C) The NOx authorized account representative submits notification of the date of certification testing of a replacement

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monitoring system in accordance with § 145.71(b)(2) (relating to initial certification and recertification procedures).

(5) Notwithstanding the provisions of this section and § § 145.71—145.76, sources that are also subject to the monitoring provisions of Chapter 139 (relating to sampling and testing) shall demonstrate compliance with those provisions in addition to the provisions of this section and § § 145.71—145.76.

§ 145.71. Initial certification and recertification procedures.

(a) [NA - NO ACID RAIN LIMITATION]

(b) The owner or operator of a NO_x budget unit that is not subject to an acid rain emissions limitation shall comply with the following initial certification and recertification procedures. The owner or operator of a unit that qualifies to use the low mass emissions excepted monitoring methodology under 40 CFR 75.19 (relating to optional SO₂, NO_x and CO₂ emissions calculation for low mass emissions unit) or that qualifies to use an alternative monitoring system under 40 CFR Part 75, Subpart E (relating to alternative monitoring systems) shall comply with the following procedures, as modified by subsection (c) or (d). The owner or operator of a NO_x budget unit that is subject to an acid rain emissions limitation, but requires additional CEMS under the common stack provisions in 40 CFR 75.72, or that uses a NO_x concentration CEMS under 40 CFR 75.71(a)(2) also shall comply with the following initial certification and recertification procedures:

(1) Requirements for initial certification. The owner or operator shall ensure that each monitoring system required by 40 CFR Part 75, Subpart H (relating to NO_x mass emissions provisions) (which includes the automated data acquisition and handling system) successfully completes all of the initial certification testing required under 40 CFR 75.20 (relating to certification and recertification procedures). The owner or operator shall ensure that the applicable certification tests are successfully completed by the deadlines specified in § 145.70(2) (relating to general monitoring requirements). In addition, whenever the owner or operator installs a monitoring system to meet the requirements of this subchapter in a location where no monitoring system was previously installed, initial certification according to 40 CFR 75.20 is required.

(2) Requirements for recertification. Whenever the owner or operator makes a replacement, modification or change in a certified monitoring system that may significantly affect the ability of the system to accurately measure or record NO_x mass emissions or heat input rate or to meet the requirements of 40 CFR 75.21 (relating to quality assurance and quality control requirements) or 40 CFR Part 75, Appendix B (relating to quality assurance and quality control), the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Whenever the owner or operator makes a replacement, modification or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site or changing of flow rate monitor polynomial coefficients.

(3) Certification approval process for initial certifications and recertification.

(i) Notification of certification. The NO_x authorized account representative shall submit to the Department and the appropriate EPA regional office a written notice of the dates of certification in accordance with § 145.73 (relating to notification).

(ii) Certification application. The NO_x authorized account representative shall submit to the Department and the appropriate EPA regional office a certification application for each monitoring system required under 40 CFR Part 75 Subpart H. A complete certification application shall include the information specified in 40 CFR Part 75 Subpart H.

(iii) Provisional certification. Except for units using the low mass emission excepted methodology under 40 CFR 75.19, the provisional certification date for a monitor shall be determined using the procedures in 40 CFR 75.20(a)(3). A provisionally certified monitor may be used under the NO_x Budget Trading Program for a period not to exceed 120 days after receipt by the Department of the complete certification application for the monitoring system or component thereof under subparagraph (ii). Data measured and recorded by the provisionally certified monitoring system or component thereof, in accordance with 40 CFR Part 75, will be considered valid quality-assured data (retroactive to the date and time of provisional certification), if the Department does not invalidate the provisional certification by issuing a notice of disapproval within 120 days of receipt of the complete certification application by the Department.

(iv) Certification application formal approval process. The Department will issue a written notice of approval or disapproval

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of the certification application to the owner or operator within 120 days after receipt of the complete certification application under subparagraph (ii). If the Department does not issue the notice within the 120-day period, each monitoring system which meets the applicable performance requirements of 40 CFR Part 75 and is included in the certification application will be deemed certified for use under the NOx Budget Trading Program.

