



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date: June 10, 2025

Effective Date: June 10, 2025

Expiration Date: May 31, 2030

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

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable applicable requirements unless otherwise designated as "State-Only" or "non-applicable" requirements.

TITLE V Permit No: 37-00023

Federal Tax Id - Plant Code: 84-1818606-1

Owner Information

Name: NEW CASTLE POWER LLC

Mailing Address: PO BOX 325

2189 STATE ROUTE 168 SOUTH

WEST PITTSBURG, PA 16160-0325

Plant Information

Plant: NEW CASTLE POWER LLC/NEW CASTLE GENERATING STATION

Location: 37 Lawrence County

37920 Taylor Township

SIC Code: 4911 Trans. & Utilities - Electric Services

Responsible Official

Name: JOHN KENNEDY

Title: AUTHORIZED REPRESENTATIVE

Phone: (773) 269 - 7880

Email: jkennedy@mrpgenco.com

Permit Contact Person

Name: MICHAEL MAINE

Title: PLANT MANAGER

Phone: (724) 535 - 1827

Email: Mmaine@heritagepowergen.com

[Signature] _____

LORI L. MCNABB, NORTHWEST REGION AIR PROGRAM MANAGER



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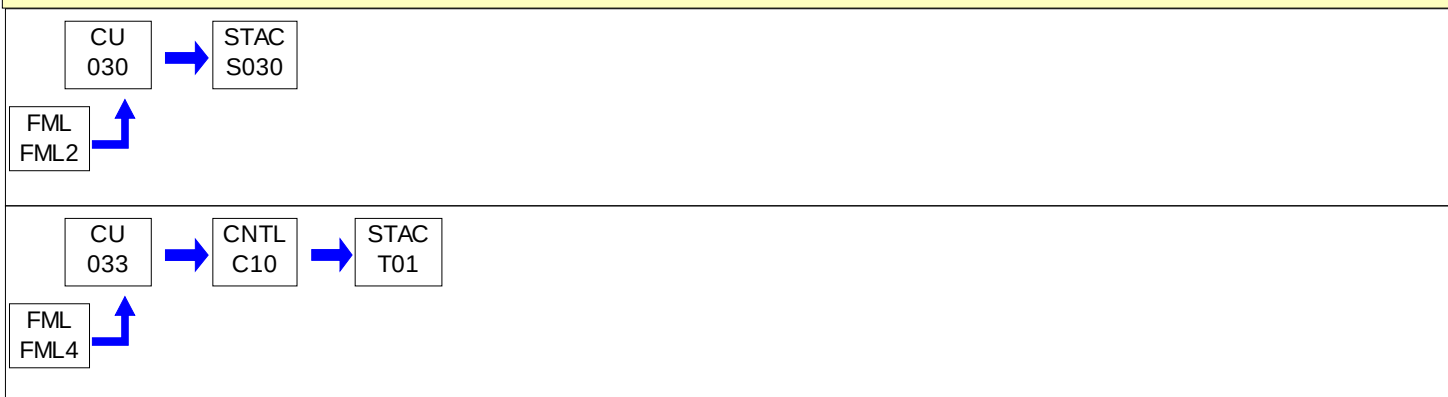
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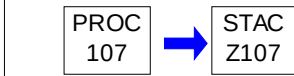
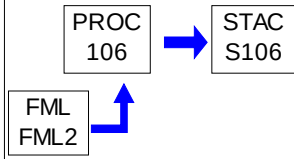
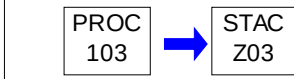
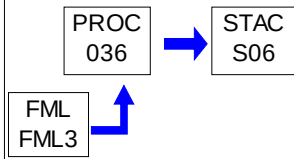
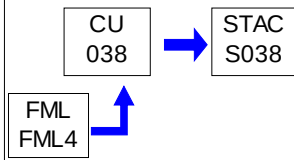
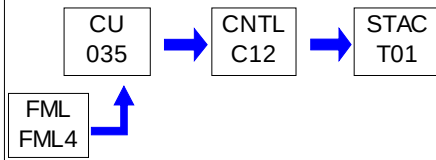
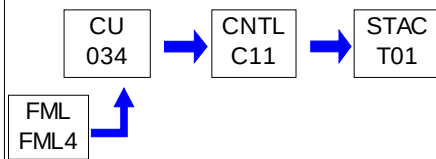
**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput		Fuel/Material
030	AUXILIARY BOILER	8.200	MMBTU/HR	
		59.600	Gal/HR	#2 Oil
033	BABCOCK & WILCOX - BOILER 3	1,029.000	MMBTU/HR	
		1,029.000	MCF/HR	Natural Gas
034	BABCOCK & WILCOX - BOILER 4	1,029.000	MMBTU/HR	
		1,029.000	MCF/HR	Natural Gas
035	BABCOCK & WILCOX - BOILER 5	1,565.000	MMBTU/HR	
		1,565.000	MCF/HR	Natural Gas
038	2 NATURAL GAS PIPELINE HEATERS (EACH 3.65 MMBTU/HR)	7.300	MMBTU/HR	
		7,287.000	CF/HR	Natural Gas
036	ELECTROMOTIVE DIESEL A	30.000	MMBTU/HR	
		492.000	Gal/HR	#2 OIL
103	PLANT ROADWAYS			
106	TWO EMERGENCY DIESEL GENERATORS (49HP AND 98HP)	3.500	Gal/HR	DIESEL FUEL
107	PARTS WASHER (REMOTE RESERVOIR COLD CLEANING MACHINE)			
C10	LNB/SOFA FOR BOILER 3			
C11	LNB/SOFA FOR BOILER 4			
C12	LNB/SOFA FOR BOILER 5			
FML2	DIESEL OIL-LIGHTOFF			
FML3	EMD OIL TANKS			
FML4	NATURAL GAS			
S030	STACK FROM AUXILIARY BOILER			
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T01	COMMON STACK			
Z03	PLANT ROADWAYS FUGITIVES			
Z107	FUGITIVES FROM PARTS WASHER			

PERMIT MAPS



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 Air Pollution Control Act (35 P.S. §§ 4001-4015).

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

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

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

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

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

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

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

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

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

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

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

- (1) The Department determines that no other change in the permit is necessary;
- (2) A written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee; and,
- (3) A compliance review form has been submitted to the Department and the permit transfer has been approved by

**SECTION B. General Title V Requirements**

the Department.

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

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

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

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

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

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

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

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

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

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

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

(1) Enforcement action

(2) Permit termination, revocation and reissuance or modification

(3) Denial of a permit renewal application

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

R3_Air_Apps_and_Notices@epa.gov

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

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

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

R3_Air_Apps_and_Notices@epa.gov

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

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

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

R3_Air_Apps_and_Notices@epa.gov

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

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

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

R3_Air_Apps_and_Notices@epa.gov

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

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

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

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

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

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

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

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

**SECTION B. General Title V Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

(2) One ton of 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.

**SECTION B. General Title V Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION B. General Title V Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION B. General Title V Requirements**

(5) The results of the analyses.

(6) The operating conditions as existing at the time of sampling or measurement.

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

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

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

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

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

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

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

#026 [25 Pa. Code § 127.513]**Compliance Certification**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION B. General Title V Requirements**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) Construction or demolition of buildings or structures.

(2) Grading, paving and maintenance of roads and streets.

(3) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.

(4) Clearing of land.

(5) Stockpiling of materials.

(6) Open burning operations.

(7) Not applicable.

(8) Not applicable.

(9) Sources and classes of sources other than those identified in paragraphs (1)-(8), for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:

(i) the emissions are of minor significance with respect to causing air pollution; and

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

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

(c) See work practice standard requirement.

(d) Not applicable.

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

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in Section C, Condition #001, above, if such emissions are visible at the point the emissions pass outside the person's property.

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

A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any sources in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

**SECTION C. Site Level Requirements****# 004 [25 Pa. Code §123.41]****Limitations**

A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.
- (2) Equal to or greater than 60% at any time.

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

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

- (1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).
- (4) Not applicable.

006 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

[Plan Approval 37-023G]

(a) Pursuant to the requirements of 40 CFR 52.21(aa) and 25 PA Code 127.218, the following PSD/NNSR PAL is established for the following pollutants:

1. PM (TSP) - 350.31 tpy based on a 12-month rolling total
2. PM₁₀ - 626.85 tpy based on a 12-month rolling total
3. PM_{2.5} - 540.73 tpy based on a 12-month rolling total
4. SO_x - 8,279.66 tpy based on a 12-month rolling total
5. NO_x - 2,958.51 based on a 12-month rolling total
6. CO - 1,389.43 tpy based on a 12-month rolling total
7. VOC - 58.9 tpy based on a 12-month rolling total
8. Pb - 0.3 tpy based on a 12-month rolling total
9. H₂SO₄ - 85.62 tpy based on a 12-month rolling total
10. CO_{2e} - 1,560,675.9 tpy based on a 12-month rolling total

[Plan Approval 37-023G]

(b) The emissions shall include fugitive emissions, to the extent quantifiable, from all emissions units that emit or have the potential to emit the PAL pollutant at the major facility as required by 25 PA Code 127.218(c)(4) and 40 CFR 52.21(aa)(4)(i)(d).

[Plan Approval 37-023G]

**SECTION C. Site Level Requirements**

(c) For each month during the PAL effective period after the first 12 months of establishing a PAL, the owner or operator of the major facility shall show that the sum of the monthly emissions from each emissions unit under the PAL for the previous 12 consecutive months, expressed as a 12-month rolling total, is less than the PAL. For each month during the first 11 months from the PAL effective date, the owner or operator of the major facility shall show that the sum of the preceding monthly emissions from the PAL effective date for each emissions unit under the PAL is less than the PAL as required by 25 PA Code 127.218(c)(1) and 40 CFR 52.21(aa)(4)(i)(a).

[Plan Approval 37-023G]

(d) Based on compliance with the SO₂ Data Requirements Rule (See 40 CFR §1204), the SO_x emissions limit from the three main boilers (Sources 033, 034, & 035) on a 1-hr average basis shall not exceed 1,885.7 #/hr.

007 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[From: Plan approval #37-023D, condition #001]

Particulate matter from the combustion unit for Boiler 3, 4, and 5 shall not exceed 0.1 lb/mmbtu.

[Additional Authority for this requirement based on 25 Pa Code Section 123.11]

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.

008 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-023G]

The owner or operator of a major facility shall monitor all emissions units in accordance with 25 PA Code 127.218(m) and 40 CFR 52.21(aa)(12).

IV. RECORDKEEPING REQUIREMENTS.

009 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-023G]

(a) The owner or operator shall retain a copy of the records necessary to determine compliance with the PAL, including a determination of the 12-month rolling total emissions for each emissions unit, for 5 years as required by 25 PA Code 127.218(n)(1) and 40 CFR 52.21(aa)(13)(i).

[Plan Approval 37-023G]

(b) The owner or operator shall retain a copy of the following records for the duration of the PAL effective period and 5 years after the PAL permit expires as required by 25 PA Code 127.218(n)(2) and 40 CFR 52.21(aa)(13)(ii):

1. A copy of the PAL permit application and applications for revisions to the PAL permit.

2. Each annual certification of compliance required under Title V of the Clean Air Act (42 U.S.C.A. § 7661—7661f) and regulations adopted under the act and the data relied on in certifying the compliance.

[Plan Approval 37-023G]

(c) The owner or operator of a major facility shall retain the records required under 25 PA Code 127.218(n) and 40 CFR 52.21(aa)(13) and they shall be retrievable onsite. Such records may be retained in an electronic format.

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

The permittee shall maintain a log of all reported fugitive emissions and malodors which deviate from the terms of conditions #001, 002, and 003, above, the cause of the deviation(s) (if known), and the corrective action taken to abate the deviation.

011 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

The permittee shall maintain records to demonstrate compliance with NOx and VOC RACT restrictions contained in this permit in accordance with the minimum recordkeeping requirements of 25 Pa. Code Section 129.95. At a minimum, this shall include:

- (a) Records shall provide sufficient data and calculations to clearly demonstrate that the NOx and VOC RACT requirements are being met.
- (b) Data or information required to determine compliance with the NOx RACT requirements for Boilers Nos. 3, 4, and 5 shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.
- (c) Records shall be retained for at least five years and be made available to the Department upon request.
- (d) All CEM reports shall be submitted to the Department within thirty (30) days after each [calendar] quarter but no later than the time frame established in the Department's latest Continuous Source Monitoring Manual.

[Authority for this condition is also derived from 25 Pa. Code Section 129.95.]

V. REPORTING REQUIREMENTS.**# 012 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-023G]

The owner or operator of a major facility shall submit the reports required under 25 PA Code 127.218(o) and 40 CFR 52.21(aa)(14) by the required deadlines.

VI. WORK PRACTICE REQUIREMENTS.**# 013 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

[From: 25 Pa. Code §123.1(c)]

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

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

014 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

[Plan Approval 37-023G]

**SECTION C. Site Level Requirements**

(a) Emission calculations for compliance purposes shall include emissions from startups, shutdowns and malfunctions as required by 25 PA Code 127.218(g)(4) and 40 CFR 52.21(aa)(7)(iv).

[Plan Approval 37-023G]

(b) The owner or operator of a major facility shall use the calculation procedures contained in Attachment 4.C from the PAL application (or a Department approved equivalent) to convert the monitoring system data to monthly emissions and annual emissions based on a 12-month rolling total for each month as required by 25 PA Code 127.218(n)(1) and 40 CFR 52.21(aa)(13)(i).

015 [25 Pa. Code §129.14]

Open burning operations

(a) Air basins. No person may permit the open burning of material in an air basin.

(b) Not applicable.

(c) Exceptions: The requirements of subsections (a) and (b) do not apply where the open burning operations result from:

(1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.

(2) A fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.

(3) Not applicable.

(4) Not applicable.

(5) A fire set for the purpose of burning domestic refuse, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of such structure.

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

(7) A fire set solely for cooking food.

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

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

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

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

(2) Subsection (a) notwithstanding, clearing and grubbing wastes may be burned in a basin subject to the following requirements:

(i) Air curtain destructors shall be used when burning clearing and grubbing wastes.

(ii) Each proposed use of air curtain destructors shall be reviewed and approved by the Department in writing with respect to equipment arrangement, design and existing environmental conditions prior to commencement of burning. Proposals approved under this subparagraph need not obtain plan approval or operating permits under Chapter 127 (relating to construction modification, reactivation and operation of sources).

(iii) Approval for use of an air curtain destructor at one site may be granted for a specified period not to exceed 3 months, but may be extended for additional limited periods upon further approval by the Department.

**SECTION C. Site Level Requirements**

(iv) The Department reserves the right to rescind approval granted if a determination by the Department indicates that an air pollution problem exists.

(3) Not applicable.

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

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

VII. ADDITIONAL REQUIREMENTS.**# 016 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-023G]

(a) The PSD and NNSR PAL for emissions are established for the following sources at the facility:

1. Source 030 - Auxiliary Boiler
2. Source 033 - Boiler #3
3. Source 034 - Boiler #4
4. Source 035 - Boiler #5
5. Source 036 - Electromotive Diesel A
6. Source 101 - Coal Stockpile [No longer operational]
7. Source 102 - Bottom Flyash Disposal [No longer operational]
8. Source 103 - Plant Roadways
9. Source 104 - Flyash Storage Silos [No longer operational]
10. Source 106 - 2 Emergency Diesel Generators
11. Source 107 - Parts Washer

[Plan Approval 37-023G]

(b) The PAL effective period is 10 years from plan approval issuance. [PAL expires January 10, 2027]

[Plan Approval 37-023G]

(c) In accordance with the plantwide applicability limit (PAL) provisions of 25 Pa. Code Section 127.218(k)(2), if the owner or operator of the facility submits a timely and complete application to renew the PAL permit, the PAL will continue to be effective until the revised permit with the renewed PAL is issued. Pursuant to 25 Pa. Code Section 127.218(k)(4), the Department may renew the PAL unchanged if the emissions are below 80% of the PAL level solely due to reduced utilization. The Department may reopen the PAL in accordance with 25 Pa. Code Section 127.218(i)(1) or 25 Pa. Code Section 127.218(i)(2), as necessary

[Plan Approval 37-023G]

(d) Upon expiration of the PAL permit, the owner or operator of a major facility is subject to the requirements of 25 PA Code 127.218(j) and 40 CFR 52.21(aa)(9).

[Plan Approval 37-023G]

**SECTION C. Site Level Requirements**

(e) Emissions from a new source that requires a plan approval shall be the minimum attainable through the use of BAT. A physical change or change in method of operation at an existing emissions unit will not be subjected to BAT requirements of this chapter unless the emissions unit is modified so that the fixed capital cost of new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new emissions unit as required by 25 PA Code 127.218(g)(10).

017 [25 Pa. Code §127.218.]**PALs.**

25 PA Code 127.218(d) At no time during or after the PAL effective period are emissions reductions of a PAL pollutant, which occur during the PAL effective period, creditable as decreases for purposes of offsets under this subchapter unless the level of the PAL is reduced by the amount of the emissions reductions and the reductions would be creditable in the absence of the PAL.

25 PA Code 127.218(i) The following requirements apply to reopening of the PAL permit:

(1) During the PAL effective period, the Department will reopen the PAL permit to:

(i) Correct typographical/calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL.

(ii) Reduce the PAL if the owner or operator of the major facility creates creditable emissions reductions for use as offsets under § 127.207 (relating to creditable emissions decrease or ERC generation or creation).

(iii) Revise the PAL to reflect an increase in the PAL as provided under subsection (l).

(2) The Department may reopen the PAL permit to reduce the PAL:

(i) To reflect newly applicable Federal requirements with compliance dates after the PAL effective date.

(ii) Consistent with a requirement that is enforceable as a practical matter and that the Department may impose on the major facility consistent with all applicable requirements.

(iii) If the Department determines that a reduction is necessary to avoid causing or contributing to:

(A) A NAAQS or PSD increment violation.

(B) An adverse impact on an air quality related value that has been identified for a Federal Class I area by a Federal land manager and for which information is available to the general public.

(3) Except for the permit reopening paragraph (1)(i) for the correction of typographical/calculation errors that do not increase the PAL level, other reopening shall be carried out in accordance with the public participation requirements of subsection (e).

25 PA Code 127.218(j) A PAL permit which is not renewed in accordance with the procedures in subsection (k) expires at the end of the PAL effective period and the following requirements apply:

(1) The owner or operator of each emissions unit or each group of emissions units that existed under the PAL shall comply with an allowable emissions limitation under a revised permit established according to the following procedures:

(i) Within the time frame specified for PAL permit renewals in subsection (k)(2), the owner or operator of the major facility shall submit a proposed allowable emissions limitation for each emissions unit, or each group of emissions units if this distribution of allowable emissions is more appropriate as determined by the Department, by distributing the PAL allowable emissions for the major facility among each of the emissions units that existed under the PAL permit. If the PAL permit has not been adjusted for an applicable requirement that became effective during the PAL effective period, as required under subsection (k)(5), this distribution is made as if the PAL permit has been adjusted.

**SECTION C. Site Level Requirements**

(ii) The Department will decide whether and how to distribute the PAL allowable emissions and issue a revised PAL permit incorporating allowable limits for each emissions unit or each group of emissions units.

(2) The owner or operator of each emissions unit or group of emissions units shall comply with the allowable emissions limitation on a 12-month rolling basis. The Department may approve the use of emissions monitoring systems other than CEMS, CERMS, PEMS or CPMS to demonstrate compliance with the allowable emissions limitation.

(3) Until the Department issues the revised PAL permit incorporating the allowable limits for each emissions unit or group of emissions units required under paragraph (1)(i), the owner or operator of the facility shall continue to comply with a facility-wide, multi-unit emissions cap equivalent to the level of the PAL emissions limitation.

(4) A physical change or change in the method of operation at the major facility is subject to this subchapter if the change meets the definition of major modification.

(5) The owner or operator of the major facility shall continue to comply with any State or Federal applicable requirements including BAT, BACT, RACT or NSPS that may have applied either during the PAL effective period or prior to the PAL effective period except for those emissions limitations that had been established under § 127.203(e)(2), but were eliminated by the PAL in accordance with the provisions in subsection (a)(3)(iii).

25 PA Code 127.218(k) The following requirements apply to renewal of a PAL:

(1) The Department will follow the procedures specified in subsection (e) in approving a request to renew a PAL permit for a major facility, and will provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment in accordance with the applicable public notice requirements in § 127.44, 127.424 and 127.521. During the public review, a person may propose a PAL level for the major facility for consideration by the Department.

(2) An owner or operator of a major facility shall submit a timely application to the Department to request renewal of a PAL permit. A timely application is one that is submitted at least 6 months prior to, but not earlier than 18 months prior to the date of permit expiration. If the owner or operator of a major facility submits a complete application to renew the PAL permit within this time period, the PAL continues to be effective until the revised permit with the renewed PAL is issued.

