



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date: July 15, 2025

Effective Date: July 15, 2025

Expiration Date: June 30, 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: 37-00337

Federal Tax Id - Plant Code: 45-5096863-1

Owner Information

Name: HICKORY RUN ENERGY, LLC
Mailing Address: 7500 COLLEGE BLVD STE 400
OVERLAND PARK, KS 66210-4016

Plant Information

Plant: HICKORY RUN ENERGY, LLC/NORTH BEAVER TWP
Location: 37 Lawrence County 37912 North Beaver Township
SIC Code: 4911 Trans. & Utilities - Electric Services

Responsible Official

Name: KEVIN CALHOON
Title: VICE PRESIDENT
Phone: (913) 754 - 5795 Email: kcalhoon@tyrenergy.com

Permit Contact Person

Name: JASON FOX
Title: COMPLIANCE MANAGER
Phone: (724) 262 - 6602 Email: jason.fox@naes.com

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



SECTION A. Table of Contents

Section A. Facility/Source Identification

Table of Contents
Site Inventory List

Section B. General Title V Requirements

- #001 Definitions
- #002 Prohibition of Air Pollution
- #003 Property Rights
- #004 Permit Expiration
- #005 Permit Renewal
- #006 Transfer of Ownership or Operational Control
- #007 Inspection and Entry
- #008 Compliance Requirements
- #009 Need to Halt or Reduce Activity Not a Defense
- #010 Duty to Provide Information
- #011 Reopening and Revising the Title V Permit for Cause
- #012 Reopening a Title V Permit for Cause by EPA
- #013 Operating Permit Application Review by the EPA
- #014 Significant Operating Permit Modifications
- #015 Minor Operating Permit Modifications
- #016 Administrative Operating Permit Amendments
- #017 Severability Clause
- #018 Fee Payment
- #019 Authorization for De Minimis Emission Increases
- #020 Reactivation of Sources
- #021 Circumvention
- #022 Submissions
- #023 Sampling, Testing and Monitoring Procedures
- #024 Recordkeeping Requirements
- #025 Reporting Requirements
- #026 Compliance Certification
- #027 Operational Flexibility
- #028 Risk Management
- #029 Approved Economic Incentives and Emission Trading Programs
- #030 Permit Shield
- #031 Reporting
- #032 Report Format

Section C. Site Level Title V Requirements

- C-I: Restrictions
- C-II: Testing Requirements
- C-III: Monitoring Requirements
- C-IV: Recordkeeping Requirements
- C-V: Reporting Requirements
- C-VI: Work Practice Standards
- C-VII: Additional Requirements
- C-VIII: Compliance Certification
- C-IX: Compliance Schedule

Section D. Source Level Title V Requirements

- D-I: Restrictions
- D-II: Testing Requirements
- D-III: Monitoring Requirements
- D-IV: Recordkeeping Requirements
- D-V: Reporting Requirements



SECTION A. Table of Contents

D-VI: Work Practice Standards
D-VII: Additional Requirements

Note: These same sub-sections are repeated for each source!

Section E. Source Group Restrictions

E-I: Restrictions
E-II: Testing Requirements
E-III: Monitoring Requirements
E-IV: Recordkeeping Requirements
E-V: Reporting Requirements
E-VI: Work Practice Standards
E-VII: Additional Requirements

Section F. Alternative Operating Scenario(s)

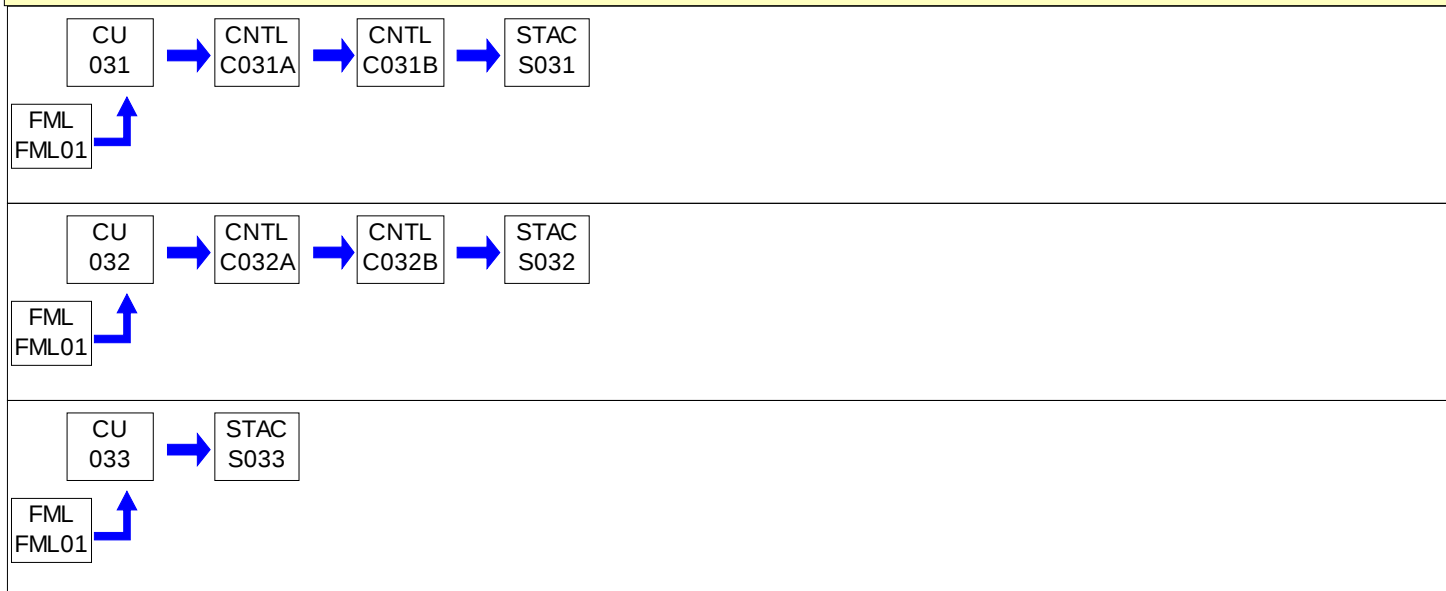
F-I: Restrictions
F-II: Testing Requirements
F-III: Monitoring Requirements
F-IV: Recordkeeping Requirements
F-V: Reporting Requirements
F-VI: Work Practice Standards
F-VII: Additional Requirements

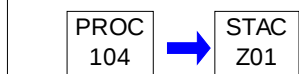
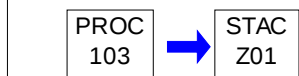
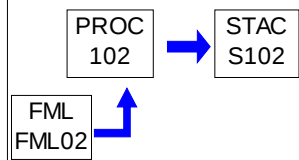
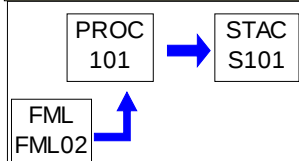
Section G. Emission Restriction Summary

Section H. Miscellaneous

**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
031	COMBINED CYCLE UNIT #1	3,468.000 MMBTU/HR	
		3.400 MMCF/HR	Natural Gas
032	COMBINED CYCLE UNIT #2	3,468.000 MMBTU/HR	
		3.400 MMCF/HR	Natural Gas
033	40 MMBTU/HR SIMONEAU MODEL MAVERICK AQT-800 NG AUX BOILER	40.000 MMBTU/HR	
		39.300 MCF/HR	Natural Gas
101	2328 BHP MITSUBISHI MODEL S16R-Y2PTAW-1 EMERG. ULSD GEN.	15.540 MMBTU/HR	
		111.000 Gal/HR	ULTRA LOW SULFUR DIS
102	450 BHP CLARKE MODEL JU6H-UFADX8 EMERG. ULSD FIREWATER PUMP	3.250 MMBTU/HR	
		24.000 Gal/HR	ULTRA LOW SULFUR DIS
103	COOLING WATER TOWER	13.200 M Gal/HR	COOLING WATER
104	FUEL STORAGE TANKS	135.000 Gal/HR	ULSD
C031A	SCR #1		
C031B	OXIDATION CATALYST #1		
C032A	SCR #2		
C032B	OXIDATION CATALYST #2		
FML01	NATURAL GAS		
FML02	DIESEL FUEL		
S031	COMBINED CYCLE UNIT #1 STACK		
S032	COMBINED CYCLE UNIT #2 STACK		
S033	AUXILIARY BOILER STACK		
S101	EMERGENCY GENERATOR STACK		
S102	EMERGENCY FIREWATER PUMP STACK		
Z01	FUGITIVE EMISSIONS		

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

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

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

(3) Paving and maintenance of roadways.

(4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

(d) Not applicable

**SECTION C. Site Level Requirements****# 002 [25 Pa. Code §123.2]****Fugitive particulate matter**

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

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

(a) Limitations are as follows:

(1) If control of malodorous air contaminants is required under subsection (b), emissions shall be incinerated at a minimum of 1200F for at least 0.3 seconds prior to their emission into the outdoor atmosphere.

(2) Techniques other than incineration may be used to control malodorous air contaminants if such techniques are equivalent to or better than the required incineration in terms of control of the odor emissions and are approved in writing by the Department.

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

(c) Not applicable

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 37-337A]

(a) The facility shall not permit the emission into the outdoor atmosphere of any single HAP (formaldehyde) in excess of 6.9 tpy based on a 12-month rolling total. [Compliance with the formaldehyde limit will show compliance with the total facility HAP limit based on EPA stating it is appropriate to use formaldehyde as a surrogate for all organic HAP emissions.]

[Plan Approval 37-337A]

(b) The facility shall not permit the emission into the outdoor atmosphere of total HAP in excess of 15.3 tpy based on a 12-month rolling total.

**SECTION C. Site Level Requirements**

[Plan Approval 37-337C]

(c) The facility shall not permit the emission into the outdoor atmosphere of CO₂(e) (including SF₆) in excess of the following:

1. 3,679,784 tpy based on a 12-month rolling total

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

007 [25 Pa. Code §123.43]

Measuring techniques

Visible emissions may be measured using either of the following:

- (1) A device approved by the Department and maintained to provide accurate opacity measurements.
- (2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

008 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

The permittee shall perform monitoring of the facility at least once per operating day for the presence of visible emissions, fugitive emissions, and malodors. The permittee shall take immediate corrective action to eliminate any emissions that are out of compliance. For determining visible emissions, a visual observation of the stack shall be used to determine whether or not there is a visible emission. If during this observation a visible emission is detected, a Method 9 reading shall be performed to determine compliance. Method 22 shall be used for determining fugitive emissions.

IV. RECORDKEEPING REQUIREMENTS.

009 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

- (a) The facility shall keep adequate records to show compliance with the facility HAP emission limitations. Records shall be kept on a monthly basis and a 12-month rolling total basis.

[Plan Approval 37-337A]

- (b) The facility shall keep records of the daily facility monitoring indicating, at a minimum, that required monitoring was performed.

010 [25 Pa. Code §135.5]

Recordkeeping

Source owners or operators shall maintain and make available upon request by the Department records including computerized records that may be necessary to comply with § § 135.3 and 135.21 (relating to reporting; and emission statements). These 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.

**SECTION C. Site Level Requirements****V. REPORTING REQUIREMENTS.****# 011 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

Malfunction reporting shall be conducted as follows:

- a. For the purpose of this condition, a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions may include, but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property on whose land the source is being operated.
- b. Any malfunction that poses an imminent danger to the public health, safety, or welfare or to the environment shall be reported by telephone to the County Emergency Management Agency (911 Center), and to the 24-hour Emergency Hotline of the appropriate DEP Regional Office, no later than one hour after the discovery of an incident. Following the telephone notification, a written notice shall be submitted to the DEP, no later than the next business day.
- c. All other malfunctions shall be reported to the Department no later than the next business day.
- d. Initial reporting of the malfunction shall identify the following items to the extent known:
 - i. name and location of the facility;
 - ii. nature and cause of the malfunction;
 - iii. time when the malfunction or breakdown was first observed;
 - iv. expected duration of increased emissions; and
 - v. estimated rate of emissions.
- e. The Owner/Operator shall also notify the Department immediately, by telephone, when corrective measures, for malfunctions meeting the criteria in (b), have been accomplished.
- f. Malfunctions shall be reported to the Department by OnBase Submittal, unless the Department directs otherwise:

Electronic Submittal

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

PA DEP

Northwest Regional Office

814-332-6945

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

012 [25 Pa. Code §135.21]**Emission statements**

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

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

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

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

**SECTION C. Site Level Requirements**

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

- (1) A more frequent submission is required by the EPA.
- (2) Analysis of the data on a more frequent basis is necessary to implement the requirements of the act.

(d) Subsection (a) does not apply to a class or category of stationary sources which emits less than 25 tons per year of VOCs or oxides of nitrogen, if the Department in its submissions to the Administrator of the EPA under section 182(a)(1) or (3)(B)(ii) of the Clean Air Act (42 U.S.C.A. 7511a(a)(1) or (3)(B)(ii)) provides an inventory of emissions from the class or category of sources based on the use of the emission factors established by the Administrator or other methods acceptable to the Administrator. The Department will publish in the Pennsylvania Bulletin a notice of the lists of classes or categories of sources which are exempt from the emission statement requirement under this subsection.

VI. WORK PRACTICE REQUIREMENTS.**# 013 [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) A fire set for the prevention and control of disease or pests, when approved by the Department.
 - (4) Not applicable
 - (5) Not applicable
 - (6) A fire set solely for recreational or ceremonial purposes.
 - (7) A fire set solely for cooking food.
- (d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:
- (1) As used in this subsection the following terms shall have the following meanings:

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

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

- (2) 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.

**SECTION C. Site Level Requirements**

(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.

(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 to Section 610(3) of the Solid Waste Management Act, 35 P.S. Section 6018.610(3), or any provision of the Solid Waste Management Act.]

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

[Plan Approval 37-337A]

(a) Nothing in this permit shall relieve the owner or operator from complying with any local zoning ordinances.

[Plan Approval 37-337C]

(b) Emission Reduction Credit Requirements

1. The permittee shall not operate the source(s) until the required emission reduction credits are provided to and processed through the ERC registry in accordance with 25 PA Code 127.206(d)(1) and the Department certifies the required emissions reductions.

2. The permittee shall secure NO_x and VOC ERCs. ERCs shall be properly generated and certified by the Department. Upon transfer, the permittee shall provide the Department with documentation clearly specifying the details of the ERC transaction. The facility NO_x PTE is based on 1.01 tpy for the Auxiliary Boiler, 1.1 tpy for the Emergency Generator, 0.09 tpy for the Emergency Fire Pump, and the NO_x PTE for the Combined Cycle Units. The facility VOC PTE is based on 0.14 tpy for the Auxiliary Boiler, 0.03 tpy for the Emergency Generator, 0.06 tpy for the Emergency Fire Pump, and the VOC PTE for the Combined Cycle Units. The NO_x and VOC PTE for the Siemens H are 344.5 tpy and 172.70 tpy resulting in a facility NO_x and VOC PTE of 346.7 tpy and 172.93 tpy. The permittee shall obtain the following NO_x and VOC ERCs based on the facility NO_x and VOC PTE times the offset of 1.15:

(a) Siemens H: NO_x - 398.7 tons and VOC - 198.9 tons

3. If the amount of required emission reduction credits increases, the company shall secure emission offsets according to a schedule determined by the Department.

4. The facility acquired the following credits and the transfer of ownership was recorded in the Pennsylvania ERC Registry System (May 3, 2019):

(a) NO_x: 399.1 tons with expiration date of June 30, 2025 from AES Beaver Valley, LLC on March 15, 2018

(b) VOC: 198.9 tons with expiration date of March 4, 2026 from Quad/Graphics, Inc on April 10, 2017

(c) VOC: 1.0 tons with expiration date of April 1, 2022 from Viking Energy, LLC on February 28, 2018

5. The facility has the following credits remaining:

(a) NO_x: 0.4 ton with expiration date of June 30, 2025

(b) VOC: 1 ton with expiration date of March 4, 2026

**SECTION C. Site Level Requirements**

[Plan Approval 37-337C]

(c) This plan approval will supersede plan approval 37-337B issued on June 21, 2016, with an expiration date of May 31, 2021.