(A) Approval notice. If the certification application is complete and shows that each monitoring system meets the applicable performance requirements of 40 CFR Part 75, the Department will issue a written notice of approval of the certification application within 120 days of receipt.

(B) Incomplete application notice. A certification application will be considered complete when all of the applicable information required to be submitted under subparagraph (ii) has been received by the Department. If the certification application is not complete, the Department will issue a written notice of incompleteness that sets a date by which the NOx authorized account representative must submit the additional information required to complete the certification application. If the NOx authorized account representative does not comply with the notice of incompleteness by the specified date, then the Department may issue a notice of disapproval under clause (C). The 120-day review period may not begin prior to receipt of a complete certification application.

(C) Disapproval notice. If the certification application shows that any monitoring system or component thereof does not meet the performance requirements of this section and § § 145.70 and 145.72—145.76, or if the certification application is incomplete and the requirement for disapproval under clause (B) has been met, the Department will issue a written notice of disapproval of the certification application. Upon issuance of the notice of disapproval, the provisional certification is invalidated by the Department and the data measured and recorded by each uncertified monitoring system or component thereof will not be considered valid quality-assured data beginning with the date and hour of provisional certification (as defined under 40 CFR 75.20(a)(3)). the owner or operator shall follow the procedures for loss of certification in subparagraph (v) for each monitoring system or component thereof which is disapproved for initial certification.

(D) Audit decertification. The Department may issue a notice of disapproval of the certification status of a monitor in accordance with § 145.72(b).

(v) Procedures for loss of certification. If the Department issues a notice of disapproval of a certification application under subparagraph (iv)(C) or a notice of disapproval of certification status under subparagraph (iv)(D), the following apply:

(A) The owner or operator shall substitute the following values, for each hour of unit operation during the period of invalid data specified under 40 CFR 75.20(a)(4)(iii), (b)(5), (h)(4) or 75.21 (e) and continuing until the time, date and hour specified under 40 CFR 75.20(a)(5)(i):

(I) For units using or intending to monitor for NOx emission rate and heat input rate or for units using the low mass emission excepted methodology under 40 CFR 75.19, the maximum potential NOx emission rate and the maximum potential hourly heat input of the unit.

(II) For units intending to monitor for NOx mass emissions using a NOx pollutant concentration monitor and a flow monitor, the maximum potential concentration of NOx and the maximum potential flow rate of the unit under 40 CFR Part 75, Appendix A Section 2 (relating to instrument span).

(B) The NOx authorized account representative shall submit a notification of certification retest dates and a new certification application in accordance with subparagraphs (i) and (ii).

(C) The owner or operator shall repeat all certification tests or other requirements that were failed by the monitoring system, as indicated in the Department's notice of disapproval, within 30 unit operating days after the date of issuance of the notice of disapproval.

(c) This subsection applies to initial certification and recertification procedures for low mass emission units using the excepted methodologies under 40 CFR 75.19. The owner or operator of a gas-fired or oil-fired unit using the low mass emissions excepted methodology under 40 CFR 75.19 and not subject to an acid rain emission limitation shall meet the applicable general operating requirements of 40 CFR 75.10 (relating to general operating requirements) and the applicable requirements of 40 CFR 75.19. The owner or operator of such a unit shall also meet the applicable certification and recertification procedures of subsection (b), except that the excepted methodology shall be deemed provisionally certified

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for use under the NOx Budget Trading Program, as of one of the following dates:

- (i) For a unit that does not have monitoring equipment initially certified or recertified for the NOx budget trading program as of the date on which the NOx authorized account representative submits the certification application under 40 CFR 75.19, starting on the date of the submission until the completion of the period for the Department's review.
- (ii) For a unit that has monitoring equipment initially certified or recertified for the NOx Budget Trading Program as of the date on which the NOx authorized account representative submits the certification application under 40 CFR 75.19 for the unit and that reports data on an annual basis under § 145.74(d) (relating to recordkeeping and reporting), starting January 1 of the year after the year of the submission until the completion of the period for the Department's review.
- (iii) For a unit that has monitoring equipment initially certified or recertified for the NOx budget trading program as of the date on which the NOx authorized account representative submits the certification application under 40 CFR 75.19 for the unit and that reports on a control season basis under § 145.74(d), starting May 1 of the control period after the year of the submission until the completion of the period for the Department's review.