(3) The application to renew a PAL permit must contain the following information:

(i) The information required in subsection (b)(1)—(3).

(ii) A proposed PAL level.

(iii) The sum of the potentials to emit of the emissions units under the PAL.

(iv) Other information the owner or operator wishes the Department to consider in determining the appropriate level at which to renew the PAL.

(4) The Department will consider the options in subparagraphs (i) and (ii) in determining whether and how to adjust the PAL. In no case may the adjustment fail to comply with subparagraphs (iii) and (iv).

(i) If the emissions level calculated in accordance with subsection (f) is equal to or greater than 80% of the PAL level, the Department may renew the PAL at the same level without considering the factors set forth in subparagraph (ii).

(ii) The Department may set the PAL at a level that it determines to be more representative of the facility's baseline actual emissions or that it determines to be appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the facility's voluntary emissions reductions or other factors specifically identified by the Department in its written rationale.

(iii) If the potential to emit of the major facility is less than the PAL, the Department will adjust the PAL to a level no greater than the potential to emit of the facility.

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(iv) The Department will not approve a renewed PAL level higher than the current PAL unless the major facility has complied with subsection (l).

(5) If the compliance date for a State or Federal requirement that applies to the facility occurs during the PAL effective period and the Department has not already adjusted for this requirement, the PAL must be adjusted at the time of the PAL permit renewal or Title V permit renewal, whichever occurs first.

25 PA Code 127.218(l) The following requirements apply to increasing a PAL during the PAL effective period:

(1) The Department may increase a PAL emissions limitation during the PAL effective period if the owner or operator of the major facility complies with the following:

(i) The owner or operator of the major facility shall submit a complete application to request an increase in the PAL limit for a PAL major modification. The application must identify the emissions units contributing to the increase in emissions that cause the major facility's emissions to equal or exceed its PAL.

(ii) The owner or operator of the major facility shall demonstrate that the sum of the baseline actual emissions of the small emissions units assuming application of BAT, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions units exceeds the PAL. The level of control that would result from BAT or BACT equivalent controls on each small emissions unit, significant emissions unit or major emissions unit must be determined by conducting a new BAT or BACT analysis at the time the application is submitted unless the emissions unit is currently required to comply with a BAT, BACT or LAER requirement that was established within the preceding 10 years. In this case, the assumed control level for that emissions unit is equal to the level of BAT, BACT or LAER with which that emissions unit must currently comply.

(iii) The owner or operator of the major facility shall obtain a major NSR permit for all emissions units identified in subparagraph (i), regardless of the magnitude of the emissions increase resulting from them. The owner or operator of these emissions units shall comply with the applicable emissions requirements of this subchapter, even if the units are subject to a PAL or continue to be subject to a PAL.

(iv) The PAL permit must require that the increased PAL level be effective on the day any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(2) The Department will calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls determined in accordance with paragraph (1)(ii), plus the sum of the baseline actual emissions of the small emissions units.

(3) The PAL permit must be revised to reflect the increased PAL level under the public notice requirements of subsection (e).

25 PA Code 127.218(m) The following monitoring requirements apply to an owner or operator subject to a PAL:

(2) The PAL monitoring system must employ one or more of the four general monitoring approaches meeting the minimum requirements in paragraph (5) and must be approved in writing by the Department.

(3) The owner or operator of the facility may also use an alternative monitoring approach that meets the requirements of paragraph (1), if approved in writing by the Department.

(4) Failure to use a monitoring system that meets the requirements of this section renders the PAL permit invalid.

(5) The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs (6)—(12):

(i) Mass balance calculations for activities using coatings or solvents.

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(ii) CEMS.

(iii) CPMS or PEMS.

(iv) Emission factors.

(6) An owner or operator of a major facility using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents shall meet the following requirements:

(i) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit.

(ii) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process.

(iii) If the vendor of a material or fuel used in or at the emissions unit publishes a range of pollutant content from the material, the owner or operator shall use the highest value of the range to calculate the PAL pollutant emissions unless the Department determines, in writing, that there is site-specific data or a site-specific monitoring program to support another content within the range.

(7) An owner or operator of a major facility using a CEMS to monitor PAL pollutant emissions shall meet the following requirements:

(i) The CEMS must comply with applicable performance specifications found in 40 CFR Part 60, Appendix B (relating to performance specifications).

(ii) The CEMS must sample, analyze and record data at least every 15 minutes while the emissions unit is operating.

(8) An owner or operator of a major facility using a CPMS or PEMS to monitor PAL pollutant emissions shall meet the following requirements:

(i) The CPMS or PEMS must be calibrated based on current site-specific data demonstrating a correlation between the monitored parameters and the PAL pollutant emissions across the range of operation of the emissions unit.

(ii) Each CPMS or PEMS must sample, analyze and record data at least every 15 minutes or other less frequent interval approved in writing by the Department, while the emissions unit is operating.

(9) An owner or operator of a major facility using emission factors to monitor PAL pollutant emissions shall:

(i) Adjust the emission factors to account for the degree of uncertainty or limitations in the development of the factors.

(ii) Operate the emissions unit within the designated range of use for the emission factor, if applicable.

(iii) Conduct validation testing to determine a site-specific emission factor within 6 months of PAL permit issuance, unless the Department determines, in writing, that testing is not required. [The Department has determined that emission factors used in the PAL application are acceptable to determine compliance with the PAL limitations. As such, initial 6 month testing is not required to validate the emission factors.]

(10) An owner or operator of a facility shall record and report maximum potential emissions without considering enforceable emissions limitations or operational restrictions for an emissions unit during a period of time that there is no monitoring data, unless another method for determining emissions during these periods is specified in the PAL permit. [For all 40 CFR Part 75 monitored parameters, follow Part 75 missing data substitution procedures for all periods of missing data.]

(11) If an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameters and the PAL pollutant emissions rate at the operating points of the emissions unit, the Department will, at the time of

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permit issuance, either:

(i) Establish default values for determining compliance with the PAL permit based on the highest potential emissions reasonably estimated at the operating points.

(ii) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameters and the PAL pollutant emissions is a violation of the PAL permit.

(12) Data used to establish the PAL must be revalidated through performance testing or other scientifically valid means approved in writing by the Department. This testing must occur at least once every 5 years after issuance of the PAL permit. [The Department recognizes that using performance testing to revalidate data used to determine PAL levels that were established while combusting certain fuels may not be practical. Therefore, the Department will accept prior emission test results and previously established emissions factors as a scientifically valid means to revalidate the data.]

25 PA Code 127.218(o) The following requirements apply to reporting and notification:

(1) The owner or operator of a major facility shall submit semiannual monitoring reports and prompt deviation reports to the Department in accordance with the Title V operating permit requirements of Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

(2) The semiannual reports must:

(i) Be submitted to the Department within 30 days of the end of each reporting period.

(ii) Contain the following information:

(A) The identification of the owner and operator and the permit number.

(B) Total annual emissions in TPY based on a 12-month rolling total for each month in the reporting period recorded in compliance with subsection (n)(1).

(C) Data relied upon, including the quality assurance or quality control data, in calculating the monthly and annual PAL pollutant emissions.

(D) A list of the emissions units modified or added to the major facility during the preceding 6-month period.

(E) The number, duration and cause of deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and the corrective action taken.

(F) A notification of a shutdown of a monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by the method included in the permit under subsection (m)(10).

(G) A statement signed by a responsible official of the company that owns or operates the facility certifying the truth, accuracy and completeness of the information provided in the report.

(3) The reports of deviations and exceedances of the PAL requirements, including periods in which no monitoring is available, must:

(i) Be submitted to the Department promptly. A report submitted under Subchapter G satisfies this reporting requirement.

(ii) Contain the following information:

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(A) The identification of the owner and operator and the permit number.

(B) The PAL requirement that experienced the deviation or that was exceeded.

(C) Emissions resulting from the deviation or the exceedance.

(D) A statement signed by a responsible official of the company that owns or operates the facility certifying the truth, accuracy and completeness of the information provided in the report.

(4) The owner or operator of a major facility shall submit to the Department the results of any revalidation test or method within 3 months after completion of the test or method.

018 [25 Pa. Code §127.512]**Operating permit terms and conditions.**

This condition applies only to Boilers Nos. 3, 4, and 5 and Electromotive Diesel Units A.

The permittee shall comply with the following permit requirements from RACT Compliance permit No. OP 37-023 issued on April 8, 1999:

(a) The operation of the facility shall not at any time result in the emission of any air contaminants in excess of the limitations specified in, or established pursuant to any applicable rule or regulation contained in Article III of the Rules and Regulations of the Department of Environmental Protection.

(b) The permittee shall, within an hour of occurrence, notify the Department of any malfunction of the source(s) or associated air cleaning device(s) which results in, or may possibly be resulting in, the emission of air contaminants in excess of the limitations specified in, or established pursuant to, any applicable rule or regulation contained in Article III of the Rules and Regulations of the Department of Environmental Protection.

(c) If at any time, the permittee causes, permits, or allows any modification (as that term is defined in Chapter 121 of Title 25, the Rules and Regulations of the Department of Environmental Protection) of the aforementioned air contamination source(s), the operation and use of which is authorized by this permit, or causes, permits, or allows any modifications, malfunction or removal of any air pollution control device required as a condition of this permit, then and in that event, this permit shall be suspended, and the permittee shall not thereafter continue to operate or use said air contamination source(s).

(d) Sources in this permit complying with the NO_x and VOC RACT requirements may be operated and used only so long as any associated air pollution control devices are operated and maintained in accordance with the specifications set forth in the respective plan approval(s) and the RACT application (as approved by the Department), and in accordance with any conditions set forth in herein.

(e) If, at any time, it is determined that the operation of the aforementioned source(s) is causing the emission of visible air contaminants in excess of the limitations specified in Section 123.41, or malodorous air contaminants in excess of the limitations specified in Section 123.31 of Article III of the Rules and Regulations of these contaminants or any other type of air contaminant in excess of the limitations specified in this permit and specified in, or established pursuant to, any other applicable rule or regulations contained in Article III, the owner or operator shall take immediate steps, including the installation of additional air cleaning device(s), if necessary, to reduce the air contaminant emissions to with the applicable limitations.

019 [40 CFR Part 52 Approval And Promulgation of Implementation Plans §40 CFR 52.21 (aa)]**Subpart A--General Provisions****Actual PALs**

40 CFR 52.21(aa)(2) Definitions. For the purposes of this section, the definitions in paragraphs (aa)(2)(i) through (xi) of this section apply. When a term is not defined in these paragraphs, it shall have the meaning given in paragraph (b) of this section or in the Act.

(i) Actuals PAL for a major stationary source means a PAL based on the baseline actual emissions (as defined in

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paragraph (b)(48) of this section) of all emissions units (as defined in paragraph (b)(7) of this section) at the source, that emit or have the potential to emit the PAL pollutant. For a GHG-only source, actuals PAL means a PAL based on the baseline actual emissions (as defined in paragraph (aa)(2)(xiii) of this section) of all emissions units (as defined in paragraph (aa)(2)(xiv) of this section) at the source, that emit or have the potential to emit GHGs.

(ii) Allowable emissions means “allowable emissions” as defined in paragraph (b)(16) of this section, except as this definition is modified according to paragraphs (aa)(2)(ii)(a) and (b) of this section.

(a) The allowable emissions for any emissions unit shall be calculated considering any emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

(b) An emissions unit's potential to emit shall be determined using the definition in paragraph (b)(4) of this section, except that the words “or enforceable as a practical matter” should be added after “federally enforceable.”

(iii) Small emissions unit means an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the significant level for that PAL pollutant, as defined in paragraph (b)(23) of this section or in the Act, whichever is lower. For a GHG PAL issued on a CO₂e basis, small emissions unit means an emissions unit that emits or has the potential to emit less than the amount of GHGs on a CO₂e basis defined as “significant” for the purposes of paragraph (b)(49)(iii) of this section at the time the PAL permit is being issued.

(iv) Major emissions unit means:

(a) Any emissions unit that emits or has the potential to emit 100 tons per year or more of the PAL pollutant in an attainment area; or

(b) Any emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major source threshold for the PAL pollutant as defined by the Act for nonattainment areas. For example, in accordance with the definition of major stationary source in section 182(c) of the Act, an emissions unit would be a major emissions unit for VOC if the emissions unit is located in a serious ozone nonattainment area and it emits or has the potential to emit 50 or more tons of VOC per year.

(c) For a GHG PAL issued on a CO₂e basis, any emissions unit that emits or has the potential to emit equal to or greater than the amount of GHGs on a CO₂e basis that would be sufficient for a new source to trigger permitting requirements under paragraph (b)(49) of this section at the time the PAL permit is being issued.

(v) Plantwide applicability limitation (PAL) means an emission limitation expressed on a mass basis in tons per year, or expressed in tons per year CO₂e for a CO₂e-based GHG emission limitation, for a pollutant at a major stationary source or GHG-only source, that is enforceable as a practical matter and established source-wide in accordance with paragraphs (aa)(1) through (15) of this section.

(vi) PAL effective date generally means the date of issuance of the PAL permit. However, the PAL effective date for an increased PAL is the date any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(vii) PAL effective period means the period beginning with the PAL effective date and ending 10 years later.

(viii) PAL major modification means, notwithstanding paragraphs (b)(2), (b)(3), and (b)(49) of this section (the definitions for major modification, net emissions increase, and subject to regulation), any physical change in or change in the method of operation of the PAL source that causes it to emit the PAL pollutant at a level equal to or greater than the PAL.

(ix) PAL permit means the major NSR permit, the minor NSR permit, or the State operating permit under a program that is approved into the State Implementation Plan, or the title V permit issued by the Administrator that establishes a PAL for a major stationary source or a GHG-only source.

(x) PAL pollutant means the pollutant for which a PAL is established at a major stationary source or a GHG-only source. For a GHG-only source, the only available PAL pollutant is greenhouse gases.

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(xi) Significant emissions unit means an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the significant level (as defined in paragraph (b)(23) of this section or in the Act, whichever is lower) for that PAL pollutant, but less than the amount that would qualify the unit as a major emissions unit as defined in paragraph (aa)(2)(iv) of this section. For a GHG PAL issued on a CO₂e basis, significant emissions unit means any emissions unit that emits or has the potential to emit GHGs on a CO₂e basis in amounts equal to or greater than the amount that would qualify the unit as small emissions unit as defined in paragraph (aa)(2)(iii) of this section, but less than the amount that would qualify the unit as a major emissions unit as defined in paragraph (aa)(2)(iv)(c) of this section.

(xii) GHG-only source means any existing stationary source that emits or has the potential to emit GHGs in the amount equal to or greater than the amount of GHGs on a mass basis that would be sufficient for a new source to trigger permitting requirements for GHGs under paragraph (b)(1) of this section and the amount of GHGs on a CO₂e basis that would be sufficient for a new source to trigger permitting requirements for GHGs under paragraph (b)(49) of this section at the time the PAL permit is being issued, but does not emit or have the potential to emit any other non-GHG regulated NSR pollutant at or above the applicable major source threshold. A GHG-only source may only obtain a PAL for GHG emissions under paragraph (aa) of this section.

(xiii) Baseline actual emissions for a GHG PAL means the average rate, in tons per year CO₂e or tons per year GHG, as applicable, at which the emissions unit actually emitted GHGs during any consecutive 24-month period selected by the owner or operator within the 10-year period immediately preceding either the date the owner or operator begins actual construction of the project, or the date a complete permit application is received by the Administrator for a permit required under this section or by the permitting authority for a permit required by a plan, whichever is earlier. For any existing electric utility steam generating unit, baseline actual emissions for a GHG PAL means the average rate, in tons per year CO₂e or tons per year GHG, as applicable, at which the emissions unit actually emitted the GHGs during any consecutive 24-month period selected by the owner or operator within the 5-year period immediately preceding either the date the owner or operator begins actual construction of the project, except that the Administrator shall allow the use of a different time period upon a determination that it is more representative of normal source operation.

(a) The average rate shall include fugitive emissions to the extent quantifiable, and emissions associated with startups, shutdowns, and malfunctions.

(b) The average rate shall be adjusted downward to exclude any non-compliant emissions that occurred while the source was operating above an emission limitation that was legally enforceable during the consecutive 24-month period.

(c) The average rate shall be adjusted downward to exclude any emissions that would have exceeded an emission limitation with which the stationary source must currently comply, had such stationary source been required to comply with such limitations during the consecutive 24-month period.

(d) The average rate shall not be based on any consecutive 24-month period for which there is inadequate information for determining annual GHG emissions and for adjusting this amount if required by paragraphs (aa)(2)(xiii)(b) and (c) of this section.

(xiv) Emissions unit with respect to GHGs means any part of a stationary source that emits or has the potential to emit GHGs. For purposes of this section, there are two types of emissions units as described in the following:

(a) A new emissions unit is any emissions unit that is (or will be) newly constructed and that has existed for less than 2 years from the date such emissions unit first operated.

(b) An existing emissions unit is any emissions unit that does not meet the requirements in paragraph (aa)(2)(xiv)(a) of this section.

(xv) Minor source means any stationary source that does not meet the definition of major stationary source in paragraph (b)(1) of this section for any pollutant at the time the PAL is issued.

40 CFR 52.21(aa)(4) General requirements for establishing PALs.

(ii) At no time (during or after the PAL effective period) are emissions reductions of a PAL pollutant that occur during the

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PAL effective period creditable as decreases for purposes of offsets under §51.165(a)(3)(ii) of this chapter unless the level of the PAL is reduced by the amount of such emissions reductions and such reductions would be creditable in the absence of the PAL.

40 CFR 52.21(aa)(8) PAL effective period and reopening of the PAL permit. The requirements in paragraphs (aa)(8)(i) and (ii) of this section apply to actuals PALs.

(i) PAL effective period. The Administrator shall specify a PAL effective period of 10 years.

(ii) Reopening of the PAL permit. (a) During the PAL effective period, the Administrator must reopen the PAL permit to:

(1) Correct typographical/calculation errors made in setting the PAL or reflect a more accurate determination of emissions used to establish the PAL;

(2) Reduce the PAL if the owner or operator of the major stationary source creates creditable emissions reductions for use as offsets under §51.165(a)(3)(ii) of this chapter; and

(3) Revise the PAL to reflect an increase in the PAL as provided under paragraph (aa)(11) of this section.

(b) The Administrator shall have discretion to reopen the PAL permit for the following:

(1) Reduce the PAL to reflect newly applicable Federal requirements (for example, NSPS) with compliance dates after the PAL effective date;

(2) Reduce the PAL consistent with any other requirement, that is enforceable as a practical matter, and that the State may impose on the major stationary source or GHG-only source under the State Implementation Plan; and

(3) Reduce the PAL if the reviewing authority determines that a reduction is necessary to avoid causing or contributing to a NAAQS or PSD increment violation, or to an adverse impact on an air quality related value that has been identified for a Federal Class I area by a Federal Land Manager and for which information is available to the general public.

(c) Except for the permit reopening in paragraph (aa)(8)(ii)(a)(1) of this section for the correction of typographical/calculation errors that do not increase the PAL level, all other reopenings shall be carried out in accordance with the public participation requirements of paragraph (aa)(5) of this section.

40 CFR 52.21(aa)(9) Expiration of a PAL. Any PAL that is not renewed in accordance with the procedures in paragraph (aa)(10) of this section shall expire at the end of the PAL effective period, and the requirements in paragraphs (aa)(9)(i) through (v) of this section shall apply.

(i) Each emissions unit (or each group of emissions units) that existed under the PAL shall comply with an allowable emission limitation under a revised permit established according to the procedures in paragraphs (aa)(9)(i)(a) and (b) of this section.

(a) Within the time frame specified for PAL renewals in paragraph (aa)(10)(ii) of this section, the major stationary source or GHG-only source shall submit a proposed allowable emission limitation for each emissions unit (or each group of emissions units, if such a distribution is more appropriate as decided by the Administrator) by distributing the PAL allowable emissions for the major stationary source or GHG-only source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under paragraph (aa)(10)(v) of this section, such distribution shall be made as if the PAL had been adjusted.

(b) The Administrator shall decide whether and how the PAL allowable emissions will be distributed and issue a revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the Administrator determines is appropriate.

(ii) Each emissions unit(s) shall comply with the allowable emission limitation on a 12-month rolling basis. The

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Administrator may approve the use of monitoring systems (source testing, emission factors, etc.) other than CEMS, CERMS, PEMS, or CPMS to demonstrate compliance with the allowable emission limitation.

(iii) Until the Administrator issues the revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as required under paragraph (aa)(9)(i)(b) of this section, the source shall continue to comply with a source-wide, multi-unit emissions cap equivalent to the level of the PAL emission limitation.