VIII. COMPLIANCE CERTIFICATION.

The permittee shall submit within thirty days of 07/01/2026 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.

#015 01-SEP-25

The permittee shall submit a complete plan approval modification application no later than September 1, 2025. The modification should address the removal of the required CO₂ CEMs for Source ID 031 and 032; Gross Electrical Outlet CEMs for Source ID 031 and 032; and increase VOC emission limit for Source ID 101.

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

**SECTION D. Source Level Requirements**

Source ID: 031

Source Name: COMBINED CYCLE UNIT #1

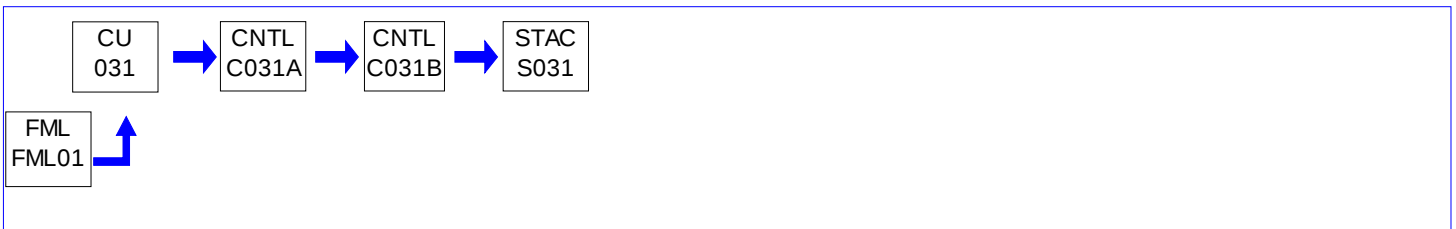
Source Capacity/Throughput: 3,468.000 MMBTU/HR

3.400 MMCF/HR

Natural Gas

Conditions for this source occur in the following groups:

- ACID RAIN
- CAM
- CCU
- CEM
- CSAPR
- GHG
- STARTUP & SHUTDOWN
- SUBPART KKKK

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

[Plan Approval 37-337A]

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

1. CEMS #1

(a) Source Combination to be Monitored: Combined Cycle Unit #1

(b) Parameter to be Reported: CO

(c) Units of Measurement to be Reported: ppmvd

(d) Moisture Basis of Measurement to be Reported: dry

(e) Correction basis of Measurements to be Reported: 15% O2

(f) Data Substitution Required: No

(g) Emission Standards

**SECTION D. Source Level Requirements****(1) Emission Standard # 1:**

- (a) Emission Standard Averaging Period Description: 3-hour rolling average, calculated once per hour
- (b) Emission Standard Value: 2.0 ppmvd corrected to 15% O₂
- (c) Emission Standard Direction: Violation if greater than emission standard value
- (d) Variable Emission Standard: No

2. CEMS #2

- (a) Source Combination to be Monitored: Combined Cycle Unit #1
- (b) Parameter to be Reported: NO_x
- (c) Units of Measurement to be Reported: ppmvd
- (d) Moisture Basis of Measurement to be Reported: dry
- (e) Correction basis of Measurements to be Reported: 15% O₂
- (f) Data Substitution Required: No
- (g) Emission Standards

(1) Emission Standard # 1

- (a) Emission Standard Averaging Period Description: 3-hour rolling average, calculated once per hour
- (b) Emission Standard Value: 2.0 ppmvd corrected to 15% O₂
- (c) Emission Standard Direction: Violation if greater than emission standard value
- (d) Variable Emission Standard: No

3. CEMS #3 [This will consist of continuous measurement of CO₂ in the exhaust of each CCU and calculation of combined mass emission rate from CCU #1 and CCU#2; continuous measurement of gross electrical output of the facility; and calculation of pounds of CO₂ per gross MW-hour on a 12-month rolling average, calculated monthly]

- (a) Source Combination to be Monitored: Combined Cycle Unit #1 & #2
- (b) Parameter to be Reported: CO₂
- (c) Units of Measurement to be Reported: lbs per hr
- (d) Moisture Basis of Measurement to be Reported: NA
- (e) Correction basis of Measurements to be Reported: None
- (f) Data Substitution Required: Yes
- (g) Emission Standards

(1) Emission Standard # 1

**SECTION D. Source Level Requirements**

(a) Emission Standard Averaging Period Description: 12-month sum, calculated monthly

(b) Emission Standard Value: None

(c) Emission Standard Direction: Not applicable

(d) Variable Emission Standard: No

4. CEMS #4 [This will consist of continuous measurement of CO₂ in the exhaust of each CCU and calculation of combined mass emission rate from CCU #1 and CCU #2; continuous measurement of gross electrical output of the facility; and calculation of pounds of CO₂ per gross MW-hour on a 12-month rolling average, calculated monthly]

(a) Source Combination to be Monitored: Combined Cycle Unit #1 & #2

(b) Parameter to be Reported: Gross Electrical Outlet (GEO)

(c) Units of Measurement to be Reported: MW-hr (gross)

(d) Moisture Basis of Measurement to be Reported: NA

(e) Correction basis of Measurements to be Reported: None

(f) Data Substitution Required: Yes

(g) Emission Standards

(1) Emission Standard # 1

(a) Emission Standard Averaging Period Description: 12-month sum, calculated monthly

(b) Emission Standard Value: None

(c) Emission Standard Direction: Not applicable

(d) Variable Emission Standard: No

5. CEMS #5

(a) Source Combination to be Monitored: Combined Cycle Unit #1

(b) Parameter to be Reported: Ammonia

(c) Units of Measurement to be Reported: ppmvd

(d) Moisture Basis of Measurement to be Reported: dry

(e) Correction basis of Measurements to be Reported: 15% O₂

(f) Data Substitution Required: No

(g) Emission Standards

(1) Emission Standard # 1

(a) Emission Standard Averaging Period Description: 3-hour rolling average, calculated once per hour

**SECTION D. Source Level Requirements**

(b) Emission Standard Value: 5.0

(c) Emission Standard Direction: Violation if greater than emission standard value

(d) Variable Emission Standard: No

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(c) The facility shall show compliance with the CO₂ limit by

1. Determining Monthly CO₂ emission Rate, R(i)

$$R(i) = (\text{Monthly Sum, CO}_2 \text{ [lbs]}) / (\text{Monthly Sum, GEO [MW-h]})$$

2. Determining 12-month rolling average, CO₂[lbs/MW-h]

$$\text{CO}_2[\text{lbs/MW-h}] = (1/12) * \text{Sum } (R(i))$$

where:

R(i) is monthly CO₂ emission rate and

"i" is from 1 to 12 (current month to previous 11 months)

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: 032

Source Name: COMBINED CYCLE UNIT #2

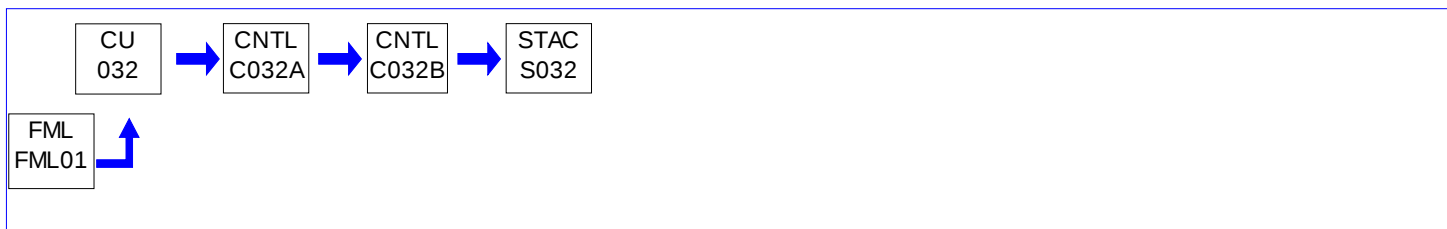
Source Capacity/Throughput: 3,468.000 MMBTU/HR

3.400 MMCF/HR

Natural Gas

Conditions for this source occur in the following groups:

- ACID RAIN
- CAM
- CCU
- CEM
- CSAPR
- GHG
- STARTUP & SHUTDOWN
- SUBPART KKKK

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

[Plan Approval 37-337A]

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

1. CEMS #6

(a) Source Combination to be Monitored: Combined Cycle Unit #2

(b) Parameter to be Reported: CO

(c) Units of Measurement to be Reported: ppmvd

(d) Moisture Basis of Measurement to be Reported: dry

(e) Correction basis of Measurements to be Reported: 15% O2

(f) Data Substitution Required: No

(g) Emission Standards

**SECTION D. Source Level Requirements****(1) Emission Standard # 1:**

- (a) Emission Standard Averaging Period Description: 3-hour rolling average, calculated once per hour
- (b) Emission Standard Value: 2.0 ppmvd corrected to 15% O₂
- (c) Emission Standard Direction: Violation if greater than emission standard value
- (d) Variable Emission Standard: No

2. CEMS #7

- (a) Source Combination to be Monitored: Combined Cycle Unit #2
- (b) Parameter to be Reported: NO_x
- (c) Units of Measurement to be Reported: ppmvd
- (d) Moisture Basis of Measurement to be Reported: dry
- (e) Correction basis of Measurements to be Reported: 15% O₂
- (f) Data Substitution Required: No
- (g) Emission Standards

(1) Emission Standard # 1

- (a) Emission Standard Averaging Period Description: 3-hour rolling average, calculated once per hour
- (b) Emission Standard Value: 2.0 ppmvd corrected to 15% O₂
- (c) Emission Standard Direction: Violation if greater than emission standard value
- (d) Variable Emission Standard: No

3. CEMS #8 [This will consist of continuous measurement of CO₂ in the exhaust of each CCU and calculation of combined mass emission rate from CCU #1 and CCU #2; continuous measurement of gross electrical output of the facility; and calculation of pounds of CO₂ per gross MW-hour on a 12-month rolling average, calculated monthly]

- (a) Source Combination to be Monitored: Combined Cycle Unit #1 & #2
- (b) Parameter to be Reported: CO₂
- (c) Units of Measurement to be Reported: lbs per hr
- (d) Moisture Basis of Measurement to be Reported: NA
- (e) Correction basis of Measurements to be Reported: None
- (f) Data Substitution Required: Yes
- (g) Emission Standards

(1) Emission Standard # 1

**SECTION D. Source Level Requirements**

(a) Emission Standard Averaging Period Description: 12-month sum, calculated monthly

(b) Emission Standard Value: None

(c) Emission Standard Direction: Not applicable

(d) Variable Emission Standard: No

4. CEMS #9 [This will consist of continuous measurement of CO₂ in the exhaust of each CCU and calculation of combined mass emission rate from CCU #1 and CCU#2; continuous measurement of gross electrical output of the facility; and calculation of pounds of CO₂ per gross MW-hour on a 12-month rolling average, calculated monthly]

(a) Source Combination to be Monitored: Combined Cycle Unit #1 & #2

(b) Parameter to be Reported: Gross Electrical Outlet (GEO)

(c) Units of Measurement to be Reported: MW-hr (gross)

(d) Moisture Basis of Measurement to be Reported: NA

(e) Correction basis of Measurements to be Reported: None

(f) Data Substitution Required: Yes

(g) Emission Standards

(1) Emission Standard # 1

(a) Emission Standard Averaging Period Description: 12-month sum, calculated monthly

(b) Emission Standard Value: None

(c) Emission Standard Direction: Not applicable

(d) Variable Emission Standard: No

5. CEMS #10

(a) Source Combination to be Monitored: Combined Cycle Unit #2

(b) Parameter to be Reported: Ammonia

(c) Units of Measurement to be Reported: ppmvd

(d) Moisture Basis of Measurement to be Reported: dry

(e) Correction basis of Measurements to be Reported: 15% O₂

(f) Data Substitution Required: No

(g) Emission Standards

(1) Emission Standard # 1

(a) Emission Standard Averaging Period Description: 3-hour rolling average, calculated once per hour

**SECTION D. Source Level Requirements**

(b) Emission Standard Value: 5.0

(c) Emission Standard Direction: Violation if greater than emission standard value

(d) Variable Emission Standard: No

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(c) The facility shall show compliance with the CO₂ limit by

1. Determining Monthly CO₂ emission Rate, R(i)

$$R(i) = (\text{Monthly Sum, CO}_2 \text{ [lbs]}) / (\text{Monthly Sum, GEO [MW-h]})$$

2. Determining 12-month rolling average, CO₂[lbs/MW-h]

$$\text{CO}_2[\text{lbs/MW-h}] = (1/12) * \text{Sum } (R(i))$$

where:

R(i) is monthly CO₂ emission rate and

"i" is from 1 to 12 (current month to previous 11 months)

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: 033

Source Name: 40 MMBTU/HR SIMONEAU MODEL MAVERICK AQT-800 NG AUX BOILER

Source Capacity/Throughput: 40.000 MMBTU/HR

39.300 MCF/HR

Natural Gas

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

[Plan Approval 37-337A]

(a) The emissions shall not exceed the following:

1. PM/PM10/PM2.5: 0.005 #/mmbtu or 0.46 tpy based on a 12-month rolling total
2. NOx: 0.011 #/mmbtu or 1.01 tpy based on a 12-month rolling total
3. CO: 0.036 #/mmbtu or 3.31 tpy based on a 12-month rolling total
4. VOC: 0.0015 #/mmbtu or 0.14 tpy based on a 12-month rolling total
5. SOx: 0.0021 #/mmbtu or 0.19 tpy based on a 12-month rolling total
6. H2SO4: 0.00048 #/mmbtu or 0.04 tpy based on a 12-month rolling total

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(b) No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:

1. CO2(e): 13,696 tpy based on a 12-month rolling basis

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.42c]**Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units Standard for sulfur dioxide.**

Not applicable

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.43c]**Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units Standard for particulate matter.**

Not applicable

II. TESTING REQUIREMENTS.**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.44c]****Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units Compliance and performance test methods and procedures for sulfur dioxide.**

Not applicable

**SECTION D. Source Level Requirements**

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.45c]
Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units
Compliance and performance test methods and procedures for particulate matter.

Not applicable

III. MONITORING REQUIREMENTS.

006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.46c]
Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units
Emission monitoring for sulfur dioxide

Not applicable

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.47c]
Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units
Emission monitoring for particulate matter.

Not applicable

IV. RECORDKEEPING REQUIREMENTS.

008 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) All recordkeeping shall commence upon startup of the source and shall be kept for a period of 5 years and made available to the Department upon request.

[Plan Approval 37-337A]

(b) The company shall maintain a log of all preventative maintenance inspections of the source. The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

[Plan Approval 37-337A]

(c) The company shall maintain a log of the following, at a minimum, from the operational inspections:

1. Completion of inspection - daily defined as at least once per calendar day, while the source is operating or as approved by the Department in the work practice inspection protocol.

[Plan Approval 37-337A]

(d) The permittee shall comply with the recordkeeping and certification requirements in accordance with 40 CFR §§60.46c(e), 60.42c(h) and 60.48c(f)(1). Reports shall be submitted on a semi-annual basis unless no excess emissions occurred. If there are no excess emissions, the permittee shall semi-annually report that no excess emissions occurred during the semi-annual reporting period (this does not apply to gas-fired units).

[Plan Approval 37-337A]

(e) The permittee shall maintain daily fuel consumption records in accordance with 40 CFR §60.48c(g).

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(f) The facility shall maintain sufficient records to adequately demonstrate compliance with the emission limitations associated with the GHG rule.

V. REPORTING REQUIREMENTS.

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.48c]
Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units
Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction and

**SECTION D. Source Level Requirements**

actual startup, as provided by § 60.7 of this part. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under § 60.42c, or § 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.
- (4) Notification if an emerging technology will be used for controlling SO₂ emissions. The Administrator will examine the description of the control device and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of § 60.42c(a) or (b)(1), unless and until this determination is made by the Administrator.