(d) [NA - ALTERNATIVE MONITORING NOT PROPOSED]

§ 145.72. Out of control periods.

(a) Quality assurance requirements. Whenever a monitoring system fails to meet the quality assurance or data validation requirements of 40 CFR Part 75 (relating to quality assurance and quality control procedures), data shall be substituted using the applicable procedures in 40 CFR Part 75 Subpart D, Appendix D or Appendix E (relating to missing data substitution procedures; optional SO₂ emissions data protocol for gas-fired and oil-fired units; and optional NO_x emissions estimation protocol for gas-fired peaking units and oil-fired peaking units).

(b) Audit decertification. Whenever both an audit of a monitoring system and a review of the initial certification or recertification application reveal that any system or component should not have been certified or recertified because it did not meet a particular performance specification or other requirement under § 145.71 (relating to initial certification and recertification procedures) or the applicable provisions of 40 CFR Part 75, both at the time of the initial certification or recertification application submission and at the time of the audit, the Department will issue a notice of disapproval of the certification status of the system or component. For the purposes of this subsection, an audit shall be either a field audit or an audit of any information submitted to the Department or the Administrator. By issuing the notice of disapproval, the Department revokes prospectively the certification status of the system or component. The data measured and recorded by the system or component will not be considered valid quality-assured data from the date of issuance of the notification of the revoked certification status until the date and time that the owner or operator completes subsequently approved initial certification or recertification tests. The owner or operator shall follow the initial certification or recertification procedures in § 145.71 for each disapproved system.

§ 145.73. Notifications.

The NOx authorized account representative for a NOx budget unit shall submit written notice to the Department and the Administrator in accordance with 40 CFR 75.61 (relating to notification), except that if the unit is not subject to an acid rain emissions limitation, the notification is only required to be sent to the Department.

§ 145.74. Recordkeeping and reporting.

(a) General provisions.

(1) In addition to the requirements of Chapter 127 (relating to construction, modification, reactivation and operation of sources), the NOx authorized account representative shall comply with the recordkeeping and reporting requirements in this section and with the requirements of § 145.10(e) (relating to authorization and responsibilities of the NOx authorized account representative).

(2) [NA - NO ACID RAIN LIMIT]

(b) Monitoring plans.

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(1) [NA - NO ACID RAIN LIMIT]

(2) The owner or operator of a unit that is not subject to an acid rain emissions limitation shall comply with requirements of 40 CFR 75.62, except that the monitoring plan is only required to include the information required by 40 CFR Part 75, Subpart H.

(c) Certification applications. The NO_x authorized account representative shall submit an application to the Department within 45 days after completing all initial certification or recertification tests required under § 145.71 (relating to initial certification and recertification procedures) including the information required under 40 CFR Part 75, Subpart H.

(d) Quarterly reports. The NO_x authorized account representative shall submit quarterly reports, as follows:

(1) [NA - NO ACID RAIN LIMIT].

(2) If a NO_x budget unit is not subject to an acid rain emission limitation, the NO_x authorized account representative shall do either of the following:

(i) Meet all the requirements of 40 CFR Part 75 related to monitoring and reporting NO_x mass emissions during the entire year and meet the reporting deadlines specified in paragraph (1).