(iv) Any physical change or change in the method of operation at the major stationary source or GHG-only source will be subject to major NSR requirements if such change meets the definition of major modification in paragraph (b)(2) of this section.

(v) The major stationary source or GHG-only source owner or operator shall continue to comply with any State or Federal applicable requirements (BACT, RACT, NSPS, etc.) that may have applied either during the PAL effective period or prior to the PAL effective period except for those emission limitations that had been established pursuant to paragraph (r)(4) of this section, but were eliminated by the PAL in accordance with the provisions in paragraph (aa)(1)(ii)(c) of this section.

40 CFR 52.21(aa)(10) Renewal of a PAL. (i) The Administrator shall follow the procedures specified in paragraph (aa)(5) of this section in approving any request to renew a PAL for a major stationary source or a GHG-only source, and shall provide both the proposed PAL level and a written rationale for the proposed PAL level to the public for review and comment. During such public review, any person may propose a PAL level for the source for consideration by the Administrator.

(ii) Application deadline. A major stationary source or GHG-only source owner or operator shall submit a timely application to the Administrator to request renewal of a PAL. A timely application is one that is submitted at least 6 months prior to, but not earlier than 18 months from, the date of permit expiration. This deadline for application submittal is to ensure that the permit will not expire before the permit is renewed. If the owner or operator of a major stationary source or GHG-only source submits a complete application to renew the PAL within this time period, then the PAL shall continue to be effective until the revised permit with the renewed PAL is issued.

(iii) Application requirements. The application to renew a PAL permit shall contain the information required in paragraphs (aa)(10)(iii)(a) through (d) of this section.

(a) The information required in paragraphs (aa)(3)(i) through (iii) of this section.

(b) A proposed PAL level.

(c) The sum of the potential to emit of all emissions units under the PAL (with supporting documentation).

(d) Any other information the owner or operator wishes the Administrator to consider in determining the appropriate level for renewing the PAL.

(iv) PAL adjustment. In determining whether and how to adjust the PAL, the Administrator shall consider the options outlined in paragraphs (aa)(10)(iv)(a) and (b) of this section. However, in no case may any such adjustment fail to comply with paragraph (aa)(10)(iv)(c) of this section.

(a) If the emissions level calculated in accordance with paragraph (aa)(6) of this section is equal to or greater than 80 percent of the PAL level, the Administrator may renew the PAL at the same level without considering the factors set forth in paragraph (aa)(10)(iv)(b) of this section; or

(b) The Administrator may set the PAL at a level that he or she determines to be more representative of the source's baseline actual emissions, or that he or she determines to be more appropriate considering air quality needs, advances in control technology, anticipated economic growth in the area, desire to reward or encourage the source's voluntary emissions reductions, or other factors as specifically identified by the Administrator in his or her written rationale.

(c) Notwithstanding paragraphs (aa)(10)(iv)(a) and (b) of this section:

(1) If the potential to emit of the major stationary source or GHG-only source is less than the PAL, the Administrator

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shall adjust the PAL to a level no greater than the potential to emit of the source; and

(2) The Administrator shall not approve a renewed PAL level higher than the current PAL, unless the major stationary source or GHG-only source has complied with the provisions of paragraph (aa)(11) of this section (increasing a PAL).

(v) If the compliance date for a State or Federal requirement that applies to the PAL source occurs during the PAL effective period, and if the Administrator has not already adjusted for such requirement, the PAL shall be adjusted at the time of PAL permit renewal or title V permit renewal, whichever occurs first.

40 CFR 52.21(aa)(11) Increasing a PAL during the PAL effective period. (i) The Administrator may increase a PAL emission limitation only if the major stationary source or GHG-only source complies with the provisions in paragraphs (aa)(11)(i)(a) through (d) of this section.

(a) The owner or operator of the major stationary source or GHG-only source shall submit a complete application to request an increase in the PAL limit for a PAL major modification. Such application shall identify the emissions unit(s) contributing to the increase in emissions so as to cause the major stationary or GHG-only source's emissions to equal or exceed its PAL.

(b) As part of this application, the major stationary source or GHG-only source owner or operator shall demonstrate that the sum of the baseline actual emissions of the small emissions units, plus the sum of the baseline actual emissions of the significant and major emissions units assuming application of BACT equivalent controls, plus the sum of the allowable emissions of the new or modified emissions unit(s) exceeds the PAL. The level of control that would result from BACT equivalent controls on each significant or major emissions unit shall be determined by conducting a new BACT analysis at the time the application is submitted, unless the emissions unit is currently required to comply with a BACT or LAER requirement that was established within the preceding 10 years. In such a case, the assumed control level for that emissions unit shall be equal to the level of BACT or LAER with which that emissions unit must currently comply.

(c) The owner or operator obtains a major NSR permit for all emissions unit(s) identified in paragraph (aa)(11)(i)(a) of this section, regardless of the magnitude of the emissions increase resulting from them (that is, no significant levels apply). These emissions unit(s) shall comply with any emissions requirements resulting from the major NSR process (for example, BACT), even though they have also become subject to the PAL or continue to be subject to the PAL.

(d) The PAL permit shall require that the increased PAL level shall be effective on the day any emissions unit that is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

(ii) The Administrator shall calculate the new PAL as the sum of the allowable emissions for each modified or new emissions unit, plus the sum of the baseline actual emissions of the significant and major emissions units (assuming application of BACT equivalent controls as determined in accordance with paragraph (aa)(11)(i)(b)), plus the sum of the baseline actual emissions of the small emissions units.

(iii) The PAL permit shall be revised to reflect the increased PAL level pursuant to the public notice requirements of paragraph (aa)(5) of this section.

40 CFR 52.21(aa)(12) Monitoring requirements for PALs. (i) General requirements.

(b) The PAL monitoring system must employ one or more of the four general monitoring approaches meeting the minimum requirements set forth in paragraphs (aa)(12)(i)(a) through (d) of this section and must be approved by the Administrator.

(c) Notwithstanding paragraph (aa)(12)(i)(b) of this section, you may also employ an alternative monitoring approach that meets paragraph (aa)(12)(i)(a) of this section if approved by the Administrator.

(d) Failure to use a monitoring system that meets the requirements of this section renders the PAL invalid.

(ii) Minimum performance requirements for approved monitoring approaches. The following are acceptable general monitoring approaches when conducted in accordance with the minimum requirements in paragraphs (aa)(12)(iii) through

**SECTION C. Site Level Requirements**

(ix) of this section:

- (a) Mass balance calculations for activities using coatings or solvents;
- (b) CEMS;
- (c) CPMS or PEMS; and
- (d) Emission factors.

(iii) Mass balance calculations. An owner or operator using mass balance calculations to monitor PAL pollutant emissions from activities using coating or solvents shall meet the following requirements:

(a) Provide a demonstrated means of validating the published content of the PAL pollutant that is contained in or created by all materials used in or at the emissions unit;

(b) Assume that the emissions unit emits all of the PAL pollutant that is contained in or created by any raw material or fuel used in or at the emissions unit, if it cannot otherwise be accounted for in the process; and

(c) Where the vendor of a material or fuel, which is used in or at the emissions unit, publishes a range of pollutant content from such material, the owner or operator must use the highest value of the range to calculate the PAL pollutant emissions unless the Administrator determines there is site-specific data or a site-specific monitoring program to support another content within the range.

(iv) CEMS. An owner or operator using CEMS to monitor PAL pollutant emissions shall meet the following requirements:

(a) CEMS must comply with applicable Performance Specifications found in 40 CFR part 60, appendix B; and

(b) CEMS must sample, analyze and record data at least every 15 minutes while the emissions unit is operating.

(v) CPMS or PEMS. An owner or operator using CPMS or PEMS to monitor PAL pollutant emissions shall meet the following requirements:

(a) The CPMS or the PEMS must be based on current site-specific data demonstrating a correlation between the monitored parameter(s) and the PAL pollutant emissions across the range of operation of the emissions unit; and

(b) Each CPMS or PEMS must sample, analyze, and record data at least every 15 minutes, or at another less frequent interval approved by the Administrator, while the emissions unit is operating.

(vi) Emission factors. An owner or operator using emission factors to monitor PAL pollutant emissions shall meet the following requirements:

(a) All emission factors shall be adjusted, if appropriate, to account for the degree of uncertainty or limitations in the factors' development;

(b) The emissions unit shall operate within the designated range of use for the emission factor, if applicable; and

(c) If technically practicable, the owner or operator of a significant emissions unit that relies on an emission factor to calculate PAL pollutant emissions shall conduct validation testing to determine a site-specific emission factor within 6 months of PAL permit issuance, unless the Administrator determines that testing is not required. [The Department has determined that use of CEMs and periodic testing on the major sources meets the intent of this requirement. Additional testing is not required.]

(vii) A source owner or operator must record and report maximum potential emissions without considering enforceable emission limitations or operational restrictions for an emissions unit during any period of time that there is no monitoring data, unless another method for determining emissions during such periods is specified in the PAL permit. [For all 40 CFR

**SECTION C. Site Level Requirements**

Part 75 monitored parameters, follow Part 75 missing data substitution procedures for all periods of missing data.]

(viii) Notwithstanding the requirements in paragraphs (aa)(12)(iii) through (vi) of this section, where an owner or operator of an emissions unit cannot demonstrate a correlation between the monitored parameter(s) and the PAL pollutant emissions rate at all operating points of the emissions unit, the Administrator shall, at the time of permit issuance:

(a) Establish default value(s) for determining compliance with the PAL based on the highest potential emissions reasonably estimated at such operating point(s); or

(b) Determine that operation of the emissions unit during operating conditions when there is no correlation between monitored parameter(s) and the PAL pollutant emissions is a violation of the PAL.

(ix) Re-validation. All data used to establish the PAL pollutant must be re-validated through performance testing or other scientifically valid means approved by the Administrator. Such testing must occur at least once every 5 years after issuance of the PAL. [The Administrator recognizes that using performance testing to revalidate data used to determine PAL levels that were established while combusting certain fuels may not be practical. Therefore, the Department will accept prior emission test results and previously established emissions factors as a scientifically valid means to revalidate the data.]

40 CFR 52.21(aa)(14) Reporting and notification requirements. The owner or operator shall submit semi-annual monitoring reports and prompt deviation reports to the Administrator in accordance with the applicable title V operating permit program. The reports shall meet the requirements in paragraphs (aa)(14)(i) through (iii) of this section.

(i) Semi-annual report. The semi-annual report shall be submitted to the Administrator within 30 days of the end of each reporting period. This report shall contain the information required in paragraphs (aa)(14)(i)(a) through (g) of this section.

(a) The identification of owner and operator and the permit number.

(b) Total annual emissions (expressed on a mass-basis in tons per year, or expressed in tons per year CO₂e) based on a 12-month rolling total for each month in the reporting period recorded pursuant to paragraph (aa)(13)(i) of this section.

(c) All data relied upon, including, but not limited to, any Quality Assurance or Quality Control data, in calculating the monthly and annual PAL pollutant emissions.

(d) A list of any emissions units modified or added to the major stationary source or GHG-only source during the preceding 6-month period.

(e) The number, duration, and cause of any deviations or monitoring malfunctions (other than the time associated with zero and span calibration checks), and any corrective action taken.

(f) A notification of a shutdown of any monitoring system, whether the shutdown was permanent or temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, and whether the emissions unit monitored by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by method included in the permit, as provided by (aa)(12)(vi).

(g) A signed statement by the responsible official (as defined by the applicable title V operating permit program) certifying the truth, accuracy, and completeness of the information provided in the report.

(ii) Deviation report. The major stationary source or GHG-only source owner or operator shall promptly submit reports of any deviations or exceedance of the PAL requirements, including periods where no monitoring is available. A report submitted pursuant to §70.6(a)(3)(iii)(B) of this chapter shall satisfy this reporting requirement. The deviation reports shall be submitted within the time limits prescribed by the applicable program implementing §70.6(a)(3)(iii)(B) of this chapter. The reports shall contain the following information:

(a) The identification of owner and operator and the permit number;

**SECTION C. Site Level Requirements**

(b) The PAL requirement that experienced the deviation or that was exceeded;

(c) Emissions resulting from the deviation or the exceedance; and

(d) A signed statement by the responsible official (as defined by the applicable title V operating permit program) certifying the truth, accuracy, and completeness of the information provided in the report.

(iii) Re-validation results. The owner or operator shall submit to the Administrator the results of any re-validation test or method within 3 months after completion of such test or method.

VIII. COMPLIANCE CERTIFICATION.

The permittee shall submit within thirty days of 12/31/2011 a certificate of compliance with all permit terms and conditions set forth in this Title V permit as required under condition #026 of section B of this permit, and annually thereafter.

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

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

**SECTION D. Source Level Requirements**

Source ID: 030

Source Name: AUXILIARY BOILER

Source Capacity/Throughput:

8.200 MMBTU/HR

59.600 Gal/HR

#2 Oil

Conditions for this source occur in the following groups: 7

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.11]****Combustion units**

A person may not permit the emission into the outdoor atmosphere of particulate matter from a combustion unit in excess of 0.4 pound per million Btu of heat input, when the heat input to the combustion unit in millions of Btus per hour is greater than 2.5 but less than 50.

Fuel Restriction(s).**# 002 [25 Pa. Code §123.22]****Combustion units**

(a) Not applicable.

(b) Not applicable.

(c) Allentown, Bethlehem, Easton, Reading, Upper Beaver Valley and Johnstown air basins. Combustion units in these subject air basins shall conform with the following:

(1) General provision. A person may not permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO₂, from a combustion unit in excess of the rate of 3 pounds per million Btu of heat input over any 1-hour period, except as provided for in paragraph (4).

(2) Commercial fuel oil.

(i) Except as specified in subparagraphs (ii) and (iii), a person may not offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in the subject air basins if the commercial fuel oil contains sulfur in excess of the applicable maximum allowable sulfur content set forth in the following table:

Maximum Allowable Sulfur Content Expressed as Parts per Million (ppm) by Weight or Percentage by Weight

Beginning July 1, 2016 through August 31, 2020, No. 2 and lighter grade commercial fuel oil (consistent with ASTM D396) shall not exceed 500 ppm sulfur (0.05%)

Beginning September 1, 2020, No. 2 and lighter grade commercial fuel oil (consistent with ASTM D396) shall not exceed 15 ppm sulfur (0.0015%).

(ii) Commercial fuel oil that was stored in this Commonwealth by the ultimate consumer prior to September 1, 2020, which met the applicable maximum allowable sulfur content for commercial fuel oil through August 31, 2020, in subparagraph (i) at the time it was stored, may be used by the ultimate consumer in this Commonwealth on and after September 1, 2020.

(iii) The Department may temporarily suspend or increase the applicable maximum allowable sulfur content for a

**SECTION D. Source Level Requirements**

commercial fuel oil set forth in subparagraph (i) if the following occur:

(A) The Department receives a written request at the address specified in subsection (h) for a suspension or increase on the basis that compliant commercial fuel oil is not reasonably available in a subject air basin. The request must include the following:

(I) The subject air basin for which the suspension or increase is requested.

(II) The reason compliant commercial fuel oil is not reasonably available.

(III) The duration of time for which the suspension or increase is requested and the justification for the requested duration.

(B) The Department determines that an insufficient quantity of compliant commercial fuel oil is reasonably available in the air basin and that the circumstances leading to the insufficiency are due to events that could not have been reasonably foreseen or prevented and are not due to lack of prudent planning on the part of the transferor of the commercial fuel oil into or within the air basin.

(C) The Department approves the request, in writing, prior to the transferor distributing the noncompliant commercial fuel oil into or within the air basin.

(iv) The Department will limit a suspension or increase in the applicable maximum allowable sulfur content granted under subparagraph (iii) to the shortest duration in which adequate supplies of compliant commercial fuel oil can be made reasonably available, but in no case longer than 60 days from the date the Department grants the suspension or increase.

(3) Equivalency provision. [Not applicable]

(4) Solid Fossil Fuel Fire Combustion Units [Not applicable]

(d) Not applicable.

(e) Not applicable.

(f) [See Testing Requirements]

(g) [See Recordkeeping Requirements]

(h) [See Reporting Requirements]

II. TESTING REQUIREMENTS.

003 [25 Pa. Code §123.22]

Combustion units

[123.22(f)]

(f) Sampling and testing.

(1) For the purpose of determining compliance with the requirements of this section, the actual sulfur content of commercial fuel oil shall be determined by one of the following:

(i) In accordance with the sample collection, test methods and procedures specified under § 139.16 (relating to sulfur in fuel oil).

(ii) Other methods developed or approved by the Department or the Administrator of the EPA, or both.

(2) A refinery owner or operator who produces commercial fuel oil intended for use or used in this Commonwealth is

**SECTION D. Source Level Requirements**

required to sample, test and calculate the actual sulfur content of each batch of the commercial fuel oil as specified in paragraph (1).

(3) Prior to offering for sale, delivering for use, exchanging in trade or permitting the use of commercial fuel oil in this Commonwealth, a person other than the ultimate consumer that accepts a shipment of commercial fuel oil from a refinery or other transferor, shall sample, test and calculate the actual sulfur content of the commercial fuel oil in accordance with paragraph (1) if the shipment lacks the record required under subsection (g)(1) that enables the transferee to determine if the sulfur content of the shipment of commercial fuel oil meets the applicable maximum allowable sulfur content.

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.

004 [25 Pa. Code §123.22]

Combustion units

[123.22(g)]

(g) Recordkeeping and reporting.

(1) Beginning with the refinery owner or operator who sells or transfers commercial fuel oil into or within this Commonwealth for use in this Commonwealth and ending with the ultimate consumer, each time the physical custody of, or title to, a shipment of commercial fuel oil changes hands, the transferor shall provide to the transferee an electronic or paper record described in this paragraph. This record must legibly and conspicuously contain the following information:

(i) The date of the sale or transfer.

(ii) The name and address of the transferor.

(iii) The name and address of the transferee.

(iv) The volume of commercial fuel oil being sold or transferred.

(v) The identification of the sulfur content of the shipment of commercial fuel oil, determined using the sampling and testing methods specified in subsection (f)(1), expressed as one of the following statements:

(A) For a shipment of No. 2 and lighter commercial fuel oil:

(I) Prior to September 1, 2020—"The sulfur content of this shipment is 500 ppm or below."

(II) On and after September 1, 2020—"The sulfur content of this shipment is 15 ppm or below."

(B) For a shipment of No. 4 commercial fuel oil, "The sulfur content of this shipment is 2,500 ppm or below."

(C) For a shipment of No. 5, No. 6 and heavier commercial fuel oil, "The sulfur content of this shipment is 5,000 ppm or below."

(vi) The location of the commercial fuel oil at the time of transfer.

(vii) Except for a transfer to a truck carrier, an owner or operator of a retail outlet or an ultimate consumer, the transferor may substitute the information required under subparagraphs (i)—(vi) with the use of a product code if the following are met:

(A) The product code includes the information required under subparagraphs (i)—(vi).

**SECTION D. Source Level Requirements**

(B) The product code is standardized throughout the distribution system in which it is used.

(C) Each downstream party is given sufficient information to know the full meaning of the product code.

(2) The refinery owner or operator shall do both of the following:

(i) Maintain, in electronic or paper format, the records developed under subsection (f)(2) to determine the actual sulfur content of each batch of the commercial fuel oil.

(ii) Provide electronic or written copies of the records developed under subsection (f)(2) of the actual sulfur content of each batch of the commercial fuel oil to the Department upon request.

(3) The terminal owner or operator shall do both of the following:

(i) Maintain, in electronic or paper format, the applicable records developed under subsection (f)(3) or (g)(1), or both, to establish the maximum sulfur content of the shipment of commercial fuel oil.

(ii) Provide electronic or written copies of the records establishing the maximum sulfur content of the shipment of commercial fuel oil to the Department upon request.

(4) A person subject to this section shall do both of the following:

(i) Maintain the applicable records required under paragraphs (1)—(3) in electronic or paper format for 2 years unless a longer period is required under § 127.511(b)(2) (relating to monitoring and related recordkeeping and reporting requirements).

(ii) Provide an electronic or written copy of the applicable record to the Department upon request.

(5) The ultimate consumer shall maintain in electronic or paper format the record containing the information listed in paragraph (1), except in either of the following situations:

(i) The transfer or use of the commercial fuel oil occurs at a private residence.

(ii) The ultimate consumer is an owner of an apartment or condominium building housing private residents and the transfer or use of the commercial fuel oil occurs for use at the building.

005 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

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

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

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

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

006 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

**SECTION D. Source Level Requirements**

(k) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

V. REPORTING REQUIREMENTS.

007 [25 Pa. Code §123.22]

Combustion units

[123.22(h)]

(h) Written request. The written request for suspension of or increase in the sulfur content limit on the basis that compliant commercial fuel oil is not reasonably available shall be addressed to the Department of Environmental Protection, Bureau of Air Quality, Chief of the Division of Compliance and Enforcement, P. O. Box 8468, Harrisburg, Pennsylvania 17105-8468.