(b)-(e) Not applicable

(f) Fuel supplier certification shall include the following information:

(1)-(3) Not applicable

(4) For other fuels:

- (i) The name of the supplier of the fuel;
- (ii) The potential sulfur emissions rate or maximum potential sulfur emissions rate of the fuel in ng/J heat input; and
- (iii) The method used to determine the potential sulfur emissions rate of the fuel.

(g)(1) Except as provided under paragraphs (g)(2) and (g)(3) of this section, the owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day.

(2) As an alternative to meeting the requirements of paragraph (g)(1) of this section, the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in § 60.48c(f) to demonstrate compliance with the SO₂ standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

(3) Not applicable

(h) Not applicable

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

VI. WORK PRACTICE REQUIREMENTS.

010 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The permittee shall perform a daily operational inspection of the source until such time as the Department approves a work practice inspection protocol submitted by the permittee. After Departmental approval, the permittee shall perform periodic inspections of the significant source equipment and emission controls in accordance with the approved work

**SECTION D. Source Level Requirements**

practice inspection protocol.

[Plan Approval 37-337A]

(b) The permittee shall install and maintain the necessary meter(s) to determine and to record amount of fuel usage.

[Plan Approval 37-337A]

(c) The permittee shall maintain and operate the source in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

VII. ADDITIONAL REQUIREMENTS.**# 011 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A]

(a) The source is subject to 40 CFR 60 Subpart Dc Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

[Plan Approval 37-337B]

(b) Any information required to be submitted as part of this permit should be submitted to the Air Quality Program through the Department's Electronic Submittal Link.

[Plan Approval 37-337A]

(c) In accordance with 40 CFR 60.4 copies of all requests, reports, applications submittals and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Pa DEP

Electronic Submittal

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

United States Environmental Protection Agency
Region III, Air and Radiation Division
Permits Branch (3AD10)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.40c]**Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units****Applicability and delegation of authority.**

(a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/h)) or less, but greater than or equal to 2.9 MW (10 MMBtu/h).

(b) In delegating implementation and enforcement authority to a State under section 111(c) of the Clean Air Act, § 60.48c(a)(4) shall be retained by the Administrator and not transferred to a State.

(c) Steam generating units that meet the applicability requirements in paragraph (a) of this section are not subject to the sulfur dioxide (SO₂) or particulate matter (PM) emission limits, performance testing requirements, or monitoring requirements under this subpart (§§ 60.42c, 60.43c, 60.44c, 60.45c, 60.46c, or 60.47c) during periods of combustion research, as defined in § 60.41c.

(d) Any temporary change to an existing steam generating unit for the purpose of conducting combustion research is not considered a modification under § 60.14.

**SECTION D. Source Level Requirements**

(e) Affected facilities (i.e. heat recovery steam generators and fuel heaters) that are associated with stationary combustion turbines and meet the applicability requirements of subpart KKKK of this part are not subject to this subpart. This subpart will continue to apply to all other heat recovery steam generators, fuel heaters, and other affected facilities that are capable of combusting more than or equal to 2.9 MW (10 MMBtu/h) heat input of fossil fuel but less than or equal to 29 MW (100 MMBtu/h) heat input of fossil fuel. If the heat recovery steam generator, fuel heater, or other affected facility is subject to this subpart, only emissions resulting from combustion of fuels in the steam generating unit are subject to this subpart. (The stationary combustion turbine emissions are subject to subpart GG or KKKK, as applicable, of this part.)

(f) Any affected facility that meets the applicability requirements of and is subject to subpart AAAA or subpart CCCC of this part is not subject to this subpart.

(g) Any facility that meets the applicability requirements and is subject to an EPA approved State or Federal section 111(d)/129 plan implementing subpart BBBB of this part is not subject to this subpart.

(h) Affected facilities that also meet the applicability requirements under subpart J or subpart Ja of this part are subject to the PM and NOX standards under this subpart and the SO2 standards under subpart J or subpart Ja of this part, as applicable.

(i) Temporary boilers are not subject to this subpart.

013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.41c]

Subpart Dc - Standards of Performance for Small Industrial- Commercial-Institutional Steam Generating Units Definitions.

See 40 CFR 60.41c for definitions.

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

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: 2328 BHP MITSUBISHI MODEL S16R-Y2PTAW-1 EMERG. ULSD GEN.

Source Capacity/Throughput:

15.540 MMBTU/HR

111.000 Gal/HR

ULTRA LOW SULFUR DISTILLAT

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

[Plan Approval 37-337C]

(a) The emissions shall not exceed the following:

1. PM/PM10/PM2.5: 0.66 #/hr or 0.033 tpy based on a 12-month rolling total [Compliance with this requirement will show compliance with 25 Pa. Code 123.13]
2. NOx: 21.0 #/hr or 1.1 tpy based on a 12-month rolling total
3. CO: 12.0 #/hr or 0.58 tpy based on a 12-month rolling total
4. VOC: 0.7 #/hr or 0.03 tpy based on a 12-month rolling total
5. SOx: 0.024 #/hr or 0.0012 tpy based on a 12-month rolling total [Compliance with this requirement will show compliance with 25 Pa. Code 123.21]
6. H2SO4: 0.0055 #/hr or 0.00028 tpy based on a 12-month rolling total

[Plan Approval 37-337A]

(b) The permittee may not allow 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 15% for a period or periods aggregating more than three (3) minutes in any hour.
2. Equal to or greater than 50% at any time.

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337C]

(c) No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:

1. CO2(e): 143.4 tpy based on a 12-month rolling basis

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4202]**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufa**

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

**SECTION D. Source Level Requirements**

(1) Not applicable

(2) For engines with a rated power greater than or equal to 37 KW (50 HP), the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 beginning in model year 2007.

[40 CFR 1039 Appendix I Table 2: kW > 560 Tier 2 2006: NMHC + NOx: 6.4; CO: 3.5; PM: 0.2 Emission limits are in g/kW-hr]

[40 CFR 1039.105: Opacity must not exceed: (1) 20 percent during the acceleration mode; (2) 15 percent during the lugging mode; and (3) 50 percent during the peaks in either the acceleration or lugging modes.]

(b) Not applicable

(c) [Reserved]

(d)-(g) Not applicable

(h) Notwithstanding the requirements in paragraphs (a) through (f) of this section, stationary CI internal combustion engine manufacturers are not required to certify reconstructed engines; however manufacturers may elect to do so. The reconstructed engine must be certified to the emission standards specified in paragraphs (a) through (f) of this section that are applicable to the model year, maximum engine power and displacement of the reconstructed emergency stationary CI ICE.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021; 88 FR 4471, Jan. 24, 2023]

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
Not applicable

004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4205]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?
(a) Not applicable

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

(c)-(d) Not applicable

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4217]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using spark ignition?
Not applicable

**SECTION D. Source Level Requirements****Fuel Restriction(s).**

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

[Plan Approval 37-337A]

The emergency generator shall fire only ultralow sulfur diesel fuel (sulfur content less than 15 parts per million by weight).

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4207]
Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to

(a) [Reserved]

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must purchase diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel.

[From 40 CFR 1090.305 (b): Sulfur content: 15 parts per million (ppm) maximum; Cetane index or aromatic content, as follows: (i) A minimum cetane index of 40; or (ii) A maximum aromatic content of 35 volume percent]

(c) [Reserved]

(d)-(e) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

Operation Hours Restriction(s).

008 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The annual operation during testing shall not exceed 100 hours per year.

[Plan Approval 37-337A]

(b) The duration of each test shall not exceed 30 minutes.

[Plan Approval 37-337A]

(c) The emergency generator and the emergency firewater pump shall not be tested simultaneously (within the same hour).

[Plan Approval 37-337A]

(d) The emergency generator and the emergency firewater pump shall not be tested during (within the same hour as) startup or shutdown of the combustion turbines.

II. TESTING REQUIREMENTS.

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4212]
Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

**SECTION D. Source Level Requirements**

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

See 40 CFR 60.4212 (Eq. 1)

(d) Not applicable

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011; 86 FR 34359, June 29, 2021]

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4213]

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

What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Not applicable

III. MONITORING REQUIREMENTS.

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4209]

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

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

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

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

(b) Not applicable

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

IV. RECORDKEEPING REQUIREMENTS.

012 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) All recordkeeping shall commence upon startup of the source and shall be kept for a period of 5 years and made available to the Department upon request.

[Plan Approval 37-337A]

(b) The company shall maintain a log of all preventative maintenance inspections of the source. The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

[Plan Approval 37-337A]

(c) The company shall maintain a log of the following, at a minimum, from the operational inspections:

**SECTION D. Source Level Requirements**

1. Completion of inspection - daily defined as at least once per calendar day, while the source is operating or as approved by the Department in the work practice inspection protocol.

[Plan Approval 37-337A]

(d) The permittee shall keep records of the fuel certification reports for each delivery of diesel fuel to verify compliance with the fuel restriction requirements.

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(e) The facility shall maintain sufficient records to adequately demonstrate compliance with the emission limitations associated with the GHG rule.

V. REPORTING REQUIREMENTS.

013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4214]

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

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

(a) Not applicable

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

(c)-(j) Not applicable

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 87 FR 48606, Aug. 10, 2022; 89 FR 70512, Aug. 30, 2024]

VI. WORK PRACTICE REQUIREMENTS.

014 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The permittee shall perform a daily operational inspection of the source until such time as the Department approves a work practice inspection protocol submitted by the permittee. After Departmental approval, the permittee shall perform periodic inspections of the significant source equipment and emission controls in accordance with the approved work practice inspection protocol.

[Plan Approval 37-337A]

(b) The permittee shall maintain and operate the source in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]

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

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

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

[76 FR 37969, June 28, 2011]

**SECTION D. Source Level Requirements****# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]****Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?**

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

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

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

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) Not applicable

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

(d) Not applicable

(e) Not applicable

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

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

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

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

(ii)-(iii) [Reserved]

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

**SECTION D. Source Level Requirements**

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

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

(1) Not applicable

(2) Not applicable

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

(h) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021; 87 FR 48605, Aug. 10, 2022]

VII. ADDITIONAL REQUIREMENTS.

017 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The source is subject to 40 CFR 60 Subpart IIII Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. [Compliance with this requirement will assure compliance with 40 CFR 63 Subpart ZZZZ]

[Plan Approval 37-337C]

(b) Any information required to be submitted as part of this permit should be submitted to the Air Quality Program through the Department's Electronic Submittal Link.

[Plan Approval 37-337A]

**SECTION D. Source Level Requirements**

(c) In accordance with 40 CFR 60.4 copies of all requests, reports, applications submittals and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Pa DEP

Electronic Submittal

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

United States Environmental Protection Agency

Region III, Air and Radiation Division

Permits Branch (3AD10)

Four Penn Center

1600 John F. Kennedy Boulevard

Philadelphia, Pennsylvania 19103-2852

018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]

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

Am I subject to this subpart?

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Not applicable

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

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

(ii) Not applicable

(3) Not applicable

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

(b) Not applicable

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

(d) Not applicable

(e) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

019 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4208]

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

What is the deadline for importing or installing stationary CI ICE produced in the previous model year?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b)-(g) Not applicable

**SECTION D. Source Level Requirements**

(h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

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

020 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4218]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What parts of the General Provisions apply to me?

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

021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4219]
Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
What definitions apply to this subpart?

See 40 CFR 60.4219 for definitions pertaining to this subpart.

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

**SECTION D. Source Level Requirements**

Source ID: 102

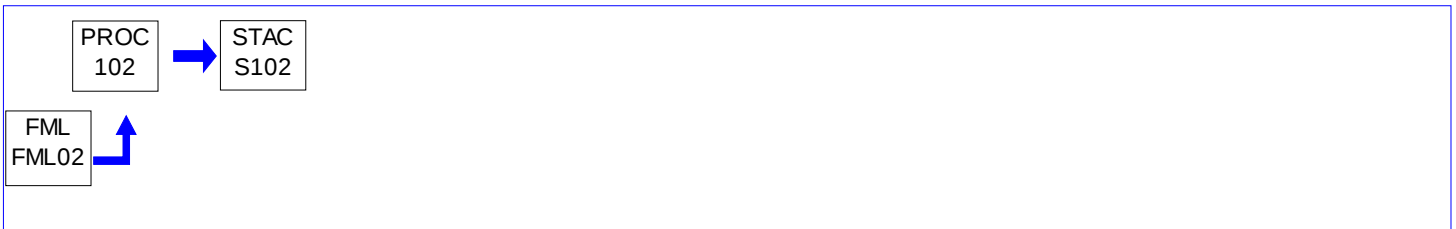
Source Name: 450 BHP CLARKE MODEL JU6H-UFADX8 EMERG. ULSD FIREWATER PUMP

Source Capacity/Throughput:

3.250 MMBTU/HR

24.000 Gal/HR

ULTRA LOW SULFUR DISTILLAT

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

[Plan Approval 37-337A]

(a) The emissions shall not exceed the following:

1. PM/PM10/PM2.5: 0.15 #/hr or 0.01 tpy based on a 12-month rolling total [Compliance with this requirement will show compliance with 25 PA Code 123.13]
2. NOx: 1.86 #/hr or 0.09 tpy based on a 12-month rolling total
3. CO: 2.58 #/hr or 0.13 tpy based on a 12-month rolling total
4. VOC: 1.11 #/hr or 0.06 tpy based on a 12-month rolling total
5. SOx: 0.0055 #/hr or 0.00027 tpy based on a 12-month rolling total [Compliance with this requirement will show compliance with 25 Pa. Code 123.21]
6. H2SO4: 0.0012 #/hr or 0.00006 tpy based on a 12-month rolling total

[Plan Approval 37-337A]

(b) The permittee may not allow 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 15% for a period or periods aggregating more than three (3) minutes in any hour.
2. Equal to or greater than 50% at any time.

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(c) No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:

1. CO2(e): 33.8 tpy based on a 12-month rolling basis

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4205]**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal co**

(a)-(b) Not applicable

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

**SECTION D. Source Level Requirements**

[From Table 4: 225<=KW<450 (300<=HP<600): Year 2009+ NMOC +NOx: 4.0 (3.0); PM: 0.2 (0.15) Emissions are in g/kW-hr (g/hp-hr)]

(d) Not applicable

(e) Owners and operators of emergency stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests in-use must meet the NTE standards as indicated in § 60.4212.

(f) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 86 FR 34358, June 29, 2021]

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4217]

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

What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using spe

Not applicable

Fuel Restriction(s).

004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

The emergency firewater pump shall fire only ultralow sulfur diesel fuel (sulfur content less than 15 parts per million by weight).

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

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

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

(a) Not applicable

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [From 40 CFR 1090.305: Sulfur content: 15 parts per million (ppm) maximum; Cetane index or aromatic content, as follows: (i) A minimum cetane index of 40; or (ii) A maximum aromatic content of 35 volume percent]

(c) [Reserved]

(d)-(e) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

Operation Hours Restriction(s).

006 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The annual operation during testing shall not exceed 100 hours per year.

[Plan Approval 37-337A]

(b) The duration of each test shall not exceed 30 minutes.

[Plan Approval 37-337A]

(c) The emergency generator and the emergency firewater pump shall not be tested simultaneously (within the same hour).

**SECTION D. Source Level Requirements**

[Plan Approval 37-337A]

(d) The emergency generator and the emergency firewater pump shall not be tested during (within the same hour as) startup or shutdown of the combustion turbines.

II. TESTING REQUIREMENTS.

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4212]

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

What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (e) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F, for stationary CI ICE with a displacement of less than 10 liters per cylinder, and according to 40 CFR part 1042, subpart F, for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder. Alternatively, stationary CI ICE that are complying with Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or with Tier 2 emission standards as described in 40 CFR part 1042, appendix I, may follow the testing procedures specified in § 60.4213, as appropriate.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE subject to Tier 2 or Tier 3 emission standards as described in 40 CFR part 1039, appendix I, or Tier 2 emission standards as described in 40 CFR part 1042, appendix I, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard, determined from the following equation:

See 40 CFR 60.4212 (Eq. 1)

(d) Not applicable

(e) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1042 must not exceed the NTE standards for the same model year and maximum engine power as required in 40 CFR 1042.101(c).