(ii) Submit quarterly reports covering the period May 1—September 30 of each year and including the data described in 40 CFR 75.74(c)(6) (relating to annual and ozone monitoring and reporting requirement). The NO_x authorized account representative shall submit a quarterly report for each calendar quarter beginning with:

(A) For units that intend to apply or apply for early reduction credits under § 145.43, the calendar quarter that includes the date of initial provisional certification under § 145.71(b)(3)(iii) and (c). Data shall be recorded and reported from the date and hour of provisional certification.

(B) For units commencing operation on or before May 1, 2002, and are not subject to subparagraph (i), the calendar quarter covering May 1 through June 30, 2002. Data shall be recorded and reported from the earlier of the date and hour corresponding to the date and hour of initial provisional certification under § 145.71(b)(3)(iii) or (c) or the first hour of May 1, 2002.

(C) For units that commence operation after May 1, 2002, and during a control period, the calendar quarter in which the unit commences operation. Data shall be reported from the date and hour corresponding to when the unit commenced operation.

(D) For units that commence operation after May 1, 2002, and not during a control period, the calendar quarter covering the first control period after the unit commences operation. Data shall be reported from the earlier of the date and hour corresponding to the date and hour of initial provisional certification under § 145.71(b)(3)(iii) or (c) or the first hour of May 1 of the first control period after the unit commences operation.

(3) The NO_x authorized account representative shall submit each quarterly report to the Department and NO_x Budget Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR Part 75, Subpart H and 40 CFR 75.64 (relating to quarterly reports).

(i) [NA - NO ACID RAIN LIMIT]

(ii) For units not subject to an acid rain emissions limitation, quarterly reports are only required to include the data and information required in 40 CFR Part 75, Subpart H for each NO_x budget unit (or group of units using a common stack).

(4) The NO_x authorized account representative shall submit to the Department and NO_x Budget Administrator a compliance certification in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that the following conditions have been met:

(i) The monitoring data submitted were recorded in accordance with the applicable requirements of this subchapter and 40

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CFR Part 75, including the quality assurance procedures and specifications.

(ii) For a unit with add-on NO_x emission controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1) (relating to units with add-on emission controls), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under 40 CFR Part 75, Appendix B and the substitute values do not systematically underestimate NO_x emissions.

(iii) For a unit that is reporting on a control period basis under subparagraph (ii), the NO_x emission rate and NO_x concentration values substituted for missing data under 40 CFR Part 75, Subpart D (relating to missing data substitution procedures) are calculated using only values from a control period and do not systematically underestimate NO_x emissions.

§ 145.75. Petitions.

(a) The NO_x authorized account representative of a NO_x budget unit may submit a petition under 40 CFR 75.66 (relating to petitions to the Administrator) to the Administrator requesting approval to apply an alternative to any requirement of this section and § § 145.70—145.74 and 145.76.

(b) Application of an alternative to any requirement of this section and § § 145.70—145.74 and 145.76 is in accordance with this section and § § 145.70—145.74 and 145.76 only to the extent that the petition is approved by the Administrator under 40 CFR 75.66.

§ 145.76. Additional requirements to provide heat input data.

The owner or operator of a unit that monitors and reports NO_x mass emissions using a NO_x concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures in 40 CFR Part 75 (relating to continuous emission monitoring).

EMISSION REDUCTION CREDIT PROVISIONS

§ 145.90. Emission reduction credit provisions.

(a) NO_x budget units may create, transfer and use emission reduction credits (ERCs) in accordance with Chapter 127 (relating to construction, modification, reactivation and operation of sources) and this section. ERCs may not be used to satisfy NO_x allowance requirements.

(b) A NO_x budget unit may transfer NO_x ERCs to a NO_x budget unit if the new or modified NO_x budget unit's ozone season (May 1 through September 30) allowable emissions do not exceed the ozone season portion of the baseline emissions which were used to generate the NO_x ERCs.

(c) A NO_x budget unit may transfer NO_x ERCs to a non-NO_x budget unit under the following conditions:

(1) The non-NO_x budget unit's ozone season (May 1—September 30) allowable emissions may not exceed the ozone season portion of the baseline emissions which were used to generate the NO_x ERCs.