VI. WORK PRACTICE REQUIREMENTS.

008 [25 Pa. Code §127.512]

Operating permit terms and conditions.

The permittee shall maintain the source in accordance with the manufacturer's specifications and good air pollution control practices.

[Authority for this requirement is based on 129.93, 129.97(c)(3) and 129.112(c)(4)]

VII. ADDITIONAL REQUIREMENTS.

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

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

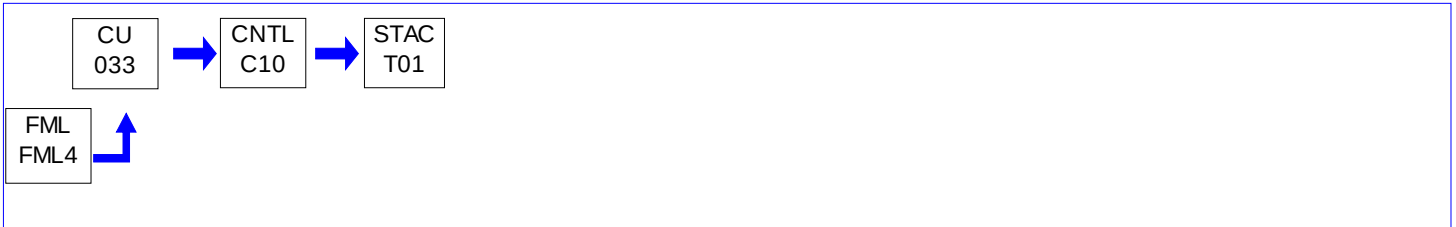
**SECTION D. Source Level Requirements**

Source ID: 033

Source Name: BABCOCK & WILCOX - BOILER 3

Source Capacity/Throughput: 1,029.000 MMBTU/HR
1,029.000 MCF/HR Natural Gas

Conditions for this source occur in the following groups: 1
3
5
6

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

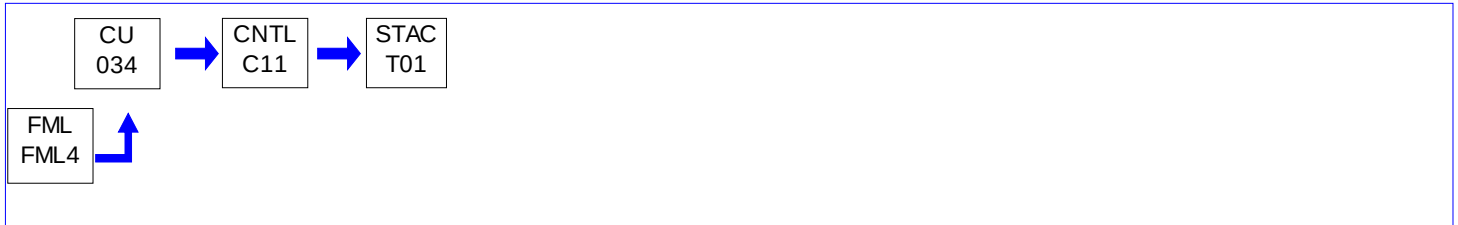
**SECTION D. Source Level Requirements**

Source ID: 034

Source Name: BABCOCK & WILCOX - BOILER 4

Source Capacity/Throughput: 1,029.000 MMBTU/HR
1,029.000 MCF/HR Natural Gas

Conditions for this source occur in the following groups: 1
3
5
6

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

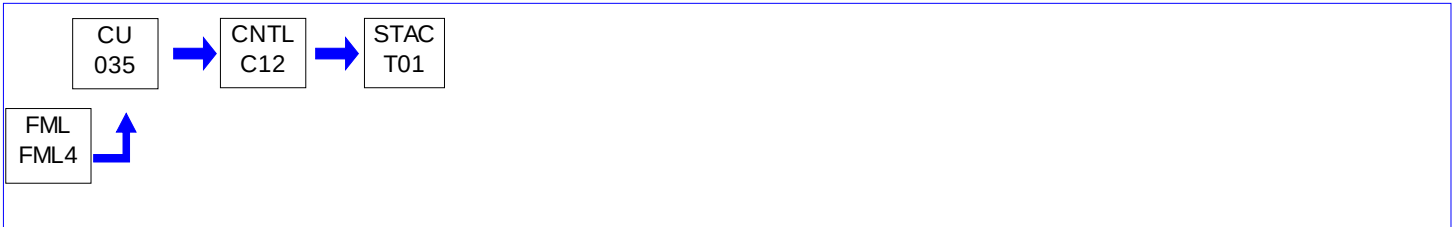
**SECTION D. Source Level Requirements**

Source ID: 035

Source Name: BABCOCK & WILCOX - BOILER 5

Source Capacity/Throughput: 1,565.000 MMBTU/HR
1,565.000 MCF/HR Natural Gas

Conditions for this source occur in the following groups: 1
3
5
6

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION D. Source Level Requirements**

Source ID: 038

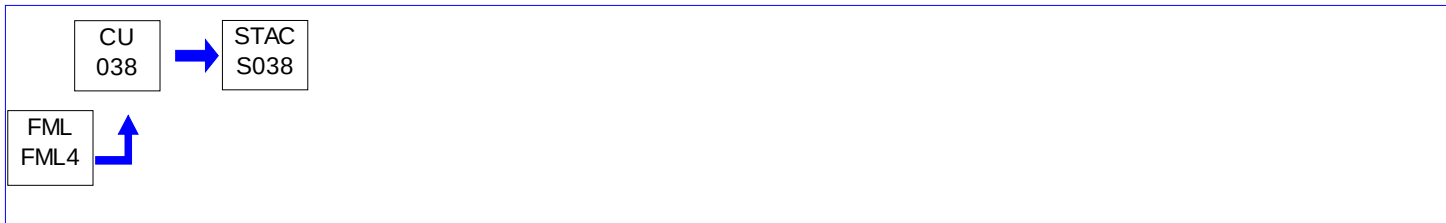
Source Name: 2 NATURAL GAS PIPELINE HEATERS (EACH 3.65 MMBTU/HR)

Source Capacity/Throughput: 7.300 MMBTU/HR

7,287.000 CF/HR

Natural Gas

Conditions for this source occur in the following groups: 7

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.11]****Combustion units**

A person may not permit the emission into the outdoor atmosphere of particulate matter from a combustion unit in excess of 0.4 pound per million Btu of heat input

002 [25 Pa. Code §123.21]**General**

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

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (Title V General Requirements) 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.**# 003 [25 Pa. Code §129.115]****Written notification, compliance demonstration and recordkeeping and reporting requirements**

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

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

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

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

**SECTION D. Source Level Requirements**

permit or plan approval for the air contamination source.

004 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

(k) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

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.**# 005 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

The permittee shall maintain the source in accordance with the manufacturer's specifications and good operating practices.

[Authority for this requirement is based on 129.97(c)(3) and 129.112(c)(4)]

VII. ADDITIONAL REQUIREMENTS.**# 006 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

The facility shall only use natural gas as a fuel for this source.

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

**SECTION D. Source Level Requirements**

Source ID: 036

Source Name: ELECTROMOTIVE DIESEL A

Source Capacity/Throughput: 30.000 MMBTU/HR
492.000 Gal/HR #2 OIL

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

No person may permit the emission into the outdoor atmosphere of particulate matter from this process in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

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

Fuel Restriction(s).**# 003 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall use only #2 fuel oil with a sulfur content less than 0.3 percent in the electromotive diesels.

(b) The use of #2 fuel oil with less than 0.3 percent sulfur and operation of the electromotive diesel in accordance with good operating practices and the manufacturer's specifications shall be adequate to demonstrate compliance with the emission limitation in Condition #002, above.

Operation Hours Restriction(s).**# 004 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

The permittee shall use the Electromotive Diesel Generators less than 100 hours per year per unit to demonstrate that the generators are used as limited use stationary RICE as defined in 40 CFR §63.6675.

Throughput Restriction(s).**# 005 [25 Pa. Code §127.512]****Operating permit terms and conditions.**

(a) NO_x and VOC RACT for each Electromotive Diesel Unit shall be installation, maintenance and operation of the source in accordance with the manufacturer's specifications and good air pollution control practices.

(b) The annual capacity factor for each EMD shall be less than 5%.

(i) For a combustion unit, the annual capacity factor is the ratio of the unit's heat input (in million Btu or equivalent units of measure) to the unit's maximum rated hourly heat input rate (in million Btu/hour or equivalent units of measure) multiplied by 8,760 hours during a period of 12 consecutive calendar months.

(ii) For an electric generating unit, the annual capacity factor is the ratio of the unit's actual electric output (expressed in MWe/hr) to the unit's nameplate capacity (or maximum observed hourly gross load (in MWe/hr) if greater than the

**SECTION D. Source Level Requirements**

nameplate capacity) multiplied by 8,760 hours during a period of 12 consecutive calendar months.

(iii) For any other unit, the annual capacity factor is the ratio of the unit's actual operating level to the unit's potential operating level during a period of 12 consecutive calendar months.

[Authority for this Condition is also derived in 25 Pa. Code Section 129.93, 129.97(c)(7) and 129.112(c)(9)]

II. TESTING REQUIREMENTS.**# 006 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(a) The permittee shall conduct an analysis of all fuel oil deliveries to determine the percent by weight of sulfur in the fuel oil in accordance with the procedures contained in 25 Pa. Code Section 139.16.

(b) The supplier of the fuel oil may conduct the analysis on behalf of the permittee as long as the supplier conducts the testing in accordance with the procedures contained in 25 Pa. Code Section 139.16 and provides a certification on the delivery receipt that the testing was conducted in accordance with 25 Pa. Code Section 139.16.

(c) The use of any appropriate ASTM (or other certified) method for determining the sulfur content in the fuel oil is acceptable to the Department, as long as the facility are using one of the standards (or equivalent) that are referenced in CFR 40 CFR Part 60.17.

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.**# 007 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

The permittee shall maintain the following records for this source on a monthly basis:

1. Hours of operation
2. Power rating
3. Fuel Usage/Heat Input

008 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

The permittee shall maintain records of all fuel oil deliveries and testing. If the supplier has conducted the fuel oil analysis on behalf of the permittee, then the permittee shall maintain a copy of the certification provided on the delivery record.

009 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

The permittee shall maintain records sufficient to indicate that the maintenance and operation of the electromotive diesels is consistent with the manufacturer's specifications for the electromotive diesels.

010 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

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

- (1) The records shall include sufficient data and calculations to demonstrate that the requirements of § §

**SECTION D. Source Level Requirements**

129.111—129.114 are met.

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

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

011 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

(k) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

V. REPORTING REQUIREMENTS.**# 012 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

Within thirty days after the end of each calendar year, the Permittee shall submit to the Department, a report on the hours of operation for the electromotive diesel A during the calendar year which verifies the capacity factor as less than 5%. A joint submittal of the aforementioned report with Annual Compliance Certificate (per Condition B # 026 and the Condition listed in Section C. VII) is acceptable to the Department.

[Authority for this Condition is also derived in 25 Pa. Code Section 129.93, 129.97 (c)(7), and 129.100(d)]

VI. WORK PRACTICE REQUIREMENTS.**# 013 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

The permittee shall maintain this source in accordance with manufacturer's standard and good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.**# 014 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6590]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What parts of my plant does this subpart cover?**

This subpart applies to each affected source.

(a) Not applicable.

(b) Stationary RICE subject to limited requirements.

(1) -(2) Not applicable.

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

(i)- (iii): Not applicable.

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

(v) - (viii): Not applicable.

(c) Not applicable.

**SECTION D. Source Level Requirements**

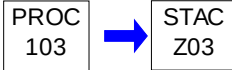
***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 103

Source Name: PLANT ROADWAYS

Source Capacity/Throughput:

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION D. Source Level Requirements**

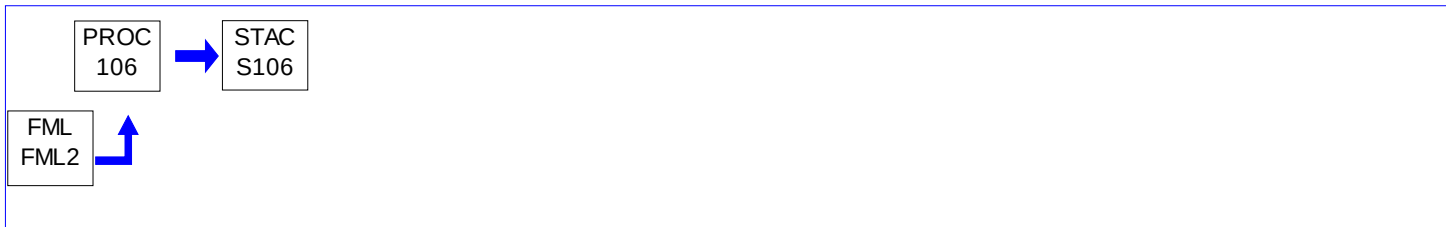
Source ID: 106

Source Name: TWO EMERGENCY DIESEL GENERATORS (49HP AND 98HP)

Source Capacity/Throughput:

3.500 Gal/HR

DIESEL FUEL

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

No person may permit the emission into the outdoor atmosphere of particulate matter from this process in a manner that the concentration of particulate matter in the effluent gas exceeds 0.04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.**# 003 [25 Pa. Code §129.115]****Written notification, compliance demonstration and recordkeeping and reporting requirements**

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

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

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

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

**SECTION D. Source Level Requirements**

permit or plan approval for the air contamination source.

004 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

(k) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

005 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6655]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What records must I keep?**

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(5), (b)(1) through (b)(3) and (c) of this section.

(1) : Not applicable.

(2) Records of the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(3) - (4): Not applicable.

(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) - (c) : Not applicable.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

(e) You must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE;

(1) Not applicable.

(2) An existing stationary emergency RICE.

(3) Not applicable.

(f) If you own or operate any of the stationary RICE in paragraphs (f)(1) through (2) of this section, you must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purpose specified in § 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) Not applicable.

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

**SECTION D. Source Level Requirements**

2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70518, Aug. 30, 2024]

006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6660]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****In what form and how long must I keep my records?**

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

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

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

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

V. REPORTING REQUIREMENTS.**# 007 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6650]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What reports must I submit and when?**

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

(b) - (e) Not applicable.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. Beginning on February 26, 2025, the semiannual and annual compliance report required in table 7 of this subpart must be submitted according to paragraph (i) of this section. Only those elements required under this subpart are required to be submitted according to paragraph (i) of this section.

(g)-(i) Not applicable.

[69 FR 33506, June 15, 2004, as amended at 75 FR 9677, Mar. 3, 2010; 78 FR 6705, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022; 89 FR 70517, Aug. 30, 2024]

VI. WORK PRACTICE REQUIREMENTS.**# 008 [25 Pa. Code §129.97]****Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule.**

The owner and operator of the 48 hp emergency generator and the 98 hp emergency generator source shall install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices.

[Authority of this requirement based on 129.97(c)(5) and 129.112(c)(1), (6) and (10)]

009 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6602]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines**

**SECTION D. Source Level Requirements****What emission limitations must I meet if I own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions?**

If you own or operate an existing stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations and other requirements in Table 2c to this subpart which apply to you. [Non-applicable text omitted]

[Excerpt from Table 2c]

1. For Emergency stationary CI RICE you must meet the following except during startup:
 - a. Change oil and filter every 500 hours of operation or annually, whichever comes first.
 - b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
 - c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

During periods of startup you must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.

Footnotes to Table 2c

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

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

3 Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.6(g) for alternative work practices.

[89 FR 70518, Aug. 30, 2024]

VII. ADDITIONAL REQUIREMENTS.**# 010 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6590]****Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What parts of my plant does this subpart cover?**

This subpart applies to each affected source.

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

(1) Existing stationary RICE.

(i) Not applicable.

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

(iii) - (iv): Not applicable.

(2) Not applicable.

**SECTION D. Source Level Requirements**

(3) Not applicable.

(b) Not applicable.

(c) Not applicable.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008; 75 FR 9674, Mar. 3, 2010; 75 FR 37733, June 30, 2010; 75 FR 51588, Aug. 20, 2010; 78 FR 6700, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

011 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6595]

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

When do I have to comply with this subpart?

(a) Affected sources.

(1) If you have [non-applicable text omitted] an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions [non-applicable text omitted] you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013. [Non-applicable text omitted]

(2) - (7) : Not applicable.

(b) - (c) : Not applicable.

012 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6605]

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

What are my general requirements for complying with this subpart?

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

(b) At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

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

013 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6625]

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

What are my monitoring, installation, operation, and maintenance requirements?

(a) - (d) Not applicable.

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

(1) Not applicable.

(2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 HP located at a major source of HAP emissions;

**SECTION D. Source Level Requirements**

(3) - (10) Not applicable.

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

(g) Not applicable.

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

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

(j) Not applicable.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51589, Aug. 20, 2010; 76 FR 12866, Mar. 9, 2011; 78 FR 6703, Jan. 30, 2013; 89 FR 70516, Aug. 30, 2024]

014 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6640]

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

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

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

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. [Non-applicable text omitted]

(c) - (d): Not applicable.

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. [Non-applicable text omitted]

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

**SECTION D. Source Level Requirements**

operate the engine according to the requirements in paragraphs (f)(1) through (4), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.

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

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

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

(ii) - (iii) [Vacated by USEPA]

(3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (f)(2) 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 supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(4) Not applicable.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008; 75 FR 9676, Mar. 3, 2010; 75 FR 51591, Aug. 20, 2010; 78 FR 6704, Jan. 30, 2013; 87 FR 48607, Aug. 10, 2022]

015 [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?

Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. [Non-applicable text omitted]

016 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6675]

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

What definitions apply to this subpart?

Please refer to the Code of Federal Regulations for the terms used in this subpart [40 CFR 63.6675].

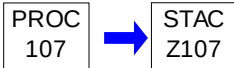
***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 107

Source Name: PARTS WASHER (REMOTE RESERVOIR COLD CLEANING MACHINE)

Source Capacity/Throughput:

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §129.63]****Degreasing operations**

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

(1) Not applicable.

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

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

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

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

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

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

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

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

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

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

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

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

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

**SECTION D. Source Level Requirements**

(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) : Not applicable.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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).

**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 E. Source Group Restrictions.**

Group Name: 1

Group Description: Natural Gas Only Firing Requirements for Boilers 3, 4, and 5

Sources included in this group

ID	Name
033	BABCOCK & WILCOX - BOILER 3
034	BABCOCK & WILCOX - BOILER 4
035	BABCOCK & WILCOX - BOILER 5

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

001 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-023F]

The quality of gas combusted in the source shall be pipeline quality natural gas.

II. TESTING REQUIREMENTS.

002 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-023F]

(a) Within 180 days of startup of the natural gas burners installed under this plan approval, but no later than 1 year after installation of the natural gas burners, a stack test on at least one of the boilers for PM (both filterable and condensable), CO, and VOC shall be performed. The test shall be conducted in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack test shall be performed while the aforementioned sources are operating at the maximum or normal rated capacity as stated in the application and with the ESP not energized. [Clarification-ESP is no longer operations as of 2016 when fuel source was switched to natural gas]

1. [25 Pa. Code § 139.53(a)(3)] At least 90 calendar days prior to commencing an emissions testing program, a test protocol shall be submitted to the Department for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.
2. [25 Pa. Code § 139.53(a)(3)] At least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the appropriate Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.
3. [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, notification shall be sent to the Department's Division of Source Testing and Monitoring and the appropriate Regional Office indicating the completion date of the on-site testing.
4. [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.
5. [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 noncompliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:
 - (a) A statement that the owner or operator has reviewed the report from the emissions testing body and confirms that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

**SECTION E. Source Group Restrictions.**

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

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

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

6. [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.

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

8. [25 Pa. Code Section 139.53(a)(1) and 139.53(a)(3)] The Department requires one electronic copy of all source test submissions (Protocols and reports) to be sent to both the appropriate Regional Office and the PSIMS Administrator in Central Office (email addresses provided below). Do not send submissions to anyone else, except the U.S. EPA, unless specifically directed to do so. To minimize the potential for rescheduling of the test, all protocols must be received at least 90 days prior to testing. Test reports must be received no later than 60 days after the completion of testing, unless a more stringent regulatory requirement applies. Any questions or concerns about source testing submissions can be sent to RA-EPstacktesting@pa.gov and the PSIMS Administrator will address them.

Electronic copies of Protocols and Reports shall be emailed to the following:

Central Office
RA-EPstacktesting@pa.gov

Northwest Region
RA-EPNWstacktesting@pa.gov

Notifications and Supplemental Information shall be submitted to the following:

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

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

10. Actions Related to Noncompliance Demonstrated by a Stack Test:

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

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

**SECTION E. Source Group Restrictions.**

[Performance test completed on 9/27/16]

III. MONITORING REQUIREMENTS.

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

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

[Plan Approval 37-023F]

The permittee shall maintain monthly records of the natural gas usage for each boiler.