[71 FR 39172, July 11, 2006, as amended at 76 FR 37971, June 28, 2011; 86 FR 34359, June 29, 2021]

008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4213]

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

What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Not applicable

III. MONITORING REQUIREMENTS.

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4209]

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

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

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

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the

**SECTION D. Source Level Requirements**

standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine.

(b) Not applicable

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

IV. RECORDKEEPING REQUIREMENTS.

010 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) All recordkeeping shall commence upon startup of the source and shall be kept for a period of 5 years and made available to the Department upon request.

[Plan Approval 37-337A]

(b) The company shall maintain a log of all preventative maintenance inspections of the source. The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

[Plan Approval 37-337A]

(c) The company shall maintain a log of the following, at a minimum, from the operational inspections:

1. Completion of inspection - daily defined as at least once per calendar day, while the source is operating or as approved by the Department in the work practice inspection protocol.

[Plan Approval 37-337A]

(d) The permittee shall keep records of the fuel certification reports for each delivery of diesel fuel to verify compliance with the fuel restriction requirements.

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(e) The facility shall maintain sufficient records to adequately demonstrate compliance with the emission limitations associated with the GHG rule.

V. REPORTING REQUIREMENTS.

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4214]

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

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

(a) Not applicable

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

(c)-(j) Not applicable

[71 FR 39172, July 11, 2006, as amended at 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 87 FR 48606, Aug. 10, 2022; 89 FR 70512, Aug. 30, 2024]

**SECTION D. Source Level Requirements****VI. WORK PRACTICE REQUIREMENTS.****# 012 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A]

(a) The permittee shall perform a daily operational inspection of the source until such time as the Department approves a work practice inspection protocol submitted by the permittee. After Departmental approval, the permittee shall perform periodic inspections of the significant source equipment and emission controls in accordance with the approved work practice inspection protocol.

[Plan Approval 37-337A]

(b) The permittee shall maintain and operate the source in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?**

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

[76 FR 37969, June 28, 2011]

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?**

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

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

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

(3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) Not applicable

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

(d) Not applicable

(e) Not applicable

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

**SECTION D. Source Level Requirements**

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

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

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

(ii)-(iii) [Reserved]

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

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(ii) [Reserved]

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

(1) Not applicable

(2) If you are an owner or operator of a stationary CI internal combustion engine greater than or equal to 100 HP and less than or equal to 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.

**SECTION D. Source Level Requirements**

(3) Not applicable

(h) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021; 87 FR 48605, Aug. 10, 2022]

VII. ADDITIONAL REQUIREMENTS.**# 015 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A]

(a) The source is subject to 40 CFR 60 Subpart IIII Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. [Compliance with this requirement assures compliance with 40 CFR 63 Subpart ZZZZ]

[Plan Approval 37-337B]

(b) Any information required to be submitted as part of this permit should be submitted to the Air Quality Program through the Department's Electronic Submittal Link.

[Plan Approval 37-337A]

(c) In accordance with 40 CFR 60.4 copies of all requests, reports, applications submittals and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Pa DEP

Electronic Submittal

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

United States Environmental Protection Agency

Region III, Air and Radiation Division

Permits Branch (3AD10)

Four Penn Center

1600 John F. Kennedy Boulevard

Philadelphia, Pennsylvania 19103-2852

016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines****Am I subject to this subpart?**

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Not applicable

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

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

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

(3) Not applicable

(4) The provisions of § 60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

**SECTION D. Source Level Requirements**

(b) Not applicable

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

(d) Not applicable

(e) Not applicable

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]

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

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

Not applicable

018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4208]

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

What is the deadline for importing or installing stationary CI ICE produced in the previous model year?

(a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.

(b)-(g) Not applicable

(h) In addition to the requirements specified in §§ 60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (g) of this section after the dates specified in paragraphs (a) through (g) of this section.

(i) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

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

019 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4218]

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

What parts of the General Provisions apply to me?

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

020 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4219]

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

What definitions apply to this subpart?

See 40 CFR 60.4219 for definitions pertaining to this subpart.

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

**SECTION D. Source Level Requirements**

Source ID: 103

Source Name: COOLING WATER TOWER

Source Capacity/Throughput:

13.200 M Gal/HR

COOLING WATER

PROC
103STAC
Z01**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337C]

(a) The PM emissions shall not exceed 2.75 #/hr and 12.05 tpy based on a 12-month rolling basis.

[Plan Approval 37-337C]

(b) The PM₁₀ emissions shall not exceed 0.83 #/hr and 3.62 tpy based on a 12-month rolling basis.

[Plan Approval 37-337C]

(c) The PM_{2.5} emissions shall not exceed 0.0050 #/hr and 0.022 tpy based on a 12-month rolling basis.

[Plan Approval 37-337A]

(d) The total dissolved solids (TDS) of the cooling tower water shall not exceed 5,000 ppmw. [Compliance with the #/hr limitations shall be demonstrated provided TDS concentrations do not exceed 5,000 ppmw.]

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

[Plan Approval 37-337A]

The permittee shall, at a minimum of once per quarter, sample and analyze the cooling tower water for total dissolved solids (TDS) at a point which is representative of the water being evaporated to the atmosphere.

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

[Plan Approval 37-337A]

(a) All recordkeeping shall commence upon commencement of operation of the source and shall be kept for a period of 5 years and made available to the Department upon request.

[Plan Approval 37-337A]

(b) The company shall maintain a log of all preventative maintenance inspections of the source. The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

[Plan Approval 37-337A]

(c) The company shall maintain a log of the following, at a minimum, from the operational inspections:

**SECTION D. Source Level Requirements**

1. Completion of inspection - daily defined as at least once per calendar day, while the source is operating or as approved by the Department in the work practice inspection protocol.

[Plan Approval 37-337A]

(d) The company shall maintain a daily log of the following:

1. Water circulation and makeup rates

[Plan Approval 37-337A]

(e) The company shall maintain records of the water sample TDS analysis.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The permittee shall perform a daily operational inspection of the source until such time as the Department approves a work practice inspection protocol submitted by the permittee. After Departmental approval, the permittee shall perform periodic inspections of the significant source equipment and emission controls in accordance with the approved work practice inspection protocol.

[Plan Approval 37-337A]

(b) The permittee shall maintain and operate the source in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

VII. ADDITIONAL REQUIREMENTS.

005 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337C]

(a) Any information required to be submitted as part of this permit should be submitted to the Air Quality Program through the Department's Electronic Submittal Link.

Pa DEP

Electronic Submittal

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

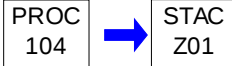
***** Permit Shield in Effect. *****

**SECTION D. Source Level Requirements**

Source ID: 104

Source Name: FUEL STORAGE TANKS

Source Capacity/Throughput: 135.000 Gal/HR ULSD

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

[Plan Approval 37-337A]

(a) All recordkeeping shall commence upon commencement of operation of the source and shall be kept for a period of 5 years and made available to the Department upon request.

[Plan Approval 37-337A]

(b) The company shall maintain a log of all preventative maintenance inspections of the source. The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

[Plan Approval 37-337A]

(c) The company shall maintain a log of the following, at a minimum, from the operational inspections:

1. Completion of inspection - daily defined as at least once per calendar day, while the source is operating or as approved by the Department in the work practice inspection protocol.

[Plan Approval 37-337A]

(d) The company shall keep a record of the vapor pressure of the contents of the tanks unless the tank is equipped with pressure relief valves that meet the requirements in 25 PA Code 129.57.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A]

**SECTION D. Source Level Requirements**

(a) The permittee shall perform a daily operational inspection of the source until such time as the Department approves a work practice inspection protocol submitted by the permittee. After Departmental approval, the permittee shall perform periodic inspections of the significant source equipment and emission controls in accordance with the approved work practice inspection protocol.

[Plan Approval 37-337A]

(b) The permittee shall maintain and operate the source in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

[Plan Approval 37-337A]

(c) The company shall not store any liquid containing volatile organic compounds with vapor pressure greater than 1.5 psia (10.5 kilopascals) under actual storage conditions unless the tank is equipped with pressure relief valves which are maintained in good operating condition and which are set to release at no less than 0.7 psig (4.8 kilopascals) of pressure or 0.3 psig (2.1 kilopascals) of vacuum or the highest possible pressure and vacuum in accordance with state or local fire codes or the National Fire Prevention Association guidelines or other national consensus standards acceptable to the Department.

003 [25 Pa. Code §129.57]

Storage tanks less than or equal to 40,000 gallons capacity containing VOCs

The provisions of this section shall apply to above ground stationary storage tanks with a capacity equal to or greater than 2,000 gallons which contain volatile organic compounds with vapor pressure greater than 1.5 psia (10.5 kilopascals) under actual storage conditions. Storage tanks covered under this section shall have pressure relief valves which are maintained in good operating condition and which are set to release at no less than 0.7 psig (4.8 kilopascals) of pressure or 0.3 psig (2.1 kilopascals) of vacuum or the highest possible pressure and vacuum in accordance with state or local fire codes or the National Fire Prevention Association guidelines or other national consensus standards acceptable to the Department. Section 129.56(g) (relating to storage tanks greater than 40,000 gallons capacity containing volatile organic compounds) applies to this section. Petroleum liquid storage vessels which are used to store produced crude oil and condensate prior to lease custody transfer shall be exempt from the requirements of this section.

VII. ADDITIONAL REQUIREMENTS.

004 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337B]

(a) Any information required to be submitted as part of this permit should be submitted to the Air Quality Program through the Department's Electronic Submittal Link.

Pa DEP

Electronic Submittal

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

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

**SECTION E. Source Group Restrictions.**

Group Name: ACID RAIN

Group Description: Acid Rain

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.**# 001 [40 CFR Part 72 Regulations on Permits §40 CFR 72.30]****Subpart C--Acid Rain Permit Application****Requirements to apply.**

(a) Duty to apply. The designated representative of any source with an affected unit shall submit a complete Acid Rain permit application by the applicable deadline in paragraphs (b) and (c) of this section, and the owners and operators of such source and any affected unit at the source shall not operate the source or unit without a permit that states its Acid Rain program requirements.

(b) Deadlines.

(1) Not applicable

(2) Phase II.

(i) Not applicable

(ii) For any source with a new unit under 72.6(a)(3)(i), the designated representative shall submit a complete Acid Rain permit application governing such unit to the permitting authority at least 24 months before the later of January 1, 2000 or the date on which the unit commences operation.

(iii) Not applicable

**SECTION E. Source Group Restrictions.**

(iv) Not applicable

(v) Not applicable

(vi) Not applicable

(vii) Not applicable

(viii) Not applicable

(3) Acid Rain Compliance Option Deadlines. The deadlines for applying for approval of any Acid Rain compliance options shall be the deadlines specified in the relevant section of subpart D of this part and in section 407 of the Act and regulations implementing section 407 of the Act.

(c) Duty to Reapply. The designated representative shall submit a complete Acid Rain permit application for each source with an affected unit at least 6 months prior to the expiration of an existing Acid Rain permit governing the unit during Phase II or such longer time as may be approved under part 70 of this chapter that ensures that the term of the existing permit will not expire before the effective date of the permit for which the application is submitted.

(d) The original and three copies of all permit applications for Phase I and where the Administrator is the permitting authority, for Phase II, shall be submitted to the EPA Regional Office for the Region where the affected source is located. The original and three copies of all permit applications for Phase II, where the Administrator is not the permitting authority, shall be submitted to the State permitting authority for the State where the affected source is located.

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

**SECTION E. Source Group Restrictions.**

Group Name: CAM

Group Description: CAM

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

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

[Plan Approval 37-337A]

(a) The permittee shall use the approved process parameter(s) or indicator(s) to obtain data and monitor the emission control equipment performance.

1. Oxidation Catalyst

(a) Catalyst Temperature

[Plan Approval 37-337A]

(b) The permittee shall use the approved mean(s) or device(s) to measure the applicable indicator(s).

1. Oxidation Catalyst

(a) Thermocouple or equivalent

[Plan Approval 37-337A]

(c) The permittee shall use the approved frequency for conducting monitoring of indicators.

1. Oxidation Catalyst

(a) Catalyst Temperature - continuously meaning a reading at least once every 15-minutes

[Plan Approval 37-337A]

(d) The permittee shall use the approved period over which discrete data points for approved indicators will be collected and averaged for the purpose of determining an excursion.

1. Oxidation Catalyst

(a) Catalyst Temperature - averaged over a 3-hour period

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

[Plan Approval 37-337A]

(a) The permittee shall record (continuously) the approved indicator(s) using approved data collecting device(s). (Examples of approved data collecting devices may include: strip chart recorders, data acquisition systems, manual log entries based on gauge readings, or EPA Method 9 observations.)

**SECTION E. Source Group Restrictions.**

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

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

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

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(b) The permittee shall report all monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable), their dates, times and durations, possible causes and corrective actions taken, every six (6) months.

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

[Plan Approval 37-337A]

(a) Within 180-days of commencement of operation, or by the date of the initial operating permit inspection, whichever is sooner, the permittee shall submit the proposed indicator ranges for the following:

1. Oxidation Catalyst

(a) Catalyst Temperature:

(i) Approved Temperature Range: 525-750 degrees Fahrenheit

The proposed indicator ranges, as approved by the Department, shall be incorporated into the operating permit. The permittee shall adhere to the approved indicator ranges so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over the specified averaging period shall be defined as an excursion. Within 24-hours of discovery of an indicator being out of range, the permittee shall perform a maintenance inspection on the control device and take corrective action.

[Plan Approval 37-337A]

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

1. The permittee shall, for an approved device(s), install detectors or sensors at a location approved by the Department for obtaining data that are representative of the monitored indicator.

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

**SECTION E. Source Group Restrictions.**

(The operational status pertains to the first time calibration of new or modified equipment. The permittee may compare the data with any Department approved standardized data. For example, permittee might calibrate a new pH sensor by comparison with laboratory measurement of the scrubber recirculation fluid.) (The operational status pertains to the first time calibration of new or modified equipment. The permittee may compare the data with any Department approved standardized data. For example, you might compare a pressure gauge at a controlled pressure to that of a pressure standard of a known accuracy, or thermal couple temperature accuracy measured against a known reference temperature traceable to a National Institute for Standards and Technology (NIST)).

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

(a) Oxidation Catalyst

(i) Thermocouple or equivalent - calibrated and checked for accuracy annually

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(d) The permittee shall ensure that at least 90% of the monitoring data has been properly and accurately collected.

VII. ADDITIONAL REQUIREMENTS.

005 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

Quality Improvement Plan Requirements

[Plan Approval 37-337A]

(a) The permittee shall develop and implement a quality improvement plan (QIP) as expeditiously as practicable if any of the following occurs:

(1) Six excursions occur in a six-month reporting period.

(2) The Department determines after review of all reported information that the permittee has not responded acceptably to an excursion.

[Plan Approval 37-337A]

(b) In general, the QIP plan should be developed within 60 days and the permittee shall provide a copy of the QIP to the Department. Furthermore, the permittee shall notify the Department if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

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

(1) Improved preventive maintenance practices

(2) Process operation changes

(3) Appropriate improvements to control methods

(4) Other steps appropriate to correct performance.

**SECTION E. Source Group Restrictions.**

[Plan Approval 37-337A]

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

(1) Address the cause of the control device performance problem.