(2) The NO_x allowance tracking system account for NO_x budget units which generated ERCs transferred to non-NO_x budget units, including prior to the date of publication in the Pennsylvania Bulletin, shall have a corresponding number of NO_x allowances retired that reflect the transfer of emissions regulated under this subchapter to the non-NO_x budget units. The amount of annual NO_x allowances deducted shall be equivalent to that portion of the non-NO_x budget unit's NO_x control period allowable emissions which were provided for by the NO_x ERCs from the NO_x budget unit.

(3) Allocations for NO_x allowance control periods following 2002 to the NO_x ERC generating source may not include the allowances identified in paragraph (2).

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

**SECTION E. Source Group Restrictions.**

Group Name: 05

Group Description: NSPS, 40 CFR 60, Subpart GG, GE Retro Turbine

Sources included in this group

ID	Name
031A	GE RETRO TURB (31601/31,370 HP@ZERO DEGREE F)

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.330]****Subpart GG - Standards of Performance for Stationary Gas Turbines****Applicability and designation of affected facility.**

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

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

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.332]**Subpart GG - Standards of Performance for Stationary Gas Turbines****Standard for nitrogen oxides.**

§ 60.332 Standard for nitrogen oxides.

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

(1) [NA - OPERATORS OF NON-EGU TURBINES >100 MMBTU MAY APPARENTLY COMPLY WITH EITHER (1) OR (2); (2) IS LESS STRINGENT]

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

$$\text{STD} = 0.0150(14.4)/Y + F$$

where:

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

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

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

[F-FACTOR IS ZERO; Y IS REPORTED AS BEING 13.6; THEREFORE STD = 0.016]

(3) [NA - F-FACTOR NOT USED]

(4) [NA - F-FACTOR NOT USED]

(b) [NA - NOT EGU]

(c) - (l) [NA - NO EXEMPTION FROM (a)(2), OR DIRECTION TOWARDS (a)(1)]

**SECTION E. Source Group Restrictions.****# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.333]****Subpart GG - Standards of Performance for Stationary Gas Turbines
Standard for sulfur dioxide.**

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

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

60.333(b) : No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw).

II. TESTING REQUIREMENTS.**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.335]****Subpart GG - Standards of Performance for Stationary Gas Turbines
Test methods and procedures.**

In performing any required testing, the permittee shall comply with the provisions of 40 CFR 60.335.

III. MONITORING REQUIREMENTS.**# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.334]****Subpart GG - Standards of Performance for Stationary Gas Turbines
Monitoring of operations.**

60.334(a) and (b) : N/A. TURBINES DO NOT USE WATER OR STEAM INJECTION.

60.334(c) : N/A. PERMITTEE DOES NOT ELECT TO USE CEMS FOR NSPS PURPOSES

60.334(d) : N/A. TURBINES WERE NOT CONSTRUCTED AFTER JULY 8, 2004, WITH WATER /STEAM INJECTION.

60.334(e) : N/A. TURBINES INSTALLED BEFORE 2004.

60.334(f) : N/A. THESE ARE NOT NEW TURBINES.

60.334(g) : N/A. BECAUSE (a), (d), AND (f) ARE N/A.

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

60.334(h)(1) : N/A. PERMITTEE HAS ELECTED TO USE BELOW (h)(3).

60.334(h)(2) : N/A. FUEL NITROGEN ALLOWANCE NOT USED.

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

60.334(h)(3)(i) : The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

60.334(h)(3)(ii) : N/A. NO REPRESENTATIVE FUEL SAMPLING REQUIRED. PERMITTEE RELIES ON ABOVE (h)(3)(i) TARIFF SHEET.

60.334(h)(4) : N/A. NO CUSTOM FUEL MONITORING SCHEDULE.

**SECTION E. Source Group Restrictions.**

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

60.334(i)(1) : N/A. FOR FUEL OIL.