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.**# 004 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-023F]

(a) The permittee shall update the AIMS Inventory for all PSD/NSR pollutants that were revised as part of this application. The update should include year 2008 to the present. If applicable, the permittee shall revise their AIMS Emission Fee submittals for those same years upon Department approval of the revised reports.

[Plan Approval 37-023F]

(b) Any information required to be submitted as part of this plan approval should be submitted through the Department's Electronic Submittal Link:

<http://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

005 [25 Pa. Code §127.531]**Special conditions related to acid rain.**

(a) This facility is an affected source subject to the Phase II acid rain requirements under Title IV of the Clean Air Act. In accordance with 25 Pa. Code Section 127.531, the Air Pollution Control Act, and Title IV of the Clean Air Act, the Department has issued and is incorporating by reference the Phase II Acid Rain Permit attached in Appendix A.

(b) SO₂ Allowance Allocations and NO_x Requirements for each affected unit. See Attachment A.

(c) Comments, Notes and Justification: None

(d) Acid Rain Permit Application(s). See Attachment A.

[From: Plan approval # 37-023D, condition # 020]

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

**SECTION E. Source Group Restrictions.**

Group Name: 3

Group Description: CEMs conditions for Boilers 3, 4, & 5

Sources included in this group

ID	Name
033	BABCOCK & WILCOX - BOILER 3
034	BABCOCK & WILCOX - BOILER 4
035	BABCOCK & WILCOX - BOILER 5

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 §123.51]****Monitoring requirements**

a) The Permittee shall operate and maintain the continuous nitrogen oxides monitoring systems and other monitoring systems to convert data to required reporting units in compliance with 25 Pa Code Chapter 139, Subchapter C (relating to requirements for continuous in-stack monitoring for statutory sources).

b) The Permittee shall submit results of the continuous NOx monitoring system on a regular schedule and in a format acceptable to the Department and in compliance with 25 Pa. Code Chapter 139, Subchapter C.

c) Continuous nitrogen oxides monitoring systems shall meet the minimum data availability requirements in 25 Pa. Code Chapter 139, Subchapter C.

[Compliance with monitoring requirements in this streamlined permit condition assures compliance with Condition #11 of the RACT Compliance Permit issued on April 8, 1999.]

[From: Plan approval # 37-023D, condition #011]

002 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Chapter 139; §§114(a)(3), 504(b) of the CAA] Sampling, Testing and Monitoring Procedures

a. The permittee shall perform the emissions monitoring analysis procedures or test methods required under an applicable requirement including procedures and methods under Sections 114(a)(3) (42 U.S.C.A. §§ 7414 (a)(3)) or 504(b) (42 U.S.C.A. §§ 7661c(b)) of the Clean Air Act.

b. Unless otherwise required by this permit, the permittee shall comply with applicable monitoring, quality assurance, recordkeeping and reporting requirements of the Air Pollution Control Act, 25 Pa. Code, Subpart C, Article III (relating to air resources), including Chapter 139 (relating to sampling and testing). The permittee shall also comply with applicable requirements related to monitoring, quality assurance, reporting and recordkeeping required by the Clean Air Act §§ 114(a)(3) and 504(b) and regulations adopted thereunder, unless otherwise required by this permit.

003 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is derived from, 40 CFR Part 75, 40 CFR Sections 52.2020, and 25 Pa. Code Sections 139.4, & 139.101]

a. Continuous Emission Monitoring Requirements:

1. 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

**SECTION E. Source Group Restrictions.**

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, except where alternative methods have been approved by the Department via formal petition.

For Sources: #033, #034 and #035:

Pollutant	Measurement	Moisture	% O ₂	Ave. Period	Standard	Basis
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NO _x	ppm	N/A	N/A	daily average	0.10 lb/mmbtu	daily
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Note: Compliance with any subsequently issued revisions to the Continuous Source Monitoring Manual will constitute compliance with the terms of this permit.

b. Data Availability Standards

1. All the above continuous emission monitoring systems (CEMS) 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:

i In each calendar month, at least 90% of the time periods for which an emission standard or an operational parameter 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,

ii 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.

Note: Compliance with any subsequently issued revisions to the Continuous Source Monitoring Manual will constitute compliance with the terms of this permit.

2. Emission Standard(s) To Which Data Availability Standard applies: Data availability standards apply to NO_x in lb/mmbtu hour.

i. 30-day rolling averages for NO_x shall be calculated in accordance with the Data Reduction Criteria in the Quality Assurance section of Revision No. 8 of the Department's Continuous Source Monitoring Manual, 274-0300-001.

c. Certification and Testing Requirements

i. Initial Application (Phase I)

Upon promulgation of a monitoring requirement, a proposal containing information as listed in the Phase I section of the Department's Continuous Source Monitoring Manual for the proposed CEMS must be submitted to the Department 180 days prior to the initial startup of a new source and within 180 days of promulgation of a monitoring requirement for an existing source.

ii. Performance Testing (Phase II)

After approval of Phase I, the applicant shall proceed with purchasing, installation, and performance testing. The CEM Section must be advised in writing at least 45 days prior to Performance Specification Testing to provide the opportunity to observe and participate in all testing. A testing protocol, describing all testing procedures and methodology to be used must accompany the notice of testing. Schedule changes must be reported seven days prior to testing (or as soon as possible) except that failed tests may be repeated immediately. Testing as listed in the Phase II section of the Department's Continuous Source Monitoring Manual must be completed for the CEMS[s] no later than 180 days after initial source startup and no later than 60 days after the source achieves normal process capacity. During testing, the source must be operated in a manner that is representative of normal operating conditions. All other notifications and performance specification testing must be conducted in accordance with the Department's Continuous Source Monitoring Manual.

iii. Final Approval (Phase III)

**SECTION E. Source Group Restrictions.**

The final report of testing as listed in the Phase III section of the Department's Continuous Source Monitoring Manual must be submitted to the Bureau no later than 60 days after completion of the testing. The owner or operator of the source shall not be issued an operating permit until the CEMs have received Phase III approval, in writing from the Department, when installation of a CEMs is made a condition of the plan approval. Until Phase III Department approval is obtained, operation shall be covered solely under condition of a plan approval.

d. Requirements per the Department's Continuous Source Monitoring Manual (CEM Manual) Quality Assurance Section for Continuous Source Emission Monitoring Systems, Subsection "Component Addition Maintenance Replacement.

1. Maintenance

a. Zero and upscale calibration error checks should be conducted immediately prior to any maintenance, if possible.

b. Zero and upscale calibration error checks must be conducted immediately following any maintenance.

c. If the post-maintenance zero or upscale calibration error checks show calibration error in excess of twice the applicable performance specifications, recalibration must be conducted in accordance with the quarterly linearity check procedures in under the Quality Assurance Section paragraph D.2 of the CEM Manual. Measurement devices may be calibrated in-situ.

e) Requirements per Department's Continuous Source Monitoring Manual, Quality Assurance Section for Continuous Source Emission Monitoring Systems, Subsection "Periodic Calibration".

Periodic calibration

Note: Sources may petition the Department to use Federal calibration level requirements rather than those listed below if they can demonstrate that the requirements will not adversely impact the Departments ability to enforce compliance with all applicable requirements.

1. Daily calibration

Note: Sources may petition the Department to use a more stringent applicable Federal daily calibration error check procedure requirement than that listed below (in order to maintain consistency between data considered invalid by multiple agency programs).

a. Calibration must be conducted at least daily when the emission unit is generating for determination of measurement device zero and upscale calibration error on all measurement device ranges, except for fuel flowmeters. Fuel flowmeters must meet the quality assurance requirements specified in Table XIII of this Manual. The results of daily calibrations are calculated as the value of the reference material used minus the measurement device reading and as [the value of the reference material used minus the measurement device reading] divided by the lowest monitored emission standard equivalent.

b. For measurement devices that use calibration gas, the gas must be introduced as close to the point of sample acquisition as possible. For other devices, simulated signals must be applied as close to the point of signal generation as possible.

c. The monitoring system must be adjusted whenever the zero or upscale calibration error performance specifications are exceeded.

d. The zero calibration error check must be conducted at a measurement level at or between 0% and 30% of measurement device range. The value selected must be lower than the lowest value that would be expected to occur under normal source operating conditions.

e. The upscale calibration error check must be conducted at a measurement level at or between 40% and 100% of measurement device range. An alternative level may be used, provided it can be demonstrated to better represent normal source operating levels.

004 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.10]

Subpart B--Monitoring Provisions

General operating requirements.

**SECTION E. Source Group Restrictions.**

The requirements in 40 CFR §75.10 apply.

IV. RECORDKEEPING REQUIREMENTS.**# 005 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is derived from 40 CFR Part 75, 40 CFR Sections 52.2020, and 25 Pa. Code Sections 139.101(5) and 139.101(12).]

1. 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), the "Record Keeping and Reporting" requirements in the Department's Continuous Source Monitoring Manual, Revision No. 8, 274-0300-001.

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

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

3. All data shall be reduced to one-hour averages on a clock basis. The reduction methods must be in accordance with the data validation and reduction criteria of the Department's Quality Assurance Requirements or by an alternate method as approved by the Department.

4. Requirements per the Department's Continuous Source Monitoring Manual, Record Keeping and Recording section, Subsection "Continuous Source Emission Monitoring Systems".

A chronological file shall be maintained by the company that includes:

- a. All measurements from the monitoring system on at least the minimum data recording frequency (chart recordings of the proper resolution are acceptable).
- b. All valid averages as specified above.
- c. The cause, time periods, and magnitude of all emissions that exceed the applicable emission standard(s).
- d. Data and results for all tests, audits and recalibrations.
- e. A record of any repairs, adjustments, or maintenance to the monitoring system.
- f. The data necessary for conversion of the monitoring system data to units consistent with the applicable emission standard or operational criterion, including the values for any manually-adjustable "K-factors" or other "constants".
- g. The cause and time periods for any invalid data averages.
- h. The process and pollution control equipment operating data for all parameters which have a significant affect the levels of the emissions or operational criterion being monitored.
- i. Copies of the Phase I application, Phase II testing protocol, Phase III performance specification testing report and all correspondence related thereto.
- j. Records of all corrective actions taken in response to exceedances of emission standards, operational criteria or data availability standards.

V. REPORTING REQUIREMENTS.**# 006 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is derived from, 40 CFR Part 75, 40 CFR Sections 52.2020, and 25 Pa. Code

**SECTION E. Source Group Restrictions.**

Sections 139.101(1)(iv)4, 139.101(10) & 139.101(12)]

1. 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), the "Record Keeping and Reporting" requirements as established in the Department's Continuous Source Monitoring Manual, Revision No. 8, 274-0300-001.
2. The permittee shall report emissions for all periods of unit operation, including startup, shutdown and malfunction.
3. 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, unless the Department approves an alternative schedule.
4. Subsequent quarterly reports shall be submitted to the Department within 30 days after the end of each calendar quarter.
5. Subsequent data report changes must be submitted in accordance with the Department's CEM Manual Revision #8.
6. 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.

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

7. The following information shall be reported to the Department on a calendar quarter basis:

- a. Information in accordance with the appropriate electronic data report record formats in Attachment No. 3 of the COM manual or as specified by the Department.

- b. The results from all tests, audits and recalibrations conducted during the quarter. In addition to information already included in the electronic data format referenced in "a", above, report only the overall results of an "Periodic Self-audit" indicating the compliance status of the monitoring system with respect to the applicable performance specification. The complete report of such testing must be submitted to the Department under separate cover in accordance with the requirements of the "Final Approval (Phase III)" section of this manual which are also referenced in the "Quality Assurance" section of this manual.

8. The report shall be submitted to the central office by the 30th day following the close of the reporting period. (NOTE: Delinquency penalties, in accordance with an applicable compliance assurance policy or enforcement policy, may apply to reports received after this time).

9. The report shall be submitted in a format specified by the Department and must be signed by the person exercising managerial responsibility over the operation of the source(s) for which monitoring is required or by the designated representative pursuant to 40 CFR 75.

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.

007 [25 Pa. Code §127.512]

Operating permit terms and conditions.

Quality Assurance Requirements:

[Additional authority for this permit condition is derived from, 40 CFR Part 75, 40 CFR Sections 52.2020, and 25 Pa. Code Sections 139.101(1)(iv), 139.101(2), 139.101(3), 139.101(4), 139.101(6), 139.101(7), 139.101(8), 139.101(12), 139.101(14), and 139.101(15)]

**SECTION E. Source Group Restrictions.**

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), the "Quality Assurance" requirements in the Department's Continuous Source Monitoring Manual, Revision No. 8, 274-0300-001, except where alternative methods have been approved by the Department via formal petition. Compliance with any subsequently issued revision to the Continuous Source Monitoring Manual will constitute compliance with this permit.

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

**SECTION E. Source Group Restrictions.**

Group Name: 5

Group Description: 033, 034 & 035 Boilers 3,4 & 5 RACT Requirements

Sources included in this group

ID	Name
033	BABCOCK & WILCOX - BOILER 3
034	BABCOCK & WILCOX - BOILER 4
035	BABCOCK & WILCOX - BOILER 5

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The nitrogen oxides emissions for each boiler (Boilers Nos. #3, #4, and #5) shall not exceed 0.50 lb./MMBtu based on a 30 day rolling average. The Department reserves the right to revise the NOx emission limitations based on actual Continuous Emission Monitoring (CEM) data gathered after the installation of LNB with separate overfire air.

[This condition based on RACT I is streamlined from the permit in favor of the more restrictive RACT II Presumptive Limits of Section 129.97(g)(1) and RACT III Presumptive Limits of Section 129.112(g)(1)(i)]

[Authority for this condition is also derived from 25 Pa. Code Section 129.91.]

[From: Plan approval # 37-023D, condition #005]

002 [25 Pa. Code §129.112]**Presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule**

(a) The owner and operator of a source listed in one or more of subsections (b)—(k) located at a major NOx emitting facility or major VOC emitting facility subject to § 129.111 (relating to applicability) shall comply with the applicable presumptive RACT requirement or RACT emission limitation, or both, beginning with the specified compliance date as follows, unless an alternative compliance schedule is submitted and approved under subsections (n)—(p) or § 129.114 (relating to alternative RACT proposal and petition for alternative compliance schedule):

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

(2) Not applicable.

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

(1) Not applicable.

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

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

(c)-(f) Not applicable.

(g) Except as specified in subsection (c), the owner and operator of a NOx air contamination source listed in this subsection that is located at a major NOx emitting facility or a VOC air contamination source listed in this subsection that is located at a major VOC emitting facility subject to § 129.111 may not cause, allow or permit NOx or VOCs to be emitted from the air contamination source in excess of the applicable presumptive RACT emission limitation specified in the following paragraphs:

**SECTION E. Source Group Restrictions.**

(1) The owner or operator of:

(i) A natural gas-fired, propane-fired or liquid petroleum gas-fired combustion unit or process heater with a rated heat input equal to or greater than 50 million Btu/hour shall comply with 0.10 lb NO_x/million Btu heat input.

(ii)-(vii) Not applicable.

(2)-(4) Not applicable.

(h)-(k) Not applicable.

(l) The requirements and emission limitations of this section supersede the requirements and emission limitations of a RACT permit issued to the owner or operator of an air contamination source subject to one or more of subsections (b)–(k) prior to November 12, 2022, under § § 129.91–129.95 (relating to stationary sources of NO_x and VOCs) or under § § 129.96–129.100 (relating to additional RACT requirements for major sources of NO_x and VOCs) to control, reduce or minimize NO_x emissions or VOC emissions, or both, from the air contamination source unless the permit contains more stringent requirements or emission limitations, or both.

(m)-(q) Not applicable.

003 [25 Pa. Code §129.97]

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

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

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

(2) Not applicable.

(b) The owner and operator of a source specified in this subsection, which is located at a major NO_x emitting facility or major VOC emitting facility subject to § 129.96 shall comply with the following:

(1) - (2) Not applicable.

(3) The applicable recordkeeping requirements of § 129.100(d), (e) or (f) (relating to compliance demonstration and recordkeeping requirements).

(c) Not applicable.

(d) Except as specified under subsection (c), the owner and operator of a combustion unit or other combustion source located at a major VOC emitting facility subject to § 129.96 shall install, maintain and operate the source in accordance with the manufacturer's specifications and with good operating practices for the control of the VOC emissions from the combustion unit or other combustion source.

(e) - (f) Not applicable.

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

(1) A combustion unit or process heater:

(i) For a natural gas-fired combustion unit or process heater with a rated heat input equal to or greater than 50 million

**SECTION E. Source Group Restrictions.**

Btu/hour, 0.10 lb NO_x/million Btu heat input.

(ii)-(ix) Not applicable.

(2) A combustion turbine (Not applicable)

(3) A stationary internal combustion engine (Not applicable)

(4) A unit firing multiple fuels (Not applicable)

(h) Not applicable.

(i) The requirements and emission limitations of this section supersede the requirements and emission limitations of a RACT permit issued to the owner or operator of an air contamination source subject to one or more of subsections (b)—(h) prior to April 23, 2016, under §§ 129.91—129.95 (relating to stationary sources of NO_x and VOCs) to control, reduce or minimize NO_x emissions or VOC emissions, or both, from the air contamination source unless the permit contains more stringent requirements or emission limitations, or both.

(j) - (m) Not applicable.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.**# 004 [25 Pa. Code §129.100]****Compliance demonstration and recordkeeping requirements.**

(a) Except as provided in subsection (c), the owner and operator of an air contamination source subject to a NO_x requirement or RACT emission limitation or VOC requirement or RACT emission limitation, or both, listed in § 129.97 (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation by performing the following monitoring or testing procedures:

(1) For an air contamination source with a CEMS, monitoring and testing in accordance with the requirements of Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources) using a 30-day rolling average, except municipal waste combustors.

(i) A 30-day rolling average emission rate for an air contamination source that is a combustion unit shall be expressed in pounds per million Btu and calculated in accordance with the following procedure:

(A) Sum the total pounds of pollutant emitted from the combustion unit for the current operating day and the previous 29 operating days.

(B) Sum the total heat input to the combustion unit in million Btu for the current operating day and the previous 29 operating days.

(C) Divide the total number of pounds of pollutant emitted by the combustion unit for the 30 operating days by the total heat input to the combustion unit for the 30 operating days.

(ii) A 30-day rolling average emission rate for each applicable RACT emission limitation shall be calculated for an affected air contamination source for each consecutive operating day.

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(iii) Each 30-day rolling average emission rate for an affected air contamination source must include the emissions that occur during the entire operating day, including emissions from start-ups, shutdowns and malfunctions.

(2) - (4) Not applicable.

(b) Except as provided in § 129.97(k) and § 129.99(i) (relating to alternative RACT proposal and petition for alternative compliance schedule), the owner and operator of an air contamination source subject to subsection (a) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation in accordance with the procedures in subsection (a) not later than:

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

(2) Not applicable.

(c) Not applicable

(d) The owner and operator of an air contamination source subject to this section and §§ 129.96—129.99 shall keep records to demonstrate compliance with §§ 129.96—129.99 in the following manner:

(1) The records must include sufficient data and calculations to demonstrate that the requirements of §§ 129.96—129.99 are met.

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

(e) - (h) Not Applicable.

(i) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

005 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

(b) Except as specified in subsection (d), the owner and operator of an air contamination source subject to a NO_x RACT requirement or RACT emission limitation or VOC RACT requirement or RACT emission limitation, or both, listed in § 129.112 (relating to presumptive RACT requirements, RACT emission limitations and petition for alternative compliance schedule) shall demonstrate compliance with the applicable RACT requirement or RACT emission limitation by performing the following monitoring or testing procedures:

(1)-(3) Not applicable.

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

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

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

006 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

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

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

**SECTION E. Source Group Restrictions.**

129.111—129.114 are met.

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

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

007 [25 Pa. Code §129.115]**Written notification, compliance demonstration and recordkeeping and reporting requirements**

(k) The records shall be retained by the owner or operator for 5 years and made available to the Department or appropriate approved local air pollution control agency upon receipt of a written request from the Department or appropriate approved local air pollution control agency.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.**# 008 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) NO_x RACT for Boiler numbers 3, 4, and 5 shall be the installation and operation of low NO_x burners with separate overfire air in compliance with 25 Pa. Code 129.93(b)(1).

[Authority for this condition is also derived from 25 Pa. Code Section 129.93.]

(b) VOC RACT from Boilers #3, #4, and #5 will be installation, maintenance, and operation of the boilers in accordance with the manufacturer's specifications and good air pollution control practices.