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

[Plan Approval 37-337A]

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

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

**SECTION E. Source Group Restrictions.**

Group Name: CCU

Group Description: Combined Cycle Units

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

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

[Plan Approval 37-337C]

(a) The Permittee has installed the turbine option listed below as part of the CCUs at the facility:

Siemens SGT6-8000H (Siemens H)

[Plan Approval 37-337C]

(b) No person may permit the emission from each CCU into the outdoor atmosphere of the following in a manner that exceeds the following:

(a) Nitrogen Oxides (NO_x):

(i) Normal operation with or without duct burner: 2.0 ppmvd @ 15% oxygen [This condition also assures compliance with 40 CFR 60 Subpart KKKK (60.4320)]

(ii) Normal operation with duct burner: 29.2 #/hr

(iii) Normal operation without duct burner: 25.36 #/hr

(iv) Total normal operation: 109.24 tpy based on a 12-month rolling total

(v) Total including startup and shutdown: 172.25 tpy based on a 12-month rolling total

(b) Carbon Monoxide (CO):

(i) Normal operation with or without duct burner: 2.0 ppmvd @ 15% oxygen

(ii) Normal operation with duct burner: 17.78 #/hr

(iii) Normal operation without duct burner: 15.44 #/hr

(iv) Total normal operation: 66.5 tpy based on a 12-month rolling total

(v) Total including startup and shutdown: 267.32 tpy based on a 12-month rolling total

(c) Volatile Organic Compounds (VOC):

(i) Normal operation with duct burner: 1.5 ppmvd @ 15% oxygen

(ii) Normal operation without duct burner: 0.7 ppmvd @ 15% oxygen

(iii) Normal operation with duct burner: 7.64 #/hr

(iv) Normal operation without duct burner: 3.09 #/hr

(v) Total normal operation: 21.48 tpy based on a 12-month rolling total

(vi) Total including startup and shutdown: 86.35 tpy based on a 12-month rolling total

(d) Sulfur Oxides (SO_x):

(i) Normal operation with duct burner: 7.19 #/hr

(ii) Normal operation without duct burner: 6.15 #/hr

(iii) Total normal operation: 26.72 tpy based on a 12-month rolling total

(iv) Total including startup and shutdown: 28.15 tpy based on a 12-month rolling total

(v) Total per calendar day: 172.4 #/day

(e) Sulfuric Acid (H₂SO₄):

(i) Normal operation with duct burner: 1.08 #/hr

(ii) Normal operation without duct burner: 0.92 #/hr

(iii) Total normal operation: 4.01 tpy based on a 12-month rolling total

(iv) Total including startup and shutdown: 4.24 tpy based on a 12-month rolling total

(f) Particulate Matter (PM)/Particulate Matter 10 (PM₁₀)/Particulate Matter 2.5 (PM_{2.5}):

(i) Normal operation with duct burner: 18.5 #/hr

(ii) Normal operation without duct burner: 11.0 #/hr

(iii) Total normal operation: 59.06 tpy based on a 12-month rolling total

(iv) Total including startup and shutdown: 62.89 tpy based on a 12-month rolling total

**SECTION E. Source Group Restrictions.**

- (v) Total per calendar day: 353.7 #/day for PM10/PM2.5
- (g) Ammonia Slip (NH3):
- (i) Total normal operation: 110.2 tpy based on a 12-month rolling total

[Plan Approval 37-337A]

(c) The emission limitations for NOx and CO are 3-hour rolling averages calculated once per hour and verified by CEMS. The emission limitations for VOC, SOx, H2SO4, and PM/PM10/PM2.5 are 1-hour based on the average of three stack test runs.

[Plan Approval 37-337A]

(d) No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:

1. Ammonia Slip (NH3 Slip) - 5 ppmv, on a dry basis corrected @ 15% oxygen, 3-hour rolling averages calculated once per hour and verified by CEMS or as determined by USEPA Conditional Test Method (CTM-027), 'Procedure for Collection and Analysis of Ammonia in Stationary Sources' or other procedure approved by the Department.

2. 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:

(a) Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.

(b) Equal to or greater than 10% for a period or periods aggregating more than 6 minutes during startup and shutdown.

[This condition also assures compliance with 25 PA Code 123.41]

Fuel Restriction(s).

002 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

The source shall fire only natural gas that has a sulfur content not to exceed 0.75 gr / 100 scf natural gas. [This condition also assures compliance with 40 CFR 60 Subpart KKKK (60.4330) and 25 PA Code 123.22(c)]

II. TESTING REQUIREMENTS.

003 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337C]

(a) Within 60 days after achieving the normal production rate at which the affected source will be operated, but not later than 180 days after initial start-up of the source/control device, a stack test for PM (filterable & condensable), PM10 (filterable & condensable), PM2.5 (filterable & condensable), NOx, SOx, CO, VOC, ammonia slip, sulfuric acid, and HAPs (Formaldehyde) shall be performed 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 source is operating at greater than 90% of the rated capacity. Any testing performed at less than 90% of the rated capacity may subject the facility to a production limit of the production rate during the compliant testing. The stack test shall be conducted at the outlet of the control device. In the event that any deadlines set forth in this condition cannot be met, the permittee may request an extension which shall include a justification for the extension, in writing prior to the deadline. The Department may grant an extension for reasonable cause. [Initial testing was completed April 6-8, 2020]

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

(a) When testing of a source is required on a recurring basis, a single procedural protocol may be submitted for approval; thereafter, a letter, submitted at least 90 calendar days prior to commencing an emissions testing program, referencing the

**SECTION E. Source Group Restrictions.**

previously approved procedural protocol is sufficient if the letter is approved by the Department. The letter shall be submitted as required in part (1). If modifications are made to the process(es), if a different stack testing company is used, or if an applicable section of the stack test manual has been revised since the approval, a new protocol shall be submitted for approval.

2. Pursuant to 25 Pa. Code § 139.53(a)(3), at least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the Department in accordance with paragraph (8)(b) of this condition. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

3. Pursuant to 25 Pa. Code § 139.53(a)(3), if the proposed testing did not occur per the required notification in paragraph (2) above, notification shall be sent within 15 calendar days after the expected completion date of the onsite testing to the Department, in accordance with paragraph (8)(b) of this condition, indicating why the proposed completion date of the on-site testing was not adhered to.

4. Pursuant to 25 Pa. Code § 139.53(a)(3), a complete test report shall be submitted to the Department no later than 60 calendar days after completion of the onsite testing portion of an emission test program.

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

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

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

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

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

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

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

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

(a) All submittals, besides notifications, shall be accomplished through both the appropriate Regional Office and the PSIMS Administrator in Central Office (email addresses are provided below).

(i) Electronic copies of protocols and reports shall be sent at the following e-mail addresses:

CENTRAL OFFICE:
RA-EPstacktesting@pa.gov

NORTHWEST REGIONAL OFFICE:
RA-EPNWstacktesting@pa.gov

(ii) 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

**SECTION E. Source Group Restrictions.**

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.

[Plan Approval 37-337A]

(b) The facility shall perform subsequent stack test for PM (filterable & condensable), PM₁₀ (filterable & condensable), PM_{2.5} (filterable & condensable), VOC, sulfuric acid, and HAPs (Formaldehyde) in accordance with the provisions in part (a) every two years (22 to 26 months after the date of the previous test). The stack test shall be performed while the aforementioned source is operating at greater than 90% of the rated capacity. Any testing performed at less than 90% of the rated capacity may subject the facility to a production limit of the production rate during the compliant testing. The stack test shall be conducted at the outlet of the control device. [Last subsequent stack test performed on May 8-10, 2024.]

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 §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) All recordkeeping shall commence upon commencement of operation of the source and shall be kept for a period of 5 years and made available to the Department upon request.

[Plan Approval 37-337C]

(b) Within 30 days of the selection of the specific manufacturer and model of the turbine option and control devices (SCR & Oxidation Catalyst), the permittee shall submit the specifications to the Department for review and inclusion into the facility operating permit. [Siemens H option chosen]

[Plan Approval 37-337A]

(c) The company shall maintain a log of all preventative maintenance inspections of the source and control device(s). The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.

[Plan Approval 37-337A]

(d) The company shall maintain a log of the following, at a minimum, from the operational inspections:

1. Visible emission of the stack - daily defined as at least once per calendar day, while the plant is operating or as approved

**SECTION E. Source Group Restrictions.**

by the Department in the work practice inspection protocol.

[Plan Approval 37-337A]

(e) The company shall keep records (12-month rolling totals) of the following:

1. Fuel usage (natural gas)

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

005 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The permittee shall perform a daily operational inspection of the source until such time as the Department approves a work practice inspection protocol submitted by the permittee. After Departmental approval, the permittee shall perform periodic inspections of the significant source equipment and emission controls in accordance with the approved work practice inspection protocol.

[Plan Approval 37-337A]

(b) All gauges employed by the permittee to monitor the required control device operating parameters shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (+/- 2%) of full scale reading.

[Plan Approval 37-337A]

(c) The permittee shall operate the control device(s) at all times this source is in operation once operating parameters (temperature, flow, etc.) are sufficient for proper control device operation.

[Plan Approval 37-337A]

(d) The permittee shall maintain and operate this source and the control device(s) in accordance with the manufacturer's specifications, the manufacturer's preventative maintenance schedule, and good air pollution control practices. The facility shall maintain a copy of the manufacturer's preventative maintenance schedule on-site.

[Plan Approval 37-337A]

(e) The SCR system shall be designed so it will not inject ammonia into the system when the inlet temperature to the catalyst is less than the minimum catalyst temperature to be established as part of the O&M plan.

[Plan Approval 37-337A]

(f) Prior to commencement of operations, the permittee shall develop and submit to the Department for approval a Risk Management Plan (RMP) meeting the requirements of Clean Air Act Section 112(r) and 40 CFR 68 Subpart G, with respect to the storage of aqueous ammonia if the permittee intends to store aqueous ammonia with a concentration of 20% or greater such that the quantity of ammonia present at the facility at any time exceeds 20,000 pounds, and the permittee shall implement the Department approved RMP.

VII. ADDITIONAL REQUIREMENTS.

006 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A]

(a) The source is subject to the following:

1. 40 CFR 60 Subpart KKKK - Standards of Performance for Stationary Combustion Turbines
2. Acid Rain Regulations (40 CFR 72-78) (Applicable)
3. CAIR (40 CFR 96) (No longer applicable - was replaced by CSAPR on 1/1/2015)

**SECTION E. Source Group Restrictions.**

4. Cross State Air Pollution Rule (CSAPR) (40 CFR 97)

5. Risk Management Program (40 CFR 68) (Applicable if greater than 20,000 lbs of aqueous ammonia at concentrations of 20% or greater is stored at facility)

6. CAM (40 CFR 64) (Applicable for pollutants being controlled and not having CEM)

[Plan Approval 37-337C]

(b) Any information required to be submitted as part of this permit should be submitted to the Air Quality Program through the Department's Electronic Submittal Link.

Pa DEP

Electronic Submittal

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

[Plan Approval 37-337A]

(c) In accordance with 40 CFR 60.4 copies of all requests, reports, applications submittals and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Pa DEP

Electronic Submittal

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

United States Environmental Protection Agency

Region III, Air and Radiation Division

Permits Branch (3AD10)

Four Penn Center

1600 John F. Kennedy Boulevard

Philadelphia, Pennsylvania 19103-2852

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

**SECTION E. Source Group Restrictions.**

Group Name: CEM

Group Description: CEM

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

I. RESTRICTIONS.

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

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

[Plan Approval 37-337A]

(a) Initial Application (Phase I): Proposal[s] containing information as listed in the Phase I section of the Department's Continuous Source Monitoring Manual for the CEMS[s] must be submitted at least 180 days prior to the planned initial source startup date.

[Plan Approval 37-337A]

(b) Performance Testing (Phase II): 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 date and no later than 60 days after source achieves normal process capacity.

[Plan Approval 37-337A]

(c) Final Approval (Phase III): 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 testing.

[Plan Approval 37-337A]

(d) The owner or operator of the source shall not be issued an operating permit until the CEMS has 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.

III. MONITORING REQUIREMENTS.**# 002 [25 Pa. Code §123.51]****Monitoring requirements**

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

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

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

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

(e) The Department may exempt a source from the requirements of subsection (b) if the Department determines that the installation of a continuous emission monitoring system would not provide accurate determination of emissions or that installation of a continuous emission monitoring system cannot be implemented by a source due to physical plant limitations or to extreme economic reasons. A source exempted from the requirements of subsection (b) shall satisfy alternative emission monitoring and reporting requirements proposed by the source and approved by the Department which provide oxides emission data that is representative of actual emissions of the source.

(f) Sources subject to this section shall comply by October 20, 1993, unless the source becomes subject to the

**SECTION E. Source Group Restrictions.**

requirements later than October 20, 1990. For sources which become subject to the requirements after October 20, 1990, the source has 36 months from the date the source becomes subject to this section. The Department may issue orders providing a reasonable extension of time for sources that have made good faith efforts to install, operate and maintain continuous monitoring devices, but that have been unable to complete the operations within the time period provided.

003 [25 Pa. Code §139.101]**General requirements.**

This section applies to monitoring systems as defined in the manual referenced at 139.102(3) (relating to references), installations required or approved under Chapters 122, 124, 127 and 129 or in an order issued under section 4 of the act (35 P. S. 4004).

(1) The submittal procedures specified in the publication entitled "Continuous Source Monitoring Manual," available from the Department shall be utilized to obtain Department approval. This publication includes:

- (i) Installation requirements.
- (ii) Performance specifications.
- (iii) Test procedures.
- (iv) Reporting requirements.
- (v) Quality assurance requirements.
- (vi) Administrative procedures for obtaining Department approval.

(2) The monitoring system installation, certification and operation shall be conducted under the direct supervision of persons qualified by training and experience.

(3) The monitoring systems may be designed to monitor source emissions or stack emissions if the representativeness of emissions can be verified. The method of conversion of monitoring results to source or stack emissions shall be approved by the Department.

(4) The location of monitoring devices shall be approved by the Department prior to installation. The selection of the monitoring location shall utilize applicable criteria in the manual referenced in 139.102(3). The Department has the authority to determine which of the criteria are applicable. The representativeness of the measurements at the chosen monitoring location shall be verified.

(5) The owner of a monitored source shall maintain records containing monitoring information and report data to the Department as specified in the manual referenced in 139.102(3). The records shall be maintained for 5 years and be available for inspection by Department personnel.

(6) The owner of a monitored source shall provide permanent sampling facilities as specified in 139.1 (relating to sampling facilities) to permit verification testing by the Department. For extractive monitors, calibration gas inlets shall be available as near as possible to the monitor probe inlet to permit the Department to verify calibration of the monitoring system. Facilities shall be approved by the Department prior to construction.

(7) Verification testing for monitoring systems shall be in accordance with Subchapter B (relating to monitoring duties of certain sources), and of the manual referenced in 139.102(3).

(8) A quality assurance program shall be established and maintained by the owner of the monitored source. This program shall be in accordance with the criteria in the sources listed in 139.102.

(9) The Department's approval will be based on the criteria specified in the manual referenced in 139.102(3). Failure to utilize the specified procedures or to conduct the quality assurance program could result in denying or rescinding the Department's approval.

(10) The owner of a monitored source shall notify the Department when the monitoring system is inoperative for more

**SECTION E. Source Group Restrictions.**

than 1 hour during an air pollution episode as specified in Chapter 137 (relating to air pollution episodes). The notice shall be given within 2 hours of the malfunction.

(11) Manual sampling conducted under Subchapter B may be required if the Department determines that the monitoring system data is not accurate or that the owner of the monitored source does not conduct the quality assurance program specified in the manual referenced in 139.102(3).

(12) Required monitoring shall meet at least one of the following minimum data availability requirements unless other data availability requirements are stipulated elsewhere in this title, in a plan approval or permit condition under Chapter 127 (relating to construction, modification, reactivation and operation of sources), or in an order issued under section 4 of the act. For purposes of calculating data availability, "process down" time, as specified in the manual referenced in 139.102(3), shall be considered valid time.

(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 the manual referenced in 139.102(3).

(ii) In each calendar quarter, at least 95% of the hours during which the monitored source is operating shall be valid as set forth in the quality assurance section of the manual referenced in 139.102(3).