60.334(i)(2) : Gaseous fuel. N/A. PERMITTEE HAS ELECTED TO USE METHOD IN ABOVE (h)(3).

60.334(i)(3) : N/A. NO CUSTOM SCHEDULE.

60.334(j) : N/A. NO CONTINUOUS OR PERIODIC MONITORING OF PARAMETERS OR EMISSIONS.

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

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

[Additional authority for this permit condition is derived from 40 CFR 60, Subpart GG]

Source IDs 031A is subject to 40 CFR Part 60, Subpart GG - Standards of performance for Stationary Gas Turbines, as well as all applicable portion of General Provisions of Subpart A. The permittee shall comply with 40 CFR §60.4, which requires submission of copies of all requests, reports, applications, submittals, and other communications to both the U.S. Environmental Protection Agency (U.S. EPA) and the Department. The U.S. EPA copies shall be forwarded to:

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

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.331]**Subpart GG- Standards of Performance for Stationary Gas Turbines****Definitions.**

As defined in Section 60.331(u), natural gas contains 20 grains or less of total sulfur per 100 scf, equivalent to 0.068 weight percent, or 680 ppmw and 338 ppmv.

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

**SECTION E. Source Group Restrictions.**

Group Name: 06

Group Description: RACT II, VOC and NOx

Sources included in this group

ID	Name
031A	GE RETRO TURB (31601/31,370 HP@ZERO DEGREE F)

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

VOC RACT II, Limits:

The permittee shall limit the facility's emissions to less than the following quantities, based on any consecutive 12-month rolling total:

Volatile Organic Compounds (VOCs): 50 tons

[NOTE: This restriction ensures that the facility is minor for VOC RACT]

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.**# 002 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

NOx RACT II for Source ID 031A, Presumptive RACT:

For Information.

The GE Frame 5 is a natural gas-fired, simple cycle combustion turbine subject to the presumptive RACT limit in 25 Pa. Code §129.97(g)(2)(iv)(A) of 42 ppmvd NOx @ 15% O₂. Texas Eastern Entriken Compressor Station demonstrated initial compliance with the NOx RACT II limits via Department-approved stack testing. As indicated in the Title V permit, the CEMS

**SECTION E. Source Group Restrictions.**

is not required by regulation and Texas Eastern does not use it to demonstrate compliance with the applicable NOx concentration standard under 40 CFR 60, NSPS, Subpart GG.

The current Monitoring Plan includes lb/hr NOx data only. Therefore, Texas Eastern proposes and Department approves, to continue to demonstrate compliance with the RACT II NOx limits in accordance with 25 Pa. Code §129.100(a)(4), via Department-approved stack testing (in accordance with Chapter 139, Subchapter A), one time in every 5- year calendar period.

In accordance with the 25 Pa. Code §129.100(d). Texas Eastern will maintain records to demonstrate compliance with these requirements.

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



SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this Title V facility.



SECTION G. Emission Restriction Summary.

No emission restrictions listed in this section of the permit.

**SECTION H. Miscellaneous.**

#001. Insignificant Source List: The following sources do not require any work practice standards, or monitoring, recordkeeping, and reporting requirements:

- (a) One (1) pre-existing heater input 0.769 and output 0.5 mmbtu/hr, natural gas fired.
- (b) Two (2) building heaters in Team 2014 Project report 8/240, PA 31-05019: 1.538 mmbtu/hr and 0.185 mmbtu/hr, natural gas.

#002: This operating permit is renewal of TVOP issued on 3/24/16 and expiring on 3/31/21. It incorporates:

- (a) Plan Approval No. 31-05019A for construction of Titan turbine and reintroduction of the CEMs on the existing GE turbine. The plan approval No. 31-05019A superseded in its entirety, the state only Operating Permit No. 31-05018.
- (b) Minor modification to TVOP submitted on 4/17/17 to include VOC emissions cap at Section C.



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