[Authority for this condition is also derived from 25 Pa. Code Section 129.91.]

[From: Plan approval # 37-023D, condition # 018]

VII. ADDITIONAL REQUIREMENTS.**# 009 [25 Pa. Code §129.96]****Applicability**

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

(b) Not applicable

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

(d) Not applicable

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

**SECTION E. Source Group Restrictions.**

Group Name: 6

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

Sources included in this group

ID	Name
033	BABCOCK & WILCOX - BOILER 3
034	BABCOCK & WILCOX - BOILER 4
035	BABCOCK & WILCOX - BOILER 5

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 52 Approval And Promulgation of Implementation Plans §40 CFR 52.2040]

Subpart NN--Pennsylvania

[Reserved]

§ 52.2040 Interstate pollutant transport provisions; What are the FIP requirements for decreases in emissions of nitrogen oxides?

(a)

(1) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the CSAPR NOX Annual Trading Program in subpart AAAAA of part 97 of this chapter must comply with such requirements. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the CSAPR Federal Implementation Plan under § 52.38(a), except to the extent the Administrator's approval is partial or conditional.

(2) Notwithstanding the provisions of paragraph (a)(1) of this section, if, at the time of the approval of Pennsylvania's SIP revision described in paragraph (a)(1) of this section, the Administrator has already started recording any allocations of CSAPR NOX Annual allowances under subpart AAAAA of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart AAAAA of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of CSAPR NOX Annual allowances to units in the State for each such control period shall continue to apply,

**SECTION E. Source Group Restrictions.**

unless provided otherwise by such approval of the State's SIP revision.

(b)

(1) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the CSAPR NOX Ozone Season Group 1 Trading Program in subpart BBBB of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2015 and 2016.

(2) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the CSAPR NOX Ozone Season Group 2 Trading Program in subpart EEEE of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2017 through 2020.

(3) The owner and operator of each source and each unit located in the State of Pennsylvania and for which requirements are set forth under the CSAPR NOX Ozone Season Group 3 Trading Program in subpart GGGG of part 97 of this chapter must comply with such requirements with regard to emissions occurring in 2021 and each subsequent year. The obligation to comply with such requirements will be eliminated by the promulgation of an approval by the Administrator of a revision to Pennsylvania's State Implementation Plan (SIP) as correcting the SIP's deficiency that is the basis for the CSAPR Federal Implementation Plan (FIP) under § 52.38(b)(1) and (b)(2)(iii), except to the extent the Administrator's approval is partial or conditional.

(4) Notwithstanding the provisions of paragraph (b)(3) of this section, if, at the time of the approval of Pennsylvania's SIP revision described in paragraph (b)(3) of this section, the Administrator has already started recording any allocations of CSAPR NOX Ozone Season Group 3 allowances under subpart GGGG of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart GGGG of part 97 of this chapter authorizing the Administrator to complete the allocation and recordation of CSAPR NOX Ozone Season Group 3 allowances to units in the State for each such control period shall continue to apply, unless provided otherwise by such approval of the State's SIP revision.

(5) Notwithstanding the provisions of paragraph (b)(2) of this section, after 2020 the provisions of § 97.826(c) of this chapter (concerning the transfer of CSAPR NOX Ozone Season Group 2 allowances between certain accounts under common control), the provisions of § 97.826(d) of this chapter (concerning the conversion of amounts of unused CSAPR NOX Ozone Season Group 2 allowances allocated for control periods before 2021 to different amounts of CSAPR NOX Ozone Season Group 3 allowances), and the provisions of § 97.811(d) of this chapter (concerning the recall of CSAPR NOX Ozone Season Group 2 allowances equivalent in quantity and usability to all such allowances allocated to units in the State for control periods after 2020) shall continue to apply.

(6) Notwithstanding any other provision of this part, the effectiveness of paragraph (b)(3) of this section is stayed with regard to emissions occurring in 2024 and thereafter, provided that while such stay remains in effect, the provisions of paragraph (b)(2) of this section shall apply with regard to such emissions.

(c)

(1) The owner and operator of each source located in the State of Pennsylvania and for which requirements are set forth in § 52.40 and § 52.41, § 52.42, § 52.43, § 52.44, § 52.45, or § 52.46 must comply with such requirements with regard to emissions occurring in 2026 and each subsequent year.

(2) Notwithstanding any other provision of this part, the effectiveness of paragraph (c)(1) of this section is stayed.

[76 FR 48373, Aug. 8, 2011, as amended at 81 FR 74586, 74600, Oct. 26, 2016; 83 FR 65924, Dec. 21, 2018; 86 FR 23177, Apr. 30, 2021; 88 FR 36894, June 5, 2023; 89 FR 87970, Nov. 6, 2024]

002 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO₂ Trading Programs §40 CFR 97.404]
Subpart AAAAA - CSAPR NOX Annual Trading Program
Applicability.

(a) Boilers 3 (Source 033), 4 (Source 034), and 5 (Source ID 035) are subject to the applicable requirements of 40 CFR Part 97, Subpart AAAAA - CSAPR NOx Annual Trading Program. As determined by 97.410 and adjusted on an annual basis by EPA, Boiler 3, Boiler 4, and Boiler 5 are allocated the following CSAPR NOx Annual allowances through 2024:

**SECTION E. Source Group Restrictions.**

Year	NOx Annual Allocation (tons)		
	(Source ID 033)	(Source ID 034)	(Source ID 035)
2021	366	372	550
2022	366	372	550
2023	366	372	550
2024	366	372	550

(b) In accordance with 40 CFR § 97.421, EPA will announce in a notice of data availability and record in the Boilers 3 (Source 033), 4 (Source 034), and 5 (Source ID 035) Annual NOx Compliance Account, the allowance allocations for control periods beyond the year 2024.

(c) The allowances in subsection (a) of this condition are subject to change. Any changes will be promulgated by US EPA in a notice of data availability. Upon promulgation, the new allowances replace the amounts in subsection (a) by rule.

**# 003 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406]
Subpart AAAAA - CSAPR NOX Annual Trading Program
Standard requirements.**

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

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

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

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

(c) NOX EMISSIONS REQUIREMENTS.

(1) CSAPR NOX ANNUAL EMISSIONS LIMITATION.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall hold, in the source's compliance account, CSAPR NOX Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Annual units at the source.

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

(A) The owners and operators of the source and each CSAPR NOX Annual unit at the source shall hold the CSAPR NOX Annual allowances required for deduction under §97.424(d); and

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

**SECTION E. Source Group Restrictions.****(2) CSAPR NOX ANNUAL ASSURANCE PROVISIONS.**

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

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

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

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

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

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

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

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

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

(3) COMPLIANCE PERIODS.

(i) A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter.

(ii) A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(2) of this section for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter.

(4) VINTAGE OF CSAPR NOX ANNUAL ALLOWANCES HELD FOR COMPLIANCE.

**SECTION E. Source Group Restrictions.**

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

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

(5) ALLOWANCE MANAGEMENT SYSTEM REQUIREMENTS. Each CSAPR NOX Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

(6) LIMITED AUTHORIZATION. A CSAPR NOX Annual allowance is a limited authorization to emit one ton of NOX during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the CSAPR NOX Annual Trading Program; and

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

(7) PROPERTY RIGHT. A CSAPR NOX Annual allowance does not constitute a property right.

(d) TITLE V PERMIT REQUIREMENTS.

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

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

(e) ADDITIONAL RECORDKEEPING AND REPORTING REQUIREMENTS.

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

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

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

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

**SECTION E. Source Group Restrictions.**

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

(f) **LIABILITY.**

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

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

(g) **EFFECT ON OTHER AUTHORITIES.** No provision of the CSAPR NOX Annual Trading Program or exemption under §97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NOX Annual source or CSAPR NOX Annual unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

[76 FR 48379, Aug. 8, 2011, as amended at 77 FR 10334, Feb. 21, 2012; 79 FR 71672, Dec. 3, 2014; 81 FR 74606, Oct. 26, 2016, 86 FR 23182, Apr. 30, 2021]

004 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.430]

Subpart AAAAA - CSAPR NOX Annual Trading Program

General monitoring, recordkeeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a CSAPR NOX Annual unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subpart H of part 75 of this chapter. For purposes of applying such requirements, the definitions in §97.402 and in §72.2 of this chapter shall apply, the terms “affected unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) in part 75 of this chapter shall be deemed to refer to the terms “CSAPR NOX Annual unit,” “designated representative,” and “continuous emission monitoring system” (or “CEMS”) respectively as defined in §97.402, and the term “newly affected unit” shall be deemed to mean “newly affected CSAPR NOX Annual unit”. The owner or operator of a unit that is not a CSAPR NOX Annual unit but that is monitored under §75.72(b)(2)(ii) of this chapter shall comply with the same monitoring, recordkeeping, and reporting requirements as a CSAPR NOX Annual unit.

(a) **REQUIREMENTS FOR INSTALLATION, CERTIFICATION, AND DATA ACCOUNTING.** The owner or operator of each CSAPR NOX Annual unit shall:

(1) Install all monitoring systems required under this subpart for monitoring NOX mass emissions and individual unit heat input (including all systems required to monitor NOX emission rate, NOX concentration, stack gas moisture content, stack gas flow rate, CO₂ or O₂ concentration, and fuel flow rate, as applicable, in accordance with §§75.71 and 75.72 of this chapter);

(2) Successfully complete all certification tests required under §97.431 and meet all other requirements of this subpart and part 75 of this chapter applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

(b) **COMPLIANCE DEADLINES.** Except as provided in paragraph (e) of this section, the owner or operator of a CSAPR NOX Annual unit shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the later of the following dates and shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the later of the following dates:

(1) January 1, 2015; or

(2) 180 calendar days after the date on which the unit commences commercial operation.

**SECTION E. Source Group Restrictions.**

(3) The owner or operator of a CSAPR NOX Annual unit for which construction of a new stack or flue or installation of add-on NOX emission controls is completed after the applicable deadline under paragraph (b)(1) or (2) of this section shall meet the requirements of §75.4(e)(1) through (4) of this chapter, except that:

(i) Such requirements shall apply to the monitoring systems required under §97.430 through §97.435, rather than the monitoring systems required under part 75 of this chapter;

(ii) NOX emission rate, NOX concentration, stack gas moisture content, stack gas volumetric flow rate, and O₂ or CO₂ concentration data shall be determined and reported, rather than the data listed in §75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under §75.4(e)(2) of this chapter shall be submitted under §97.435, rather than §75.66 of this chapter.

(c) **REPORTING DATA.** The owner or operator of a CSAPR NOX Annual unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for NOX concentration, NOX emission rate, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine NOX mass emissions and heat input in accordance with §75.31(b)(2) or (c)(3) of this chapter, section 2.4 of appendix D to part 75 of this chapter, or section 2.5 of appendix E to part 75 of this chapter, as applicable.

(d) **PROHIBITIONS.**

(1) No owner or operator of a CSAPR NOX Annual unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with §97.435.

(2) No owner or operator of a CSAPR NOX Annual unit shall operate the unit so as to discharge, or allow to be discharged, NOX to the atmosphere without accounting for all such NOX in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR NOX Annual unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOX mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR NOX Annual unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under §97.405 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with §97.431(d)(3)(i).

(e) **LONG-TERM COLD STORAGE.** The owner or operator of a CSAPR NOX Annual unit is subject to the applicable provisions of §75.4(d) of this chapter concerning units in long-term cold storage.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74607, Oct. 26, 2016]

005 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO₂ Trading Programs §40 CFR 97.434]
Subpart AAAAA - CSAPR NOX Annual Trading Program
Recordkeeping and reporting.

**SECTION E. Source Group Restrictions.**

(a) GENERAL PROVISIONS. The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements under §75.73 of this chapter, and the requirements of §97.414(a).

(b) MONITORING PLANS. The owner or operator of a CSAPR NOX Annual unit shall comply with the requirements of §75.73(c) and (e) of this chapter.

(c) CERTIFICATION APPLICATIONS. The designated representative shall submit an application to the Administrator within 45 days after completing all initial certification or recertification tests required under §97.431, including the information required under §75.63 of this chapter.

(d) QUARTERLY REPORTS. The designated representative shall submit quarterly reports, as follows:

(1) The designated representative shall report the NOX mass emissions data and heat input data for a CSAPR NOX Annual unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the later of:

(i) The calendar quarter covering January 1, 2015 through March 31, 2015; or

(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under §97.430(b).

(2) The designated representative shall submit each quarterly report to the Administrator within 30 days after the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in §75.73(f) of this chapter.

(3) For CSAPR NOX Annual units that are also subject to the Acid Rain Program, CSAPR NOX Ozone Season Group 1 Trading Program, CSAPR NOX Ozone Season Group 2 Trading Program, CSAPR NOX Ozone Season Group 3 Trading Program, CSAPR SO₂ Group 1 Trading Program, or CSAPR SO₂ Group 2 Trading Program, quarterly reports shall include the applicable data and information required by subparts F through H of part 75 of this chapter as applicable, in addition to the NOX mass emission data, heat input data, and other information required by this subpart.

(4) The Administrator may review and conduct independent audits of any quarterly report in order to determine whether the quarterly report meets the requirements of this subpart and part 75 of this chapter, including the requirement to use substitute data.

(i) The Administrator will notify the designated representative of any determination that the quarterly report fails to meet any such requirements and specify in such notification any corrections that the Administrator believes are necessary to make through resubmission of the quarterly report and a reasonable time period within which the designated representative must respond. Upon request by the designated representative, the Administrator may specify reasonable extensions of such time period. Within the time period (including any such extensions) specified by the Administrator, the designated representative shall resubmit the quarterly report with the corrections specified by the Administrator, except to the extent the designated representative provides information demonstrating that a specified correction is not necessary because the quarterly report already meets the requirements of this subpart and part 75 of this chapter that are relevant to the specified correction.

(ii) Any resubmission of a quarterly report shall meet the requirements applicable to the submission of a quarterly report under this subpart and part 75 of this chapter, except for the deadline set forth in paragraph (d)(2) of this section.

(e) COMPLIANCE CERTIFICATION. The designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of this subpart and part 75 of this chapter, including the quality assurance procedures and specifications; and

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(2) For a unit with add-on NOX emission controls and for all hours where NOX data are substituted in accordance with §75.34(a)(1) of this chapter, the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to part 75 of this chapter and the substitute data values do not systematically underestimate NOX emissions.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74607, Oct. 26, 2016, 86 FR 23185, Apr. 30, 2021]

006 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.604]
Subpart CCCCC - CSAPR SO2 Group 1 Trading Program
Applicability.

(a) Boiler 3 (Source ID 033), Boiler 4 (Source ID 034), and Boiler 5 (Source 035) are subject to the applicable requirements of 40 CFR Part 97, Subpart CCCCC - CSAPR SO2 Group 1 Trading Program. As determined by 97.610 and adjusted on an annual basis by EPA, Boiler 3, Boiler 4 and Boiler 5 are allocated the following CSAPR SO2 Group 1 allowances for the years 2021 through 2024:

Year	SO2 Group 1 Annual Allocation (tons)		
	(Source ID 033)	(Source ID 034)	(Source ID 035)
2021	348	354	522
2022	348	354	522
2023	348	354	522
2024	348	354	522

(b) In accordance with 40 CFR § 97.621, EPA will announce in a notice of data availability and record in the Boiler 3, Boiler 4, and Boiler 5 Annual SO2 Group 1 Compliance Account, the allowance allocations for control periods beyond the year 2024.

(c) The allowances in subsection (a) of this condition are subject to change. Any changes will be promulgated by US EPA in a notice of data availability. Upon promulgation, the new allowances replace the amounts in subsection (a) by rule.

007 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.606]
Subpart CCCCC - CSAPR SO2 Group 1 Trading Program
Standard requirements.

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

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

(1) The owners and operators, and the designated representative, of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§97.630 through 97.635.

(2) The emissions data determined in accordance with §§97.630 through 97.635 shall be used to calculate allocations of CSAPR SO2 Group 1 allowances under §§97.611(a)(2) and (b) and 97.612 and to determine compliance with the CSAPR SO2 Group 1 emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) SO2 EMISSIONS REQUIREMENTS.

(1) CSAPR SO2 GROUP 1 EMISSION LIMITATION.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR

**SECTION E. Source Group Restrictions.**

SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall hold, in the source's compliance account, CSAPR SO₂ Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO₂ emissions for such control period from all CSAPR SO₂ Group 1 units at the source.

(ii) If total SO₂ emissions during a control period in a given year from the CSAPR SO₂ Group 1 units at a CSAPR SO₂ Group 1 source are in excess of the CSAPR SO₂ Group 1 emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each CSAPR SO₂ Group 1 unit at the source shall hold the CSAPR SO₂ Group 1 allowances required for deduction under §97.624(d); and

(B) The owners and operators of the source and each CSAPR SO₂ Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(2) CSAPR SO₂ GROUP 1 ASSURANCE PROVISIONS.

(i) If total SO₂ emissions during a control period in a given year from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO₂ emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO₂ Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying—

(A) The quotient of the amount by which the common designated representative's share of such SO₂ emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such SO₂ emissions exceeds the respective common designated representative's assurance level; and

(B) The amount by which total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.

(ii) The owners and operators shall hold the CSAPR SO₂ Group 1 allowances required under paragraph (c)(2)(i) of this section, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.

(iii) Total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total SO₂ emissions exceed the sum, for such control period, of the State SO₂ Group 1 trading budget under §97.610(a) and the State's variability limit under §97.610(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total SO₂ emissions from the CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.

(v) To the extent the owners and operators fail to hold CSAPR SO₂ Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) of this section,

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

**SECTION E. Source Group Restrictions.**

(B) Each CSAPR SO₂ Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) of this section and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(3) COMPLIANCE PERIODS.

(i) A CSAPR SO₂ Group 1 unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter.

(ii) A CSAPR SO₂ Group 1 unit shall be subject to the requirements under paragraph (c)(2) of this section for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter.

(4) VINTAGE OF CSAPR SO₂ GROUP 1 ALLOWANCES HELD FOR COMPLIANCE.

(i) A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) of this section for a control period in a given year must be a CSAPR SO₂ Group 1 allowance that was allocated or auctioned for such control period or a control period in a prior year.

(ii) A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (c)(2)(i) through (iii) of this section for a control period in a given year must be a CSAPR SO₂ Group 1 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) ALLOWANCE MANAGEMENT SYSTEM REQUIREMENTS. Each CSAPR SO₂ Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

(6) LIMITED AUTHORIZATION. A CSAPR SO₂ Group 1 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the CSAPR SO₂ Group 1 Trading Program; and

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

(7) PROPERTY RIGHT. A CSAPR SO₂ Group 1 allowance does not constitute a property right.

(d) TITLE V PERMIT REQUIREMENTS.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO₂ Group 1 allowances in accordance with this subpart.

(2) A description of whether a unit is required to monitor and report SO₂ emissions using a continuous emission monitoring system (under subpart B of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under §75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§97.630 through 97.635 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with §§70.7(e)(2) and 71.7(e)(1) of this chapter, provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for minor permit modification procedures in accordance with §§70.7(e)(2)(i)(B) and 71.7(e)(1)(i)(B) of this chapter.

(e) ADDITIONAL RECORDKEEPING AND REPORTING REQUIREMENTS.

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(1) Unless otherwise provided, the owners and operators of each CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under §97.616 for the designated representative for the source and each CSAPR SO₂ Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative.

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO₂ Group 1 Trading Program.

(2) The designated representative of a CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall make all submissions required under the CSAPR SO₂ Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

(f) LIABILITY.

(1) Any provision of the CSAPR SO₂ Group 1 Trading Program that applies to a CSAPR SO₂ Group 1 source or the designated representative of a CSAPR SO₂ Group 1 source shall also apply to the owners and operators of such source and of the CSAPR SO₂ Group 1 units at the source.

(2) Any provision of the CSAPR SO₂ Group 1 Trading Program that applies to a CSAPR SO₂ Group 1 unit or the designated representative of a CSAPR SO₂ Group 1 unit shall also apply to the owners and operators of such unit.

(g) EFFECT ON OTHER AUTHORITIES. No provision of the CSAPR SO₂ Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR SO₂ Group 1 source or CSAPR SO₂ Group 1 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

[76 FR 48432, Aug. 8, 2011, as amended at 77 FR 10338, Feb. 21, 2012; 79 FR 71672, Dec. 3, 2014; 81 FR 74616, Aug. 8, 2011; 86 FR 23191, Apr.30, 2021]

008 [40 CFR Part 97 NO_x Budget Trading Program and CAIR NO_x and SO₂ Trading Programs §40 CFR 97.630]

Subpart CCCCC - CSAPR SO₂ Group 1 Trading Program

General monitoring, recordkeeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a CSAPR SO₂ Group 1 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subparts F and G of part 75 of this chapter. For purposes of applying such requirements, the definitions in §97.602 and in §72.2 of this chapter shall apply, the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in part 75 of this chapter shall be deemed to refer to the terms "CSAPR SO₂ Group 1 unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") respectively as defined in §97.602, and the term "newly affected unit" shall be deemed to mean "newly affected CSAPR SO₂ Group 1 unit". The owner or operator of a unit that is not a CSAPR SO₂ Group 1 unit but that is monitored under §75.16(b)(2) of this chapter shall comply with the same monitoring, recordkeeping, and reporting requirements as a CSAPR SO₂ Group 1 unit.