(13) The monitor results shall be expressed in terms of the applicable standard or criteria required. The method used to convert monitor data shall be approved by the Department.

(14) Monitoring systems shall comply with the applicable performance specifications section of the manual referenced in 139.102(3). The Department has the authority to determine which of the performance specifications are applicable.

(15) Verification of calibration standards shall be conducted in accordance with the applicable sampling methods in the Department's "Source Testing Manual" or as otherwise approved by the Department. The "Source Testing Manual" may be obtained from the Department.

(16) The requirements of this section apply to monitoring to demonstrate compliance with emissions standards and process operational parameter criteria.

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

[Plan Approval 37-337A] [Additional authority for this permit condition is derived from 25 Pa. Code Sections 139.101(5) and 139.101(12), 139.103, 139.108 or 139.111]

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

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

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

V. REPORTING REQUIREMENTS.**# 005 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A] [Additional authority for this permit condition is derived from 25 Pa. Code Sections 139.101(1)(iv), 139.101(10) and 139.101(12), 139.103, 139.108 or 139.111]

(a) 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

**SECTION E. Source Group Restrictions.**

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

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(c) 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.

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(e) 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.

[Plan Approval 37-337A]

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

VI. WORK PRACTICE REQUIREMENTS.

006 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

[Plan Approval 37-337A] [Additional authority for this permit condition is derived from 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)]

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

[Plan Approval 37-337A]

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

[Plan Approval 37-337A]

(c) Data Availability Standards: Continuous emission monitoring shall meet the following minimum data availability requirements:

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

(a) 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

(b) 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.

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

3. Emission Standard(s) To Which Data Availability Standard applies:

**SECTION E. Source Group Restrictions.**

- (a) CO (ppmvd)
- (b) NOx (ppmvd)
- (c) CO₂ (lbs per hr)
- (d) GEO (MW-hr gross)
- (e) Ammonia (ppmvd)

VII. ADDITIONAL REQUIREMENTS.**# 007 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A] [25 Pa. Code §127.441(c) & Chapter 139; §§114(a)(3), 504(b) of the CAA] Sampling, Testing and Monitoring Procedures

1. 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.
2. 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 including §§ 114(a)(3) and 504(b) and regulations adopted thereunder, unless otherwise required by this permit.

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

**SECTION E. Source Group Restrictions.**

Group Name: CSAPR

Group Description: Cross-State Air Pollution Rule

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

001 [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, unless provided otherwise by such approval of the State's SIP revision.

**SECTION E. Source Group Restrictions.**

(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 EEEEE 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 GGGGG 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 GGGGG of part 97 of this chapter to units in the State for a control period in any year, the provisions of subpart GGGGG 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) Combined Cycle Unit #1 (Source ID 031) and Combined Cycle Unit #2 (Source ID 032) 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, Combined Cycle Unit #1 (Source ID 031) and Combined Cycle Unit #2 (Source ID 032) are allocated for CSAPR NOx Annual allowances.

Because these units reported a date for commencement of commercial operation after January 1, 2019, EPA did not

**SECTION E. Source Group Restrictions.**

determine allocations for them as existing units; they are eligible to receive NUSA allocations. Allocations from the new unit set-asides are being made in a single round after the end of the control period by EPA.

(b) In accordance with 40 CFR § 97.421, EPA will announce in a notice of data availability and record in the Combined Cycle Unit #1 and Combined Cycle Unit #2 Annual NO_x Compliance Account, the allowance allocations after each 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.

003 [40 CFR Part 97 NO_x Budget Trading Program and CAIR NO_x and SO₂ Trading Programs §40 CFR 97.406]
Subpart AAAAA - CSAPR NO_x 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 NO_x Annual source and each CSAPR NO_x 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 NO_x Annual allowances under §§ 97.411(a)(2) and (b) and 97.412 and to determine compliance with the CSAPR NO_x 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) NO_x emissions requirements —

(1) CSAPR NO_x 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 NO_x Annual source and each CSAPR NO_x Annual unit at the source shall hold, in the source's compliance account, CSAPR NO_x Annual allowances available for deduction for such control period under § 97.424(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Annual units at the source.

(ii) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Annual units at a CSAPR NO_x Annual source are in excess of the CSAPR NO_x 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 NO_x Annual unit at the source shall hold the CSAPR NO_x Annual allowances required for deduction under § 97.424(d); and

(B) The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(2) CSAPR NO_x Annual assurance provisions.

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

**SECTION E. Source Group Restrictions.**

during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NOX Annual allowances available for deduction for such control period under § 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with § 97.425(b), of multiplying—

(A) The quotient of the amount by which the common designated representative's share of such NOX emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such NOX emissions exceeds the respective common designated representative's assurance level; and

(B) The amount by which total NOX emissions from all CSAPR NOX Annual units at CSAPR NOX Annual sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.

(ii) The owners and operators shall hold the CSAPR NOX Annual allowances required under paragraph (c)(2)(i) of this section, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.

(iii) Total NOX emissions from all CSAPR NOX Annual units at CSAPR NOX Annual sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total NOX emissions exceed the sum, for such control period, of the State NOX Annual trading budget under § 97.410(a) and the State's variability limit under § 97.410(b).

(iv) It shall not be a violation of this subpart or of the Clean Air Act if total NOX emissions from all CSAPR NOX Annual units at CSAPR NOX Annual sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total NOX emissions from the CSAPR NOX Annual units at CSAPR NOX Annual sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.

(v) To the extent the owners and operators fail to hold CSAPR NOX Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) of this section,

(A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

(B) Each CSAPR NOX Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) of this section and each day of such control period shall constitute a separate violation of this subpart and the Clean Air Act.

(3) Compliance periods.

(i) A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under § 97.430(b) and for each control period thereafter.

(ii) A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(2) of this section for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under § 97.430(b) and for each control period thereafter.

(4) Vintage of CSAPR NOX Annual allowances held for compliance.

(i) A CSAPR NOX Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) of this section for a control period in a given year must be a CSAPR NOX Annual allowance that was allocated or auctioned for such control period or a control period in a prior year.

(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

**SECTION E. Source Group Restrictions.**

auctioned for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each CSAPR NOX Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with this subpart.

(6) Limited authorization. A CSAPR NOX Annual allowance is a limited authorization to emit one ton of NOX during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the CSAPR NOX Annual Trading Program; and

(ii) Notwithstanding any other provision of this subpart, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A CSAPR NOX Annual allowance does not constitute a property right.

(d) Title V permit requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOX Annual allowances in accordance with this subpart.

(2) A description of whether a unit is required to monitor and report NOX emissions using a continuous emission monitoring system (under subpart H of part 75 of this chapter), an excepted monitoring system (under appendices D and E to part 75 of this chapter), a low mass emissions excepted monitoring methodology (under § 75.19 of this chapter), or an alternative monitoring system (under subpart E of part 75 of this chapter) in accordance with §§ 97.430 through 97.435 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with §§ 70.7(e)(2) and 71.7(e)(1) of this chapter, provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for minor permit modification procedures in accordance with §§ 70.7(e)(2)(i)(B) and 71.7(e)(1)(i)(B) of this chapter.

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under § 97.416 for the designated representative for the source and each CSAPR NOX Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under § 97.416 changing the designated representative.

(ii) All emissions monitoring information, in accordance with this subpart.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NOX Annual Trading Program.

(2) The designated representative of a CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall make all submissions required under the CSAPR NOX Annual Trading Program, except as provided in § 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in parts 70 and 71 of this chapter.

(f) Liability.

(1) Any provision of the CSAPR NOX Annual Trading Program that applies to a CSAPR NOX Annual source or the

**SECTION E. Source Group Restrictions.**

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.

(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

**SECTION E. Source Group Restrictions.**

concentration data shall be determined and reported, rather than the data listed in §75.4(e)(2) of this chapter; and

(iii) Any petition for another procedure under §75.4(e)(2) of this chapter shall be submitted under §97.435, rather than §75.66 of this chapter.

(c) **REPORTING DATA.** The owner or operator of a CSAPR NOX Annual unit that does not meet the applicable compliance date set forth in paragraph (b) of this section for any monitoring system under paragraph (a)(1) of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for NOX concentration, NOX emission rate, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine NOX mass emissions and heat input in accordance with §75.31(b)(2) or (c)(3) of this chapter, section 2.4 of appendix D to part 75 of this chapter, or section 2.5 of appendix E to part 75 of this chapter, as applicable.

(d) **PROHIBITIONS.**

(1) No owner or operator of a CSAPR NOX Annual unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this subpart without having obtained prior written approval in accordance with §97.435.

(2) No owner or operator of a CSAPR NOX Annual unit shall operate the unit so as to discharge, or allow to be discharged, NOX to the atmosphere without accounting for all such NOX in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(3) No owner or operator of a CSAPR NOX Annual unit shall disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOX mass discharged into the atmosphere or heat input, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this subpart and part 75 of this chapter.

(4) No owner or operator of a CSAPR NOX Annual unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this subpart, except under any one of the following circumstances:

(i) During the period that the unit is covered by an exemption under §97.405 that is in effect;

(ii) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this subpart and part 75 of this chapter, by the Administrator for use at that unit that provides emission data for the same pollutant or parameter as the retired or discontinued monitoring system; or

(iii) The designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with §97.431(d)(3)(i).

(e) **LONG-TERM COLD STORAGE.** The owner or operator of a CSAPR NOX Annual unit is subject to the applicable provisions of §75.4(d) of this chapter concerning units in long-term cold storage.

[76 FR 48379, Aug. 8, 2011, as amended at 79 FR 71672, Dec. 3, 2014; 81 FR 74607, Oct. 26, 2016]

**# 005 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.434]
Subpart AAAAA - CSAPR NOX Annual Trading Program
Recordkeeping and reporting.**

(a) **General provisions.** The designated representative shall comply with all recordkeeping and reporting requirements in paragraphs (b) through (e) of this section, the applicable recordkeeping and reporting requirements under § 75.73 of this chapter, and the requirements of § 97.414(a).

(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.

**SECTION E. Source Group Restrictions.**

(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

(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]

**SECTION E. Source Group Restrictions.****# 006 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.604]
Subpart CCCCC - CSAPR SO2 Group 1 Trading Program
Applicability.**

(a) Combined Cycle Unit #1 (Source ID 031) and Combined Cycle Unit #2 (Source ID 032) 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, Combined Cycle Unit #1 (Source ID 031) and Combined Cycle Unit #2 (Source ID 032) are allocated for CSAPR SO2 Group 1 allowances.

Because these units reported a date for commencement of commercial operation after January 1, 2019, EPA did not determine allocations for them as existing units; they are eligible to receive NUSA allocations. Allocations from the new unit set-asides are being made in a single round after the end of the control period by EPA.

(b) In accordance with 40 CFR § 97.621, EPA will announce in a notice of data availability and record in the Combined Cycle Unit #1 and Combined Cycle Unit #2 Annual SO2 Group 1 Compliance Account, the allowance allocations after each 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.

**# 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 emissions limitation.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall hold, in the source's compliance account, CSAPR SO2 Group 1 allowances available for deduction for such control period under § 97.624(a) in an amount not less than the tons of total SO2 emissions for such control period from all CSAPR SO2 Group 1 units at the source.

(ii) If total SO2 emissions during a control period in a given year from the CSAPR SO2 Group 1 units at a CSAPR SO2 Group 1 source are in excess of the CSAPR SO2 Group 1 emissions limitation set forth in paragraph (c)(1)(i) of this section, then:

(A) The owners and operators of the source and each CSAPR SO2 Group 1 unit at the source shall hold the CSAPR SO2 Group 1 allowances required for deduction under § 97.624(d); and

(B) The owners and operators of the source and each CSAPR SO2 Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of

**SECTION E. Source Group Restrictions.**

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

(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.

**SECTION E. Source Group Restrictions.**

(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.

(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.

**SECTION E. Source Group Restrictions.**

(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);

(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

**SECTION E. Source Group Restrictions.**

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 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

**SECTION E. Source Group Restrictions.**

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 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

**SECTION E. Source Group Restrictions.**

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) Combined Cycle Unit #1 (Source ID 031) and Combined Cycle Unit #2 (Source ID 032) 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, Combined Cycle Unit #1 (Source ID 031) and Combined Cycle Unit #2 (Source ID 032) are allocated for CSAPR NOx Ozone Season (May 1 through September 30) allowance.

Because these units reported a date for commencement of commercial operation after January 1, 2019, EPA did not determine allocations for them as existing units; they are eligible to receive NUSA allocations. Allocations from the new unit set-asides are being made in a single round after the end of the control period by EPA.

(b) In accordance with 40 CFR § 97.821, EPA will announce in a notice of data availability and record in the Combined Cycle Unit #1 and Combined Cycle Unit #2 Annual NOx Ozone Season Group 2 Compliance Account, the allowance allocations after each 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.

(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

**SECTION E. Source Group Restrictions.**

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 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.

**SECTION E. Source Group Restrictions.****(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.

(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.

**SECTION E. Source Group Restrictions.****(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]

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.

**SECTION E. Source Group Restrictions.**

(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;

(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.

**SECTION E. Source Group Restrictions.****(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).

(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.

**SECTION E. Source Group Restrictions.**

(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.

(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.

**SECTION E. Source Group Restrictions.**

(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: GHG

Group Description: Greenhouse Gas and 40 CFR Part 60 Subpart TTTT

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

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

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337B]

(a) No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:

1. CO₂ emission rate of 928 # / MW-hr (gross) on a 12-operating month annual average basis

[Plan Approval 37-337C]

(b) No person may permit the emission into the outdoor atmosphere of CO₂(e) in excess of the following:

1. 3,665,974 tpy based on a 12-month rolling total for both units

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5520]**Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units****What CO₂ emission standard must I meet?**

(a) For each affected EGU subject to this subpart, you must not discharge from the affected EGU any gases that contain CO₂ in excess of the applicable CO₂ emission standard specified in table 1 or 2 to this subpart, consistent with paragraphs (b), (c), and (d) of this section, as applicable.

Table 2 to Subpart TTTT of Part 60—CO₂ Emission Standards for Affected Stationary Combustion Turbines That Commenced Construction After January 8, 2014, and Reconstruction After June 18, 2014 (Net Energy Output-Based Standards Applicable as Approved by the Administrator)

[Note: Numerical values of 1,000 or greater have a minimum of 3 significant figures and numerical values of less than 1,000 have a minimum of 2 significant figures]

Affected EGU:

Newly constructed or reconstructed stationary combustion turbine that supplies more than its design efficiency or 50 percent, whichever is less, times its potential electric output as net-electric sales on both a 12-operating month and a 3-year rolling average basis and combusts more than 90% natural gas on a heat input basis on a 12-operating-month rolling average basis

CO₂ Emission standard:

450 kg CO₂/MWh (1,000 lb CO₂/MWh) of gross energy output; or 470 kg CO₂/MWh (1,030 lb CO₂/MWh) of net energy output.

(b) Except as specified in paragraphs (c) and (d) of this section, you must comply with the applicable gross or net energy output standard, and your operating permit must include monitoring, recordkeeping, and reporting methodologies based on the applicable gross or net energy output standard. For the remainder of this subpart (for sources that do not qualify under paragraphs (c) and (d) of this section), where the term "gross or net energy output" is used, the term that applies to you is "gross energy output."

(c) Not applicable.

**SECTION E. Source Group Restrictions.**

(d) Owners or operators of a stationary combustion turbine that maintain records of electric sales to demonstrate that the stationary combustion turbine is subject to a heat input-based standard in table 2 to this subpart that are only permitted to burn one or more uniform fuels, as described in paragraph (d)(1) of this section, are only subject to the monitoring requirements in paragraph (d)(1). Owners or operators of all other stationary combustion turbines that maintain records of electric sales to demonstrate that the stationary combustion turbines are subject to a heat input-based standard in table 2 are only subject to the requirements in paragraph (d)(2) of this section.