(a) REQUIREMENTS FOR INSTALLATION, CERTIFICATION, AND DATA ACCOUNTING. The owner or operator of each CSAPR SO₂ Group 1 unit shall:

(1) Install all monitoring systems required under this subpart for monitoring SO₂ mass emissions and individual unit heat input (including all systems required to monitor SO₂ concentration, stack gas moisture content, stack gas flow rate, CO₂ or O₂ concentration, and fuel flow rate, as applicable, in accordance with §§75.11 and 75.16 of this chapter);

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(2) Successfully complete all certification tests required under §97.631 and meet all other requirements of this subpart and part 75 of this chapter applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

(b) COMPLIANCE DEADLINES. Except as provided in paragraph (e) of this section, the owner or operator of a CSAPR SO₂ Group 1 unit shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the later of the following dates and shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the later of the following dates:

(1) January 1, 2015; or

(2) 180 calendar days after the date on which the unit commences commercial operation.

(3) The owner or operator of a CSAPR SO₂ Group 1 unit for which construction of a new stack or flue or installation of add-on SO₂ emission controls is completed after the applicable deadline under paragraph (b)(1) or (2) of this section shall meet the requirements of §75.4(e)(1) through (4) of this chapter, except that:

(i) Such requirements shall apply to the monitoring systems required under §97.630 through §97.635, rather than the monitoring systems required under part 75 of this chapter;

(ii) SO₂ concentration, stack gas moisture content, stack gas volumetric flow rate, and O₂ or CO₂ concentration data shall be determined and reported, rather than the data listed in §75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under §75.4(e)(2) of this chapter shall be submitted under §97.635, rather than §75.66 of this chapter.

(c) REPORTING DATA. The owner or operator of a CSAPR SO₂ Group 1 unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for SO₂ concentration, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine SO₂ mass emissions and heat input in accordance with §75.31(b)(2) or (c)(3) of this chapter or section 2.4 of appendix D to part 75 of this chapter, as applicable.

(d) PROHIBITIONS.

(1) No owner or operator of a CSAPR SO₂ Group 1 unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with §97.635.

(2) No owner or operator of a CSAPR SO₂ Group 1 unit shall operate the unit so as to discharge, or allow to be discharged, SO₂ to the atmosphere without accounting for all such SO₂ in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR SO₂ Group 1 unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording SO₂ mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR SO₂ Group 1 unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under §97.605 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in

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accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with §97.631(d)(3)(i).

(e) LONG-TERM COLD STORAGE. The owner or operator of a CSAPR SO₂ Group 1 unit is subject to the applicable provisions of §75.4(d) of this chapter concerning units in long-term cold storage.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74617, Oct. 26, 2016]

**# 009 [40 CFR Part 97 NO_x Budget Trading Program and CAIR NO_x and SO₂ Trading Programs §40 CFR 97.634]
Subpart CCCCC - CSAPR SO₂ Group 1 Trading Program
Recordkeeping and reporting.**

(a) GENERAL PROVISIONS. The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements in subparts F and G of part 75 of this chapter, and the requirements of §97.614(a).

(b) MONITORING PLANS. The owner or operator of a CSAPR SO₂ Group 1 unit shall comply with the requirements of §75.62 of this chapter.

(c) CERTIFICATION APPLICATIONS. The designated representative shall submit an application to the Administrator within 45 days after completing all initial certification or recertification tests required under §97.631, including the information required under §75.63 of this chapter.

(d) QUARTERLY REPORTS. The designated representative shall submit quarterly reports, as follows:

(1) The designated representative shall report the SO₂ mass emissions data and heat input data for a CSAPR SO₂ Group 1 unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the later of:

(i) The calendar quarter covering January 1, 2015 through March 31, 2015; or

(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under §97.630(b).

(2) The designated representative shall submit each quarterly report to the Administrator within 30 days after the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in §75.64 of this chapter.

(3) For CSAPR SO₂ Group 1 units that are also subject to the Acid Rain Program, CSAPR NO_x Annual Trading Program, CSAPR NO_x Ozone Season Group 1 Trading Program, CSAPR NO_x Ozone Season Group 2 Trading Program, or CSAPR NO_x Ozone Season Group 3 Trading Program, quarterly reports shall include the applicable data and information required by subparts F through H of part 75 of this chapter as applicable, in addition to the SO₂ mass emission data, heat input data, and other information required by this subpart.

(4) The Administrator may review and conduct independent audits of any quarterly report in order to determine whether the quarterly report meets the requirements of this subpart and part 75 of this chapter, including the requirement to use substitute data.

(i) The Administrator will notify the designated representative of any determination that the quarterly report fails to meet any such requirements and specify in such notification any corrections that the Administrator believes are necessary to make through resubmission of the quarterly report and a reasonable time period within which the designated representative must respond. Upon request by the designated representative, the Administrator may specify reasonable extensions of such time period. Within the time period (including any such extensions) specified by the Administrator, the designated representative shall resubmit the quarterly report with the corrections specified by the Administrator, except to the extent the designated representative provides information demonstrating that a specified correction is not necessary

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because the quarterly report already meets the requirements of this subpart and part 75 of this chapter that are relevant to the specified correction.

(ii) Any resubmission of a quarterly report shall meet the requirements applicable to the submission of a quarterly report under this subpart and part 75 of this chapter, except for the deadline set forth in paragraph (d)(2) of this section.

(e) COMPLIANCE CERTIFICATION. The designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of this subpart and part 75 of this chapter, including the quality assurance procedures and specifications; and

(2) For a unit with add-on SO₂ emission controls and for all hours where SO₂ data are substituted in accordance with §75.34(a)(1) of this chapter, the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to part 75 of this chapter and the substitute data values do not systematically underestimate SO₂ emissions.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74618, Oct. 26, 2016; 86 FR 23195, Apr.30, 2021]

010 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO₂ Trading Programs §40 CFR 97.804]**Subpart EEEEE - CSAPR NOx Ozone Season Group 2 Trading Program****Applicability.**

(a) Boilers 3 (Source 033), 4 (Source 034), and 5 (Source ID 035) are subject to the applicable requirements of 40 CFR Part 97, Subpart EEEEE - CSAPR NOx Ozone Season Group 2 Trading Program. As determined by 97.810 and adjusted on an annual basis by EPA, Boilers 3 (Source 033), 4 (Source 034), and 5 (Source ID 035) are allocated the following CSAPR NOx Ozone Season (May 1 through September 30) allowances.

(b) In accordance with 40 CFR § 97.821, EPA will announce in a notice of data availability and record in the Boilers 3 (Source 033), 4 (Source 034), and 5 (Source ID 035) Annual NOx Ozone Season Group 2 Compliance Account, the allowance allocations for control periods.

(c) The allowances in subsection (a) of this condition are subject to change. Any changes will be promulgated by US EPA in a notice of data availability. Upon promulgation, the new allowances replace the amounts in subsection (a) by rule.

011 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO₂ Trading Programs §40 CFR 97.806]**Subpart EEEEE - CSAPR NOx Ozone Season Group 2 Trading Program****Standard requirements.**

(a) Designated representative requirements. The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§ 97.813 through 97.818.

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

(1) The owners and operators, and the designated representative, of each CSAPR NOx Ozone Season Group 2 source and each CSAPR NOx Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §§ 97.830 through 97.835.

(2) The emissions data determined in accordance with §§ 97.830 through 97.835 shall be used to calculate allocations of CSAPR NOx Ozone Season Group 2 allowances under §§ 97.811(a)(2) and (b) and 97.812 and to determine compliance with the CSAPR NOx Ozone Season Group 2 emissions limitation and assurance provisions under paragraph (c) of this section, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§ 97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

**SECTION E. Source Group Restrictions.****(c) NOX emissions requirements —****(1) CSAPR NOX Ozone Season Group 2 emissions limitation.**

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NOX Ozone Season Group 2 allowances available for deduction for such source for such control period under § 97.824(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Ozone Season Group 2 units at the source.

(ii) If total NOX emissions during a control period in a given year from the CSAPR NOX Ozone Season Group 2 units at a CSAPR NOX Ozone Season Group 2 source are in excess of the CSAPR NOX Ozone Season Group 2 emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each CSAPR NOX Ozone Season Group 2 unit at the source shall hold the CSAPR NOX Ozone Season Group 2 allowances required for deduction under § 97.824(d); and

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

(2) CSAPR NOX Ozone Season Group 2 assurance provisions.

(i) If total NOX emissions during a control period in a given year from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NOX emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NOX Ozone Season Group 2 allowances available for deduction for such group for such control period under § 97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with § 97.825(b), of multiplying—

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

(B) The amount by which total NOX emissions from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.

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

(iii) Total NOX emissions from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total NOX emissions exceed the sum, for such control period, of the State NOX Ozone Season Group 2 trading budget under § 97.810(a) and the State's variability limit under § 97.810(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total NOX emissions from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total NOX emissions from the CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in

**SECTION E. Source Group Restrictions.**

a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.

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

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

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

(3) Compliance periods.

(i) A CSAPR NOX Ozone Season Group 2 unit shall be subject to the requirements under paragraphs (c)(1) and (2) of this section for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under § 97.830(b) and for each control period thereafter.

(ii) [Reserved]

(4) Vintage and type of CSAPR NOX Ozone Season Group 2 allowances held for compliance.

(i) A CSAPR NOX Ozone Season Group 2 allowance held for compliance with the requirements under paragraph (c)(1)(i) of this section for a control period in a given year must be a CSAPR NOX Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year.

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

(iii) Except as provided in paragraph (c)(4)(iv) of this section, a CSAPR NOX Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(i), (c)(1)(ii)(A), and (c)(2)(i) through (iii) of this section must be a CSAPR NOX Ozone Season Original Group 2 allowance.

(iv) A CSAPR NOX Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(i), (c)(1)(ii)(A), and (c)(2)(i) through (iii) of this section for a source or group of sources in a State listed in § 52.38(b)(2)(ii)(D)(1) of this chapter (and Indian country within the borders of such a State) for a control period after 2022 must be a CSAPR NOX Ozone Season Expanded Group 2 allowance.

(5) Allowance Management System requirements. Each CSAPR NOX Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

(6) Limited authorization. A CSAPR NOX Ozone Season Group 2 allowance is a limited authorization to emit one ton of NOX during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the CSAPR NOX Ozone Season Group 2 Trading Program; and

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

(7) Property right. A CSAPR NOX Ozone Season Group 2 allowance does not constitute a property right.

(d) Title V permit requirements.

**SECTION E. Source Group Restrictions.**

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOX Ozone Season Group 2 allowances in accordance with this subpart.

(2) A description of whether a unit is required to monitor and report NOX emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under § 75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§ 97.830 through 97.835 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with §§ 70.7(e)(2) and 71.7(e)(1) of this chapter, provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for minor permit modification procedures in accordance with §§ 70.7(e)(2)(i)(B) and 71.7(e)(1)(i)(B) of this chapter.

(e) Additional recordkeeping and reporting requirements.

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

(i) The certificate of representation under § 97.816 for the designated representative for the source and each CSAPR NOX Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under § 97.816 changing the designated representative.

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NOX Ozone Season Group 2 Trading Program.

(2) The designated representative of a CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NOX Ozone Season Group 2 Trading Program, except as provided in § 97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

(f) Liability.

(1) Any provision of the CSAPR NOX Ozone Season Group 2 Trading Program that applies to a CSAPR NOX Ozone Season Group 2 source or the designated representative of a CSAPR NOX Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NOX Ozone Season Group 2 units at the source.

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

(g) Effect on other authorities. No provision of the CSAPR NOX Ozone Season Group 2 Trading Program or exemption under § 97.805 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NOX Ozone Season Group 2 source or CSAPR NOX Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

[81 FR 74621, Oct. 26, 2016, as amended at 88 FR 36900, June 5, 2023; 88 FR 49305, July 31, 2023; 89 FR 87972, Nov. 6, 2024]

**SECTION E. Source Group Restrictions.**

012 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.830]
Subpart EEEEE - CSAPR NOX Ozone Season Group 2 Trading Program
General monitoring, recordkeeping, and reporting requirements.

The owners and operators, and to the extent applicable, the designated representative, of a CSAPR NOX Ozone Season Group 2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this subpart and subpart H of part 75 of this chapter. For purposes of applying such requirements, the definitions in § 97.802 and in § 72.2 of this chapter shall apply, the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in part 75 of this chapter shall be deemed to refer to the terms "CSAPR NOX Ozone Season Group 2 unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") respectively as defined in § 97.802, and the term "newly affected unit" shall be deemed to mean "newly affected CSAPR NOX Ozone Season Group 2 unit". The owner or operator of a unit that is not a CSAPR NOX Ozone Season Group 2 unit but that is monitored under § 75.72(b)(2)(ii) of this chapter shall comply with the same monitoring, recordkeeping, and reporting requirements as a CSAPR NOX Ozone Season Group 2 unit.

(a) Requirements for installation, certification, and data accounting. The owner or operator of each CSAPR NOX Ozone Season Group 2 unit shall:

(1) Install all monitoring systems required under this subpart for monitoring NOX mass emissions and individual unit heat input (including all systems required to monitor NOX emission rate, NOX concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with §§ 75.71 and 75.72 of this chapter);

(2) Successfully complete all certification tests required under § 97.831 and meet all other requirements of this subpart and part 75 of this chapter applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) Record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

(b) Compliance deadlines. Except as provided in paragraph (e) of this section, the owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the latest of the following dates and shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the latest of the following dates:

(1)

(i) May 1, 2017, for a unit other than a unit described in paragraph (b)(1)(ii) or (iii) of this section;

(ii) May 1, 2023, for a unit in a State listed in § 52.38(b)(2)(iii)(D)(1) of this chapter (and Indian country within the borders of such a State) that did not commence commercial operation at least 180 calendar days before September 30, 2020;

(iii) May 1, 2024, for a unit in a State listed in § 52.38(b)(2)(iii)(D)(4) of this chapter (and Indian country within the borders of such a State) that did not commence commercial operation at least 180 calendar days before September 30, 2020, or a unit in a State listed in § 52.38(b)(2)(iii)(D)(5) of this chapter (and Indian country within the borders of such a State) that did not commence commercial operation at least 180 calendar days before September 30, 2022;

(2) 180 calendar days after the date on which the unit commences commercial operation; or

(3) Where data for the unit are reported on a control period basis under § 97.834(d)(1)(ii)(B), and where the compliance date under paragraph (b)(2) of this section is not in a month from May through September, May 1 immediately after the compliance date under paragraph (b)(2) of this section.

(4) The owner or operator of a CSAPR NOX Ozone Season Group 2 unit for which construction of a new stack or flue or installation of add-on NOX emission controls is completed after the applicable deadline under paragraph (b)(1), (2), or (3) of this section shall meet the requirements of § 75.4(e)(1) through (4) of this chapter, except that:

(i) Such requirements shall apply to the monitoring systems required under § 97.830 through § 97.835, rather than the monitoring systems required under part 75 of this chapter;

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(ii) NOX emission rate, NOX concentration, stack gas moisture content, stack gas volumetric flow rate, and O2 or CO2 concentration data shall be determined and reported, rather than the data listed in § 75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under § 75.4(e)(2) of this chapter shall be submitted under § 97.835, rather than § 75.66 of this chapter.

(c) Reporting data. The owner or operator of a CSAPR NOX Ozone Season Group 2 unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for NOX concentration, NOX emission rate, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine NOX mass emissions and heat input in accordance with § 75.31(b)(2) or (c)(3) of this chapter, section 2.4 of appendix D to part 75 of this chapter, or section 2.5 of appendix E to part 75 of this chapter, as applicable.

(d) Prohibitions.

(1) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with § 97.835.

(2) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall operate the unit so as to discharge, or allow to be discharged, NOX to the atmosphere without accounting for all such NOX in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOX mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under § 97.805 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with § 97.831(d)(3)(i).

(e) Long-term cold storage. The owner or operator of a CSAPR NOX Ozone Season Group 2 unit is subject to the applicable provisions of § 75.4(d) of this chapter concerning units in long-term cold storage.

[81 FR 74621, Oct. 26, 2016, as amended at 88 FR, 49308 July 31, 2023; 89 FR 87975, Nov. 6, 2024]

013 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.834]
Subpart EEEEE - CSAPR NOX Ozone Season Group 2 Trading Program
Recordkeeping and reporting.

(a) General provisions. The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements under § 75.73 of this chapter, and the requirements of § 97.814(a).

**SECTION E. Source Group Restrictions.**

(b) Monitoring plans. The owner or operator of a CSAPR NOX Ozone Season Group 2 unit shall comply with the requirements of § 75.73(c) and (e) of this chapter.

(c) Certification applications. The designated representative shall submit an application to the Administrator within 45 days after completing all initial certification or recertification tests required under § 97.831, including the information required under § 75.63 of this chapter.

(d) Quarterly reports. The designated representative shall submit quarterly reports, as follows:

(1)

(i) If a CSAPR NOX Ozone Season Group 2 unit is subject to the Acid Rain Program or the CSAPR NOX Annual Trading Program or if the owner or operator of such unit chooses to report on an annual basis under this subpart, then the designated representative shall meet the requirements of subpart H of part 75 of this chapter (concerning monitoring of NOX mass emissions) for such unit for the entire year and report the NOX mass emissions data and heat input data for such unit for the entire year.

(ii) If a CSAPR NOX Ozone Season Group 2 unit is not subject to the Acid Rain Program or the CSAPR NOX Annual Trading Program, then the designated representative shall either:

(A) Meet the requirements of subpart H of part 75 of this chapter for such unit for the entire year and report the NOX mass emissions data and heat input data for such unit for the entire year in accordance with paragraph (d)(1)(i) of this section; or

(B) Meet the requirements of subpart H of part 75 of this chapter (including the requirements in § 75.74(c) of this chapter) for such unit for the control period and report the NOX mass emissions data and heat input data (including the data described in § 75.74(c)(6) of this chapter) for such unit only for the control period of each year.

(2) The designated representative shall report the NOX mass emissions data and heat input data for a CSAPR NOX Ozone Season Group 2 unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter indicated under paragraph (d)(1) of this section beginning by the latest of:

(i)

(A) The calendar quarter covering May 1, 2017, through June 30, 2017, for a unit other than a unit described in paragraph (d)(2)(i)(B) or (C) of this section;

(B) The calendar quarter covering May 1, 2023, through June 30, 2023, for a unit in a State listed in § 52.38(b)(2)(iii)(D)(1) of this chapter (and Indian country within the borders of such a State) that did not commence commercial operation at least 180 calendar days before September 30, 2020;

(C) The calendar quarter covering May 1, 2024, through June 30, 2024, for a unit in a State listed in § 52.38(b)(2)(iii)(D)(4) of this chapter (and Indian country within the borders of such a State) that did not commence commercial operation at least 180 calendar days before September 30, 2020, or a unit in a State listed in § 52.38(b)(2)(iii)(D)(5) of this chapter (and Indian country within the borders of such a State) that did not commence commercial operation at least 180 calendar days before September 30, 2022;

(ii) The calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under § 97.830(b); or

(iii) For a unit that reports on a control period basis under paragraph (d)(1)(ii)(B) of this section, if the calendar quarter under paragraph (d)(2)(ii) of this section does not include a month from May through September, the calendar quarter covering May 1 through June 30 immediately after the calendar quarter under paragraph (d)(2)(ii) of this section.

(3) The designated representative shall submit each quarterly report to the Administrator within 30 days after the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in § 75.73(f) of this chapter.

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(4) For CSAPR NOX Ozone Season Group 2 units that are also subject to the Acid Rain Program, CSAPR NOX Annual Trading Program, CSAPR SO₂ Group 1 Trading Program, or CSAPR SO₂ Group 2 Trading Program, quarterly reports shall include the applicable data and information required by subparts F through H of part 75 of this chapter as applicable, in addition to the NOX mass emission data, heat input data, and other information required by this subpart.

(5) The Administrator may review and conduct independent audits of any quarterly report in order to determine whether the quarterly report meets the requirements of this subpart and part 75 of this chapter, including the requirement to use substitute data.

(i) The Administrator will notify the designated representative of any determination that the quarterly report fails to meet any such requirements and specify in such notification any corrections that the Administrator believes are necessary to make through resubmission of the quarterly report and a reasonable time period within which the designated representative must respond. Upon request by the designated representative, the Administrator may specify reasonable extensions of such time period. Within the time period (including any such extensions) specified by the Administrator, the designated representative shall resubmit the quarterly report with the corrections specified by the Administrator, except to the extent the designated representative provides information demonstrating that a specified correction is not necessary because the quarterly report already meets the requirements of this subpart and part 75 of this chapter that are relevant to the specified correction.

(ii) Any resubmission of a quarterly report shall meet the requirements applicable to the submission of a quarterly report under this subpart and part 75 of this chapter, except for the deadline set forth in paragraph (d)(3) of this section.

(e) Compliance certification. The designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(1) The monitoring data submitted were recorded in accordance with the applicable requirements of this subpart and part 75 of this chapter, including the quality assurance procedures and specifications;

(2) For a unit with add-on NOX emission controls and for all hours where NOX data are substituted in accordance with § 75.34(a)(1) of this chapter, the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to part 75 of this chapter and the substitute data values do not systematically underestimate NOX emissions; and

(3) For a unit that is reporting on a control period basis under paragraph (d)(1)(ii)(B) of this section, the NOX emission rate and NOX concentration values substituted for missing data under subpart D of part 75 of this chapter are calculated using only values from a control period and do not systematically underestimate NOX emissions.

[81 FR 74621, Oct. 26, 2016, as amended at 88 FR 49308, July 31, 2023; 89 FR 87975, Nov. 6, 2024]

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

**SECTION E. Source Group Restrictions.**

Group Name: 7

Group Description: Boiler MACT 40 CFR 63 Subpart DDDDD for Source 030 and 038

Sources included in this group

ID	Name
030	AUXILIARY BOILER
038	2 NATURAL GAS PIPELINE HEATERS (EACH 3.65 MMBTU/HR)

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.**# 001 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7555]****Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****What records must I keep?**

The facility must keep a copy of each notification and report that was submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status and biennial or 5-year compliance report.

[63.7555(a)]

002 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7560]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****In what form and how long must I keep my records?**

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

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

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

V. REPORTING REQUIREMENTS.**# 003 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7530]****Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****How do I demonstrate initial compliance with the emission limitations, fuel specifications and work practice standards?**

(a) - (c) Not applicable

(d) [Reserved]

(e) You must include with the Notification of Compliance Status a signed certification that the energy assessment was completed according to Table 3 to this subpart and is an accurate depiction of your facility at the time of the assessment.

**SECTION E. Source Group Restrictions.**

(f) - (i) Not applicable.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7174, Jan. 31, 2013; 80 FR 72811, Nov. 20, 2015; 87 FR 60845, Oct. 6, 2022]

004 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7545]

Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.

What notifications must I submit and when?

The facility must submit an Initial Notification not later than 15 days after the actual date of startup of the affected source. [63.7545(c)]

The facility must submit a Notification of Compliance Status after the first tune-up. The Notification of Compliance Status Report must contain the following:

(1) A description of the affected unit(s) including identification of which subcategory the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with this subpart, and a description of the fuel burned [Non-applicable text omitted]

(2) - (7) Not applicable

(8) In addition to the information required in §63.9(h)(2), your notification of compliance status must include the following certification(s) of compliance, as applicable, and signed by a responsible official:

(i) "This facility completed the required initial tune-up for all of the boilers and process heaters covered by 40 CFR part 63 subpart DDDDD at this site according to the procedures in §63.7540(a)(10)(i) through (vi)."

[63.7545(e)(1) and (e)(8) and 63.7530(f)]

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7183, Jan. 31, 2013; 80 FR 72814, Nov. 20, 2015; 85 FR 73913, Nov. 19, 2020; 85 FR 84262, Dec. 28, 2020; 87 FR 60846, Oct. 6, 2022]

005 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7550]

Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.

What reports must I submit and when?

The facility must submit a biennial compliance report for Source 030 and a 5-year compliance report for Source 038. The first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in §63.7495 and ending on December 31 within 2 years after the compliance date that is specified for your source in §63.7495 for Source 030 and within 5 years for Source 038. The first biennial compliance report must be postmarked or submitted no later than January 31. Subsequent biennial compliance reports must cover the applicable 2 year periods for Source 030 and 5 year period for Source 038 from January 1 to December 31. Biennial / 5-year compliance reports must be postmarked or submitted no later than January 31. Each biennial / 5-year compliance report must contain the following:

Company and Facility name and address.

Process unit information, emissions limitations, and operating parameter limitations.

Date of report and beginning and ending dates of the reporting period.

Include the date of the most recent tune-up. Include the date of the most recent burner inspection if it was not done biennially for Source 033 or within 5 years for Source 038 and was delayed until the next scheduled or unscheduled unit shutdown.

Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

[63.7550(a - c)]

**SECTION E. Source Group Restrictions.****VI. WORK PRACTICE REQUIREMENTS.**

006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7500]

Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.

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

(a) You must meet the requirements in paragraphs (a)(1) through (3) of this section, except as provided in paragraphs (b) through (e) of this section. You must meet these requirements at all times the affected unit is operating, except as provided in paragraph (f) of this section.

(1) You must meet each work practice standard in Table 3 to this subpart that applies to your boiler or process heater, for each boiler or process heater at your source. [Non applicable text omitted]

[Excerpt from Table 3]

Item 1 - If your unit is a new or existing boiler or process heater with a continuous oxygen trim system that maintains an optimum air to fuel ratio, or a heat input capacity of less than or equal to 5 million Btu per hour in any of the following subcategories: unit designed to burn gas 1; unit designed to burn gas 2 (other); or unit designed to burn light liquid, or a limited use boiler or process heater; You must conduct a tune-up of the boiler or process heater every 5 years as specified in §63.7540. [Pertains to Source 038].

Item 2 - If your unit is a new or existing boiler or process heater with heat input capacity of less than 10 million Btu per hour, but greater than 5 million Btu per hour, in any of the following subcategories: unit designed to burn gas 1; unit designed to burn gas 2 (other); or unit designed to burn light liquid; You must conduct a tune-up of the boiler or process heater biennially as specified in § 63.7540. [Pertains to Source 030]

Item 4 - If your unit is an existing boiler or process heater located at a major source facility, not including limited use units, you must have a one-time energy assessment performed by a qualified energy assessor. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy assessment requirements in this table, satisfies the energy assessment requirement. A facility that operates under an energy management program compatible with ISO 50001 that includes the affected units also satisfies the energy assessment requirement. The energy assessment must include the following with extent of the evaluation for items a. to e. appropriate for the on-site technical hours listed in § 63.7575:

- a. A visual inspection of the boiler or process heater system.
- b. An evaluation of operating characteristics of the boiler or process heater systems, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints.
- c. An inventory of major energy use systems consuming energy from affected boilers and process heaters and which are under the control of the boiler/process heater owner/operator.
- d. A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage.
- e. A review of the facility's energy management practices and provide recommendations for improvements consistent with the definition of energy management practices, if identified.
- f. A list of cost-effective energy conservation measures that are within the facility's control.
- g. A list of the energy savings potential of the energy conservation measures identified.
- h. A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

(2) Not applicable

(3) At all times, you must operate and maintain any affected source (as defined in § 63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(b) - (d) Not applicable.

**SECTION E. Source Group Restrictions.**

(e) Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity of less than or equal to 5 million Btu per hour must complete a tune-up every 5 years as specified in §63.7540. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity greater than 5 million Btu per hour and less than 10 million Btu per hour must complete a tune-up every 2 years as specified in §63.7540. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory are not subject to the emission limits in Tables 1 and 2 or Tables 11 through 15 to this subpart, or the operating limits in Table 4 to this subpart.

(f) These standards apply at all times the affected unit is operating, except during periods of startup and shutdown during which time you must comply only with Table 3 to this subpart.

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7163, Jan. 31, 2013; 80 FR 72807, Nov. 20, 2015; 87 FR 60840, Oct. 6, 2022]

007 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7505]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****What are my general requirements for complying with this subpart?**

(a) You must be in compliance with the emission limits, work practice standards, and operating limits in this subpart. These limits apply to you at all times the affected unit is operating except for the periods noted in § 63.7500(f).

[All other conditions are not applicable]

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7164, Jan. 31, 2013; 80 FR 72807, Nov. 20, 2015; 87 FR 60841, Oct. 6, 2022]

008 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7510]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****What are my initial compliance requirements and by what date must I conduct them?**

(a) - (d) Not applicable.

(e) For existing affected sources (as defined in §63.7490), you must complete the initial compliance demonstrations, as specified in paragraphs (a) through (d) of this section, no later than 180 days after the compliance date that is specified for your source in §63.7495 and according to the applicable provisions in §63.7(a)(2) as cited in Table 10 to this subpart, except as specified in paragraph (j) of this section. You must complete an initial tune-up by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than the compliance date specified in §63.7495, except as specified in paragraph (j) of this section. You must complete the one-time energy assessment specified in Table 3 to this subpart no later than the compliance date specified in §63.7495.

(f) Not applicable

(g) For the natural gas pipeline heater, the facility must demonstrate initial compliance with the applicable work practice standards in Table 3 to this subpart within the applicable 5-year schedule as specified in §63.7515(d) following the initial compliance date specified in §63.7495(a). Thereafter, the facility is required to complete the applicable 5-year tune-up as specified in §63.7515(d).

(h) - (i) Not applicable.

(j) For existing affected sources (as defined in §63.7490) that have not operated between the effective date of the rule and the compliance date that is specified for your source in §63.7495, you must complete the initial compliance demonstration, if subject to the emission limits in Table 2 or 14 to this subpart, as applicable, as specified in paragraphs (a) through (d) of this section, no later than 180 days after the re-start of the affected source and according to the applicable provisions in §63.7(a)(2) as cited in Table 10 to this subpart. You must complete an initial tune-up by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than 30 days after the re-start of the affected source and, if applicable, complete the one-time energy assessment specified in Table 3 to this subpart, no later than the compliance date specified in §63.7495.

(k) Not applicable.

**SECTION E. Source Group Restrictions.**

[78 FR 7164, Jan. 31, 2013, as amended at 80 FR 72808, Nov. 20, 2015; 87 FR 60841, Oct. 6, 2022]

009 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7515]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****When must I conduct subsequent performance tests or fuel analyses, or tune-ups?**

(a) - (c) Not applicable.

(d) If you are required to meet an applicable tune-up work practice standard, you must conduct an annual, biennial, or 5-year performance tune-up according to §63.7540(a)(10), (11), or (12), respectively. [Non-applicable text omitted]. Each biennial tune-up specified in §63.7540(a)(11) must be conducted no more than 25 months after the previous tune-up. Each 5-year tune-up specified in §63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up. For a new or reconstructed affected source (as defined in §63.7490), the first annual, biennial, or 5-year tune-up must be no later than 13 months, 25 months, or 61 months, respectively, after April 1, 2013 or the initial startup of the new or reconstructed affected source, whichever is later.

(e) - (f) Not applicable.

(g) For affected sources (as defined in § 63.7490) that have not operated since the previous compliance demonstration and more than 1 year has passed since the previous compliance demonstration, you must complete the subsequent compliance demonstration, if subject to the emission limits in Table 1 or 2 or Tables 11 through 15 to this subpart, no later than 180 days after the re-start of the affected source and according to the applicable provisions in § 63.7(a)(2) as cited in Table 10 to this subpart. You must complete a subsequent tune-up by following the procedures described in § 63.7540(a)(10)(i) through (vi) and the schedule described in § 63.7540(a)(13) for units that are not operating at the time of their scheduled tune-up.

(h) - (i) Not applicable.

[78 FR 7165, Jan. 31, 2013, as amended at 80 FR 72808, Nov. 20, 2015; 87 FR 60842, Oct. 6, 2022]

010 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7540]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****How do I demonstrate continuous compliance with the emission limitations, fuel specifications and work practice standards?**

The facility must conduct a biennial or 5-year tune-up of the boiler or process heater as specified in paragraphs 63.7540(a)(10)(i) through (vi) section to demonstrate continuous compliance. [63.7540(a)(11)]

[63.7540(a)(10)(i - vi)]

(i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment;

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available;

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection;

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if

**SECTION E. Source Group Restrictions.**

available, and with any NOX requirement to which the unit is subject;

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and

(vi) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (a)(10)(vi)(A) through (C) of this section,

(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup.[63.7540(a)(13)]

[78 FR 7179, Jan. 31, 2013, as amended at 80 FR 72813, Nov. 20, 2015; 87 FR 60846, Oct. 6, 2022]

VII. ADDITIONAL REQUIREMENTS.**# 011 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7495]****Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****When do I have to comply with this subpart?**

(a) The pipeline heater must be in compliance with 40 CFR 63 Subpart DDDD requirements upon startup [63.7495(a)]

(b) If you have an existing boiler or process heater, you must comply with this subpart no later than January 31, 2016, except as provided in § 63.6(i).

(c) Not applicable.

(d) You must meet the notification requirements in § 63.7545 according to the schedule in § 63.7545 and in subpart A of this part. Some of the notifications must be submitted before you are required to comply with the emission limits and work practice standards in this subpart.

(e) - (i) Not applicable

[76 FR 15664, Mar. 21, 2011, as amended at 78 FR 7162, Jan. 31, 2013; 80 FR 72807, Nov. 20, 2015]

012 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7565]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****What parts of the General Provisions apply to me?**

Table 10 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you.

013 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.7575]**Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial and Institutional Boilers and Process Heaters.****What definitions apply to this subpart?**

Terms used in this subpart are defined in the Clean Air Act, in § 63.2 (the General Provisions), and in this section and can be found in 40 CFR §63.7575.

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

**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this Title V facility.

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description		
030	AUXILIARY BOILER		
Emission Limit		Pollutant	
0.400	Lbs/MMBTU	of heat input	TSP
038	2 NATURAL GAS PIPELINE HEATERS (EACH 3.65 MMBTU/HR)		
Emission Limit		Pollutant	
500.000	PPMV	on a dry basis	SOX
0.400	Lbs/MMBTU		TSP
036	ELECTROMOTIVE DIESEL A		
Emission Limit		Pollutant	
500.000	PPMV	Dry basis	SOX
0.040	gr/DRY FT3		TSP
106	TWO EMERGENCY DIESEL GENERATORS (49HP AND 98HP)		
Emission Limit		Pollutant	
500.000	PPMV	Dry basis	SOX
0.040	gr/DRY FT3		TSP

Site Emission Restriction Summary

Emission Limit		Pollutant
1,885.700 Lbs/Hr	on a 1-hr average basis for Sources 033, 034, & 035	SOX
626.850 Tons/Yr	based on a 12-month rolling total	PM10
540.730 Tons/Yr	based on a 12-month rolling total	PM2.5
350.310 Tons/Yr	based on a 12-month rolling total	TSP
8,279.660 Tons/Yr	based on a 12-month rolling total	SOX
1,389.430 Tons/Yr	based on a 12-month rolling total	CO
1,560,675.900 Tons/Yr	CO2 equivalent (based on a 12-month rolling total)	Carbon Dioxide
2,958.510 Tons/Yr	based on a 12-month rolling total	NOX
58.900 Tons/Yr	based on a 12-month rolling total	VOC
0.300 Tons/Yr	based on a 12-month rolling total	Lead
85.620 Tons/Yr	based on a 12-month rolling total	Sulfuric Acid

**SECTION H. Miscellaneous.**

- (a) The actual enforceable emission limits with the correct number of significant digits are listed under each source in Sections D, E and F of this permit. The Emission Restriction Summary listed in Section G of this permit is for information purposes only and is not to be used to establish any enforceable limits.
- (b) The following sources at the facility have no applicable emission limits or monitoring, testing, recordkeeping, reporting, work practice, or other requirements:
- (1) Storage Tanks
 - i) 1,000 gallon Gasoline (aboveground tank)
 - ii) 1,000 gallon Diesel (skid mounted tank)
 - iii) 5,385 gallon 50% Ethylene Glycol (water heating tank)
 - iv) 7,500 gallon Fuel Oil (underground tank)
 - v) (2)- 25,0000 gallon Fuel Oil (underground tank)
 - (2) Sand blasting operation
 - (3) Welding operation
 - (5) Grinding operation
- (c) The expiration date shown in this permit and RACT Operating Permit No. 37-023 is for State purposes only. For Federal enforcement purposes, the RACT provisions of this Operating Permit shall remain in effect as part of the State Implementation Plan (SIP) until replaced pursuant to 40 CFR Part 51 and approved by the US Environmental Protection Agency (USEPA).
- (d) In accordance with 25 Pa. Code Section 123.121, the emission limitations and monitoring requirements established in this permit pursuant to 25 Pa. Code Sections 123.101-123.120 are replaced by the requirements of 25 Pa. Code Chapter 145 beginning with the May 1, 2003 control period.
- (e) This permit was administratively amended on February 22, 2002 to incorporate the newly applicable requirements from the NOx Budget Permit No. 37-00023 issued on March 23, 2001.
- (f) This permit was reissued on January 23, 2007 with an expiration date of December 31, 2011.
- (g) This permit was modified on December 4, 2007 to incorporate the renewal of the Phase II Acid Rain Permit which is effective for January 1, 2008 through December 21, 2012.
- (h) The permit was amended on August 5, 2008 to change the name of the responsible official.
- (i) Compliance certifications may be e-mailed to the Administrator R3_APD_Permits@epa.gov in lieu of mailing a hard copy.
- (j) This permit was renewed on May 9, 2012.
- (k) This permit was administratively amended on October 10, 2019 to reflect the responsible official change to Mr. Kevin Panzino, Plant Manager. This delegation was made by Mr. Mark A. Gouveia - Senior Vice President, New Castle Power, LLC. Mr. Gouveia's is identified as a backup Responsible Official for the New Castle Generating Station. His address is 1360 Post Oak Blvd., Suite 2000, Houston TX 77056; (301) - 843-4555
- (l) This permit was modified on June 26, 2013 to incorporate the requirements of 40 CFR 63 Subpart DDDDD, the amended requirements of 40 CFR 63 Subpart ZZZZ, and to change the name of the owner to NRG Power Midwest LP.
- (m) This permit was modified through a Minor Operating Permit Modification by the Department on June 11, 2015 to incorporate the extension of the MATS compliance date to April 16, 2016.
- (n) Source ID: Department assigned ID number for the source
Source Name: Department assigned name for the source
Capacity: The maximum capacity for the source (not a limit)
Fuel/Material: The fuel/material assigned to SCC for the source
Schematics:
FML: Fuel material location
CU: Combustion Unit
Proc: Process
CNTL: Control Device

**SECTION H. Miscellaneous.**

STAC: Stack/Emission point

Pollutant:

Carbon Dioxide: CO₂ equivalent

CO: Carbon Monoxide

Lead: Lead (Pb)

NO_x: Nitrogen Oxide

PM₁₀: Particulate Matter less than 10 microns

PM_{2.5}: Particulate Matter less than 2.5 microns

SO_x: Sulfur Oxide

Sulfuric Acid: Sulfuric Acid (H₂SO₄)

TSP: Total Suspended Particulate

VOC: Volatile Organic Compounds

(o) [Removed paragraph since facility no longer uses oil as startup fuel or fuel stabilization in boilers 3, 4, and 5.]

(p) The projected actual emissions from Boilers 3, 4, & 5 combined based on Plan Approval 37-023F are:

1. 214.2 tons of NO_x, calculated as a 12-month rolling total.
2. 171.4 tons of CO, calculated as a 12-month rolling total.
3. 7.9 tons of VOC, calculated as a 12-month rolling total
4. 2.7 tons of PM (TSP), calculated as a 12-month rolling total.
5. 10.9 tons of PM₁₀, calculated as a 12-month rolling total.
6. 10.9 tons of PM_{2.5}, calculated as a 12-month rolling total.
7. 0.9 tons of SO_x, calculated as a 12-month rolling total.
8. 171,451.0 tons of CO₂(e), calculated as a 12-month rolling total.

[The projected actual emissions are not considered enforceable limits. The facility is not subject to the requirements of 40 CFR 52.21(r)(6) because the project does not meet the definition of "reasonable possibility" under 40 CFR 52.21(r)(6)(vi). The facility is not subject to 25 PA Code 127.203a(a)(5)(iii)(B) because the projected actual emissions did not exceed the baseline actual emissions.]

(q) This permit was renewed on June 5, 2018.

(r) This permit was administratively amended on October 10, 2019 to change the ownership, tax ID, responsible official, permit contact, and make minor typographical corrections.

(s) This permit was administratively amended on April 28, 2020 to change the responsible official.

(t) On January 9, 2024, the Department received notification of change of responsible official for the facility to John Kennedy (Primary) and Brant Yung (Alternate). Brant's phone number is 312-766-8514 and email is byung@mrpgenco.com. In that same notification, Michael Maine - Plant Manager was identified as the permit contact.

(u) The permit was renewed on June 10, 2025 and expires on May 31, 2030.



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