(1) Owners or operators of stationary combustion turbines that are only permitted to burn fuels with a consistent chemical composition (i.e., uniform fuels) that result in a consistent emission rate of 69 kilograms per gigajoule (kg/GJ) (160 lb CO₂/MMBtu) or less are not subject to any monitoring or reporting requirements under this subpart. These fuels include, but are not limited to hydrogen, natural gas, methane, butane, butylene, ethane, ethylene, propane, naphtha, propylene, jet fuel kerosene, No. 1 fuel oil, No. 2 fuel oil, and biodiesel. Stationary combustion turbines qualifying under this paragraph are only required to maintain purchase records for permitted fuels.

(2) Not applicable.

[89 FR 40029, May 9, 2024]

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.

**# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5535]
Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
How do I monitor and collect data to demonstrate compliance?**

(a) Combustion turbines qualifying under § 60.5520(d)(1) are not subject to any requirements in this section other than the requirement to maintain fuel purchase records for permitted fuel(s). If your combustion turbine uses non-uniform fuels as specified under § 60.5520(d)(2), you must monitor heat input in accordance with paragraph (c)(1) of this section, and you must monitor CO₂ emissions in accordance with either paragraph (b), (c)(2), or (c)(5) of this section. For all other affected sources, you must prepare a monitoring plan to quantify the hourly CO₂ mass emission rate (tons/h), in accordance with the applicable provisions in 40 CFR 75.53(g) and (h). The electronic portion of the monitoring plan must be submitted using the ECMPs Client Tool and must be in place prior to reporting emissions data and/or the results of monitoring system certification tests under this subpart. The monitoring plan must be updated as necessary. Monitoring plan submittals must be made by the Designated Representative (DR), the Alternate DR, or a delegated agent of the DR (see § 60.5555(d) and (e)).

(b) You must determine the hourly CO₂ mass emissions in kg from your affected EGU(s) according to paragraphs (b)(1) through (5) of this section, or, if applicable, as provided in paragraph (c) of this section.

(1) For an affected EGU that combusts coal you must, and for all other affected EGUs you may, install, certify, operate, maintain, and calibrate a CO₂ continuous emission monitoring system (CEMS) to directly measure and record hourly average CO₂ concentrations in the affected EGU exhaust gases emitted to the atmosphere, and a flow monitoring system to measure hourly average stack gas flow rates, according to 40 CFR 75.10(a)(3)(i). As an alternative to direct measurement of CO₂ concentration, provided that your EGU does not use carbon separation (e.g., carbon capture and storage), you may use data from a certified oxygen (O₂) monitor to calculate hourly average CO₂ concentrations, in accordance with 40 CFR 75.10(a)(3)(iii). If you measure CO₂ concentration on a dry basis, you must also install, certify, operate, maintain, and calibrate a continuous moisture monitoring system, according to 40 CFR 75.11(b). Alternatively, you may either use an appropriate fuel-specific default moisture value from 40 CFR 75.11(b) or submit a petition to the Administrator under 40 CFR 75.66 for a site-specific default moisture value.

(2) For each continuous monitoring system that you use to determine the CO₂ mass emissions, you must meet the applicable certification and quality assurance procedures in 40 CFR 75.20 and appendices A and B to 40 CFR part 75.

(3) You must use only unadjusted exhaust gas volumetric flow rates to determine the hourly CO₂ mass emissions rate

**SECTION E. Source Group Restrictions.**

from the affected EGU; you must not apply the bias adjustment factors described in Section 7.6.5 of appendix A to 40 CFR part 75 to the exhaust gas flow rate data.

(4) You must select an appropriate reference method to setup (characterize) the flow monitor and to perform the on-going RATAs, in accordance with 40 CFR part 75. If you use a Type-S pitot tube or a pitot tube assembly for the flow RATAs, you must calibrate the pitot tube or pitot tube assembly; you may not use the 0.84 default Type-S pitot tube coefficient specified in Method 2.

(5) Calculate the hourly CO₂ mass emissions (kg) as described in paragraphs (b)(5)(i) through (iv) of this section. Perform this calculation only for "valid operating hours", as defined in § 60.5540(a)(1).

(i) Begin with the hourly CO₂ mass emission rate (tons/h), obtained either from equation F-11 in appendix F to 40 CFR part 75 (if CO₂ concentration is measured on a wet basis), or by following the procedure in section 4.2 of appendix F to part 75 (if CO₂ concentration is measured on a dry basis).

(ii) Next, multiply each hourly CO₂ mass emission rate by the EGU or stack operating time in hours (as defined in 40 CFR 72.2), to convert it to tons of CO₂.

(iii) Finally, multiply the result from paragraph (b)(5)(ii) of this section by 907.2 to convert it from tons of CO₂ to kg. Round off to the nearest kg.

(iv) The hourly CO₂ tons/h values and EGU (or stack) operating times used to calculate CO₂ mass emissions are required to be recorded under 40 CFR 75.57(e) and must be reported electronically under 40 CFR 75.64(a)(6). You must use these data to calculate the hourly CO₂ mass emissions.

(c) If your affected EGU exclusively combusts liquid fuel and/or gaseous fuel, as an alternative to complying with paragraph (b) of this section, you may determine the hourly CO₂ mass emissions according to paragraphs (c)(1) through (4) of this section. If you use non-uniform fuels as specified in § 60.5520(d)(2), you may determine CO₂ mass emissions during the compliance period according to paragraph (c)(5) of this section.

(1) If you are subject to an output-based standard and you do not install CEMS in accordance with paragraph (b) of this section, you must implement the applicable procedures in appendix D to part 75 of this chapter to determine hourly EGU heat input rates (MMBtu/h), based on hourly measurements of fuel flow rate and periodic determinations of the gross calorific value (GCV) of each fuel combusted.

(2) For each measured hourly heat input rate, use Equation G-4 in appendix G to part 75 of this chapter to calculate the hourly CO₂ mass emission rate (tons/h). You may determine site-specific carbon-based F-factors (F_c) using Equation F-7b in section 3.3.6 of appendix F to part 75 of this chapter, and you may use these F_c values in the emissions calculations instead of using the default F_c values in the Equation G-4 nomenclature.

(3) For each "valid operating hour" (as defined in § 60.5540(a)(1), multiply the hourly tons/h CO₂ mass emission rate from paragraph (c)(2) of this section by the EGU or stack operating time in hours (as defined in 40 CFR 72.2), to convert it to tons of CO₂. Then, multiply the result by 907.2 to convert from tons of CO₂ to kg. Round off to the nearest two significant figures.

(4) The hourly CO₂ tons/h values and EGU (or stack) operating times used to calculate CO₂ mass emissions are required to be recorded under § 75.57(e) of this chapter and must be reported electronically under § 75.64(a)(6) of this chapter. You must use these data to calculate the hourly CO₂ mass emissions.

(5) If you operate a combustion turbine firing non-uniform fuels, as an alternative to following paragraphs (c)(1) through (4) of this section, you may determine CO₂ emissions during the compliance period using one of the following methods:

(i) Units firing fuel gas may determine the heat input during the compliance period following the procedure under § 60.107a(d) and convert this heat input to CO₂ emissions using Equation G-4 in appendix G to part 75 of this chapter.

(ii) You may use the procedure for determining CO₂ emissions during the compliance period based on the use of the Tier 3 methodology under § 98.33(a)(3) of this chapter.

**SECTION E. Source Group Restrictions.**

(d) Consistent with § 60.5520, you must determine the basis of the emissions standard that applies to your affected source in accordance with either paragraph (d)(1) or (2) of this section, as applicable:

(1) If you operate a source subject to an emissions standard established on an output basis (e.g., lb of CO₂ per gross or net MWh of energy output), you must install, calibrate, maintain, and operate a sufficient number of watt meters to continuously measure and record the hourly gross electric output or net electric output, as applicable, from the affected EGU(s). These measurements must be performed using 0.2 class electricity metering instrumentation and calibration procedures as specified under ANSI No. C12.20-2010 (incorporated by reference, see § 60.17). For a combined heat and power (CHP) EGU, as defined in § 60.5580, you must also install, calibrate, maintain, and operate meters to continuously (i.e., hour-by-hour) determine and record the total useful thermal output. For process steam applications, you will need to install, calibrate, maintain, and operate meters to continuously determine and record the hourly steam flow rate, temperature, and pressure. Your plan shall ensure that you install, calibrate, maintain, and operate meters to record each component of the determination, hour-by-hour.

(2) If you operate a source subject to an emissions standard established on a heat-input basis (e.g., lb CO₂/MMBtu) and your affected source uses non-uniform heating value fuels as delineated under § 60.5520(d), you must determine the total heat input for each fuel fired during the compliance period in accordance with one of the following procedures:

(i) Appendix D to part 75 of this chapter;

(ii) The procedures for monitoring heat input under § 60.107a(d);

(iii) If you monitor CO₂ emissions in accordance with the Tier 3 methodology under § 98.33(a)(3) of this chapter, you may convert your CO₂ emissions to heat input using the appropriate emission factor in table C-1 of part 98 of this chapter. If your fuel is not listed in table C-1, you must determine a fuel-specific carbon-based F-factor (Fc) in accordance with section 12.3.2 of EPA Method 19 of appendix A-7 to this part, and you must convert your CO₂ emissions to heat input using Equation G-4 in appendix G to part 75 of this chapter.

(e) Consistent with § 60.5520, if two or more affected EGUs serve a common electric generator, you must apportion the combined hourly gross or net energy output to the individual affected EGUs according to the fraction of the total steam load and/or direct mechanical energy contributed by each EGU to the electric generator. Alternatively, if the EGUs are identical, you may apportion the combined hourly gross or net electrical load to the individual EGUs according to the fraction of the total heat input contributed by each EGU. You may also elect to develop, demonstrate, and provide information satisfactory to the Administrator on alternate methods to apportion the gross energy output. The Administrator may approve such alternate methods for apportioning the gross energy output whenever the demonstration ensures accurate estimation of emissions regulated under this part.

(f) In accordance with §§ 60.13(g) and 60.5520, if two or more affected EGUs that implement the continuous emission monitoring provisions in paragraph (b) of this section share a common exhaust gas stack you must monitor hourly CO₂ mass emissions in accordance with one of the following procedures:

(1) If the EGUs are subject to the same emissions standard in table 1 or 2 to this subpart, you may monitor the hourly CO₂ mass emissions at the common stack in lieu of monitoring each EGU separately. If you choose this option, the hourly gross or net energy output (electric, thermal, and/or mechanical, as applicable) must be the sum of the hourly loads for the individual affected EGUs and you must express the operating time as "stack operating hours" (as defined in 40 CFR 72.2). If you attain compliance with the applicable emissions standard in § 60.5520 at the common stack, each affected EGU sharing the stack is in compliance.

(2) As an alternative, or if the EGUs are subject to different emission standards in table 1 or 2 to this subpart, you must either:

(i) Monitor each EGU separately by measuring the hourly CO₂ mass emissions prior to mixing in the common stack or

(ii) Apportion the CO₂ mass emissions based on the unit's load contribution to the total load associated with the common stack and the appropriate F-factors. You may also elect to develop, demonstrate, and provide information satisfactory to the Administrator on alternate methods to apportion the CO₂ emissions. The Administrator may approve such alternate methods for apportioning the CO₂ emissions whenever the demonstration ensures accurate estimation of emissions

**SECTION E. Source Group Restrictions.**

regulated under this part.

(g) In accordance with §§ 60.13(g) and 60.5520 if the exhaust gases from an affected EGU that implements the continuous emission monitoring provisions in paragraph (b) of this section are emitted to the atmosphere through multiple stacks (or if the exhaust gases are routed to a common stack through multiple ducts and you elect to monitor in the ducts), you must monitor the hourly CO₂ mass emissions and the “stack operating time” (as defined in § 72.2 of this chapter) at each stack or duct separately. In this case, you must determine compliance with the applicable emissions standard in Table 1 or 2 of this subpart by summing the CO₂ mass emissions measured at the individual stacks or ducts and dividing by the total gross or net energy output for the affected EGU.

[80 FR 64648, Oct. 23, 2015, as amended at 89 FR 40030, May 9, 2024]

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

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(a) The facility shall maintain sufficient records to adequately demonstrate compliance with the emission limitations associated with the GHG rule.

[Plan Approval 37-337A]

(b) The facility shall keep accurate and comprehensive records of:

1. The amount of SF₆ dielectric fluid added to each circuit breaker unit each month.
2. The date and time that each alarm associated with the circuit breaker is activated, the corrective action taken to remedy the problem associated with each alarm, and the date corrective action remedied the problem.

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5525]**Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units****What are my general requirements for complying with this subpart?**

Combustion turbines qualifying under § 60.5520(d)(1) are not subject to any requirements in this section other than the requirement to maintain fuel purchase records for permitted fuel(s). For all other affected sources, compliance with the applicable CO₂ emission standard of this subpart shall be determined on a 12-operating-month rolling average basis. See table 1 or 2 to this subpart for the applicable CO₂ emission standards.

(a) You must be in compliance with the emission standards in this subpart that apply to your affected EGU at all times. However, you must determine compliance with the emission standards only at the end of the applicable operating month, as provided in paragraph (a)(1) of this section.

(1) For each affected EGU subject to a CO₂ emissions standard based on a 12-operating-month rolling average, you must determine compliance monthly by calculating the average CO₂ emissions rate for the affected EGU at the end of the initial and each subsequent 12-operating-month period.

(2) Not applicable.

(b) At all times you must operate and maintain each affected EGU, including associated equipment and monitors, in a manner consistent with safety and good air pollution control practice. The Administrator will determine if you are using consistent operation and maintenance procedures based on information available to the Administrator that may include, but is not limited to, fuel use records, monitoring results, review of operation and maintenance procedures and records, review of reports required by this subpart, and inspection of the EGU.

(c) Within 30 days after the end of the initial compliance period (i.e., no more than 30 days after the first 12-operating-month compliance period), you must make an initial compliance determination for your affected EGU(s) with respect to the

**SECTION E. Source Group Restrictions.**

applicable emissions standard in table 1 or 2 to this subpart, in accordance with the requirements in this subpart. The first operating month included in the initial 12-operating-month compliance period shall be determined as follows:

(1) For an affected EGU that commences commercial operation (as defined in 40 CFR 72.2) on or after October 23, 2015, the first month of the initial compliance period shall be the first operating month (as defined in § 60.5580) after the calendar month in which emissions reporting is required to begin under:

(i) Section 60.5555(c)(3)(i), for units subject to the Acid Rain Program; or

(ii) Section 60.5555(c)(3)(ii)(A), for units that are not in the Acid Rain Program.

(2)-(4) Not applicable.

[89 FR 40029, May 9, 2024]

006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5540]**Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units****How do I demonstrate compliance with my CO₂ emissions standard and determine excess emissions?**

(a) In accordance with § 60.5520, if you are subject to an output-based emission standard or you burn non-uniform fuels as specified in § 60.5520(d)(2), you must demonstrate compliance with the applicable CO₂ emission standard in table 1 or 2 to this subpart as required in this section. For the initial and each subsequent 12-operating-month rolling average compliance period, you must follow the procedures in paragraphs (a)(1) through (8) of this section to calculate the CO₂ mass emissions rate for your affected EGU(s) in units of the applicable emissions standard (e.g., either kg/MWh or kg/GJ). You must use the hourly CO₂ mass emissions calculated under § 60.5535(b) or (c), as applicable, and either the generating load data from § 60.5535(d)(1) for output-based calculations or the heat input data from § 60.5535(d)(2) for heat-input-based calculations. Combustion turbines firing non-uniform fuels that contain CO₂ prior to combustion (e.g., blast furnace gas or landfill gas) may sample the fuel stream to determine the quantity of CO₂ present in the fuel prior to combustion and exclude this portion of the CO₂ mass emissions from compliance determinations.

(1) Each compliance period shall include only "valid operating hours" in the compliance period, i.e., operating hours for which:

(i) "Valid data" (as defined in § 60.5580) are obtained for all of the parameters used to determine the hourly CO₂ mass emissions (kg) and, if a heat input-based standard applies, all the parameters used to determine total heat input for the hour are also obtained; and

(ii) The corresponding hourly gross or net energy output value is also valid data (Note: For hours with no useful output, zero is considered to be a valid value).

(2) You must exclude operating hours in which:

(i) The substitute data provisions of 40 CFR 75 are applied for any of the parameters used to determine the hourly CO₂ mass emissions or, if a heat input-based standard applies, for any parameters used to determine the hourly heat input;

(ii) An exceedance of the full-scale range of a continuous emission monitoring system occurs for any of the parameters used to determine the hourly CO₂ mass emissions or, if applicable, to determine the hourly heat input; or

(iii) The total gross or net energy output (P_{gross/net}) or, if applicable, the total heat input is unavailable.

(3) For each compliance period, at least 95 percent of the operating hours in the compliance period must be valid operating hours, as defined in paragraph (a)(1) of this section.

(4) You must calculate the total CO₂ mass emissions by summing the valid hourly CO₂ mass emissions values from § 60.5535 for all of the valid operating hours in the compliance period.

**SECTION E. Source Group Restrictions.**

(5) For each valid operating hour of the compliance period that was used in paragraph (a)(4) of this section to calculate the total CO₂ mass emissions, you must determine P_{gross/net} (the corresponding hourly gross or net energy output in MWh) according to the procedures in paragraphs (a)(5)(i) and (ii) of this section, as appropriate for the type of affected EGU(s). For an operating hour in which a valid CO₂ mass emissions value is determined according to paragraph (a)(1)(i) of this section, if there is no gross or net electrical output, but there is mechanical or useful thermal output, you must still determine the gross or net energy output for that hour. In addition, for an operating hour in which a valid CO₂ mass emissions value is determined according to paragraph (a)(1)(i) of this section, but there is no (i.e., zero) gross electrical, mechanical, or useful thermal output, you must use that hour in the compliance determination. For hours or partial hours where the gross electric output is equal to or less than the auxiliary loads, net electric output shall be counted as zero for this calculation.

(i) Calculate P_{gross/net} for your affected EGU using the following equation. All terms in the equation must be expressed in units of MWh. To convert each hourly gross or net energy output (consistent with § 60.5520) value reported under 40 CFR part 75 to MWh, multiply by the corresponding EGU or stack operating time.

Equation 1 to paragraph (a)(5)(i)

Where:

P_{gross/net} = In accordance with § 60.5520, gross or net energy output of your affected EGU for each valid operating hour (as defined in § 60.5540(a)(1)) in MWh.

(P_e)_{ST} = Electric energy output plus mechanical energy output (if any) of steam turbines in MWh.

(P_e)_{CT} = Electric energy output plus mechanical energy output (if any) of stationary combustion turbine(s) in MWh.

(P_e)_{IE} = Electric energy output plus mechanical energy output (if any) of your affected EGU's integrated equipment that provides electricity or mechanical energy to the affected EGU or auxiliary equipment in MWh.

(P_e)_{FW} = Electric energy used to power boiler feedwater pumps at steam generating units in MWh. Not applicable to stationary combustion turbines, IGCC EGUs, or EGUs complying with a net energy output based standard.

(P_e)_A = Electric energy used for any auxiliary loads in MWh. Not applicable for determining P_{gross}.

(P_t)_{PS} = Useful thermal output of steam (measured relative to standard ambient temperature and pressure (SATP) conditions, as applicable) that is used for applications that do not generate additional electricity, produce mechanical energy output, or enhance the performance of the affected EGU. This is calculated using the equation specified in paragraph (a)(5)(ii) of this section in MWh.

(P_t)_{HR} = Non steam useful thermal output (measured relative to SATP conditions, as applicable) from heat recovery that is used for applications other than steam generation or performance enhancement of the affected EGU in MWh.

(P_t)_{IE} = Useful thermal output (relative to SATP conditions, as applicable) from any integrated equipment is used for applications that do not generate additional steam, electricity, produce mechanical energy output, or enhance the performance of the affected EGU in MWh.

TDF = Electric Transmission and Distribution Factor of 0.95 for a combined heat and power affected EGU where at least 20.0 percent of the total gross or net energy output consists of electric or direct mechanical output and 20.0 percent of the total gross or net energy output consists of useful thermal output on a 12-operating-month rolling average basis, or 1.0 for all other affected EGUs.

(ii) If applicable to your affected EGU (for example, for combined heat and power), you must calculate (P_t)_{PS} using the following equation:

Equation 2 to Paragraph (a)(5)(ii)

Where:

**SECTION E. Source Group Restrictions.**

Qm = Measured useful thermal output flow in kg (lb) for the operating hour.

H = Enthalpy of the useful thermal output at measured temperature and pressure (relative to SATP conditions or the energy in the condensate return line, as applicable) in Joules per kilogram (J/kg) (or Btu/lb).

CF = Conversion factor of 3.6×10^9 J/MWh or 3.413×10^6 Btu/MWh.

(6) Sources complying with energy output-based standards must calculate the basis (i.e., denominator) of their actual 12-operating month emission rate in accordance with paragraph (a)(6)(i) of this section. Sources complying with heat input based standards must calculate the basis of their actual 12-operating month emission rate in accordance with paragraph (a)(6)(ii) of this section.

(i) In accordance with § 60.5520 if you are subject to an output-based standard, you must calculate the total gross or net energy output for the affected EGU's compliance period by summing the hourly gross or net energy output values for the affected EGU that you determined under paragraph (a)(5) of this section for all of the valid operating hours in the applicable compliance period.

(ii) If you are subject to a heat input-based standard, you must calculate the total heat input for each fuel fired during the compliance period. The calculation of total heat input for each individual fuel must include all valid operating hours and must also be consistent with any fuel-specific procedures specified within your selected monitoring option under § 60.5535(d)(2).

(7) If you are subject to an output-based standard, you must calculate the CO₂ mass emissions rate for the affected EGU(s) (kg/MWh) by dividing the total CO₂ mass emissions value calculated according to the procedures in paragraph (a)(4) of this section by the total gross or net energy output value calculated according to the procedures in paragraph (a)(6)(i) of this section. Round off the result to two significant figures if the calculated value is less than 1,000; round the result to three significant figures if the calculated value is greater than 1,000. If you are subject to a heat input-based standard, you must calculate the CO₂ mass emissions rate for the affected EGU(s) (kg/GJ or lb/MMBtu) by dividing the total CO₂ mass emissions value calculated according to the procedures in paragraph (a)(4) of this section by the total heat input calculated according to the procedures in paragraph (a)(6)(ii) of this section. Round off the result to two significant figures.

(b) In accordance with § 60.5520, to demonstrate compliance with the applicable CO₂ emission standard, for the initial and each subsequent 12-operating-month compliance period, the CO₂ mass emissions rate for your affected EGU must be determined according to the procedures specified in paragraph (a)(1) through (8) of this section and must be less than or equal to the applicable CO₂ emissions standard in table 1 or 2 to this subpart, or the emissions standard calculated in accordance with § 60.5525(a)(2).

[89 FR 40031, May 9, 2024]

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5560]
Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
What records must I maintain?

(a) You must maintain records of the information you used to demonstrate compliance with this subpart as specified in § 60.7(b) and (f).

(b)

(1) For affected EGUs subject to the Acid Rain Program, you must follow the applicable recordkeeping requirements and maintain records as required under subpart F of part 75 of this chapter.

(2) For affected EGUs that are not subject to the Acid Rain Program, you must also follow the recordkeeping requirements and maintain records as required under subpart F of part 75 of this chapter, to the extent that those records provide applicable data for the compliance determinations required under this subpart. Regardless of the prior sentence, at a minimum, the following records must be kept, as applicable to the types of continuous monitoring systems used to demonstrate compliance under this subpart:

(i) Monitoring plan records under § 75.53(g) and (h) of this chapter;

**SECTION E. Source Group Restrictions.**

- (ii) Operating parameter records under § 75.57(b)(1) through (4) of this chapter;
 - (iii) The records under § 75.57(c)(2) of this chapter, for stack gas volumetric flow rate;
 - (iv) The records under § 75.57(c)(3) of this chapter for continuous moisture monitoring systems;
 - (v) The records under § 75.57(e)(1) of this chapter, except for paragraph (e)(1)(x), for CO₂ concentration monitoring systems or O₂ monitors used to calculate CO₂ concentration;
 - (vi) The records under § 75.58(c)(1) of this chapter, specifically paragraphs (c)(1)(i), (ii), and (viii) through (xiv), for oil flow meters;
 - (vii) The records under § 75.58(c)(4) of this chapter, specifically paragraphs (c)(4)(i), (ii), (iv), (v), and (vi) through (xi), for gas flow meters;
 - (viii) The quality-assurance records under § 75.59(a) of this chapter, specifically paragraphs (a)(1) through (12) and (15), for CEMS;
 - (ix) The quality-assurance records under § 75.59(a) of this chapter, specifically paragraphs (b)(1) through (4), for fuel flow meters; and
 - (x) Records of data acquisition and handling system (DAHS) verification under § 75.59(e) of this chapter.
- (c) You must keep records of the calculations you performed to determine the hourly and total CO₂ mass emissions (tons) for:
- (1) Each operating month (for all affected EGUs); and
 - (2) Each compliance period, including, each 12-operating-month compliance period.
- (d) Consistent with § 60.5520, you must keep records of the applicable data recorded and calculations performed that you used to determine your affected EGU's gross or net energy output for each operating month.
- (e) You must keep records of the calculations you performed to determine the percentage of valid CO₂ mass emission rates in each compliance period.
- (f) You must keep records of the calculations you performed to assess compliance with each applicable CO₂ mass emissions standard in Table 1 or 2 of this subpart.
- (g) You must keep records of the calculations you performed to determine any site-specific carbon-based F-factors you used in the emissions calculations (if applicable).
- (h) For stationary combustion turbines, you must keep records of electric sales to determine the applicable subcategory.
- (i) You must keep the records listed in paragraphs (i)(1) through (3) of this section to demonstrate that your affected facility operated during a system emergency.
- (1) Documentation that the system emergency to which the affected EGU was responding was in effect from the entity issuing the alert, and documentation of the exact duration of the event;
 - (2) Documentation from the entity issuing the alert that the system emergency included the affected source/region where the affected facility was located, and
 - (3) Documentation that the affected facility was instructed to increase output beyond the planned day-ahead or other near-term expected output and/or was asked to remain in operation outside its scheduled dispatch during emergency conditions from a Reliability Coordinator, Balancing Authority, or Independent System Operator/Regional Transmission Organization.

**SECTION E. Source Group Restrictions.**

[80 FR 64648, Oct. 23, 2015, as amended at 89 FR 40033, May 9, 2024]

**# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5565]
Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
In what form and how long must I keep my records?**

- (a) Your records must be in a form suitable and readily available for expeditious review.
- (b) You must maintain each record for 3 years after the date of conclusion of each compliance period.
- (c) You must maintain each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §60.7. Records that are accessible from a central location by a computer or other means that instantly provide access at the site meet this requirement. You may maintain the records off site for the remaining year(s) as required by this subpart.

V. REPORTING REQUIREMENTS.

**# 009 [25 Pa. Code §127.12b]
Plan approval terms and conditions.**

[Plan Approval 37-337A]

The facility shall submit semi-annual reports no later than March 1 for the January 1 thru December 31 of the previous year period and by September 1 for the July 1 of the previous year thru June 30 of the concurrent year period. The report shall include:

1. The greenhouse gas and SF6 emissions including emission calculations from all air-contaminant sources, on a monthly basis, in order to demonstrate compliance with the emission limitations for all sources at the facility.
2. The amount of SF6 dielectric fluid added to each circuit breaker unit each month.
3. The date and time that each alarm associated with the circuit breaker is activated, the corrective action taken to remedy the problem associated with each alarm, and the date corrective action remedied the problem.

**# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5550]
Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
What notifications must I submit and when?**

- (a) You must prepare and submit the notifications specified in §§ 60.7(a)(1) and (3) and 60.19, as applicable to your affected EGU(s) (see table 3 of this subpart).
- (b) You must prepare and submit notifications specified in § 75.61 of this chapter, as applicable, to your affected EGUs.

**# 011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5555]
Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
What reports must I submit and when?**

- (a) You must prepare and submit reports according to paragraphs (a) through (d) of this section, as applicable.
- (1) For affected EGUs that are required by § 60.5525 to conduct initial and on-going compliance determinations on a 12-operating-month rolling average basis, you must submit electronic quarterly reports as follows. After you have accumulated the first 12-operating months for the affected EGU, you must submit a report for the calendar quarter that includes the twelfth operating month no later than 30 days after the end of that quarter. Thereafter, you must submit a report for each subsequent calendar quarter, no later than 30 days after the end of the quarter.
- (2) In each quarterly report you must include the following information, as applicable:
- (i) Each rolling average CO2 mass emissions rate for which the last (twelfth) operating month in a 12-operating-month compliance period falls within the calendar quarter. You must calculate each average CO2 mass emissions rate for the compliance period according to the procedures in § 60.5540. You must report the dates (month and year) of the first and twelfth operating months in each compliance period for which you performed a CO2 mass emissions rate calculation. If

**SECTION E. Source Group Restrictions.**

there are no compliance periods that end in the quarter, you must include a statement to that effect;

(ii) If one or more compliance periods end in the quarter, you must identify each operating month in the calendar quarter where your EGU violated the applicable CO₂ emission standard;

(iii) If one or more compliance periods end in the quarter and there are no violations for the affected EGU, you must include a statement indicating this in the report;

(iv) The percentage of valid operating hours in each 12-operating-month compliance period described in paragraph (a)(1) of this section (i.e., the total number of valid operating hours (as defined in § 60.5540(a)(1)) in that period divided by the total number of operating hours in that period, multiplied by 100 percent);

(v) Consistent with § 60.5520, the CO₂ emissions standard (as identified in table 1 or 2 to this subpart) with which your affected EGU must comply; and

(vi) Consistent with § 60.5520, an indication whether or not the hourly gross or net energy output (P_{gross/net}) values used in the compliance determinations are based solely upon gross electrical load.

(3) In the final quarterly report of each calendar year, you must include the following:

(i) Consistent with § 60.5520, gross energy output or net energy output sold to an electric grid, as applicable to the units of your emission standard, over the four quarters of the calendar year; and

(ii) The potential electric output of the EGU.

(b) You must submit all electronic reports required under paragraph (a) of this section using the Emissions Collection and Monitoring Plan System (ECMPS) Client Tool provided by the Clean Air Markets Division in the Office of Atmospheric Programs of EPA.

(c)

(1) For affected EGUs under this subpart that are also subject to the Acid Rain Program, you must meet all applicable reporting requirements and submit reports as required under subpart G of part 75 of this chapter.

(2) Not applicable.

(3)

(i) For all newly-constructed affected EGUs under this subpart that are also subject to the Acid Rain Program, you must begin submitting the quarterly electronic emissions reports described in paragraph (c)(1) of this section in accordance with § 75.64(a) of this chapter, i.e., beginning with data recorded on and after the earlier of:

(A) The date of provisional certification, as defined in § 75.20(a)(3) of this chapter; or

(B) 180 days after the date on which the EGU commences commercial operation (as defined in § 72.2 of this chapter).

(ii) Not applicable.

(iii) Not applicable.

(4) If any required monitoring system has not been provisionally certified by the applicable date on which emissions data reporting is required to begin under paragraph (c)(3) of this section, the maximum (or in some cases, minimum) potential value for the parameter measured by the monitoring system shall be reported until the required certification testing is successfully completed, in accordance with § 75.4(j) of this chapter, § 75.37(b) of this chapter, or section 2.4 of appendix D to part 75 of this chapter (as applicable). Operating hours in which CO₂ mass emission rates are calculated using maximum potential values are not "valid operating hours" (as defined in § 60.5540(a)(1)), and shall not be used in the compliance determinations under § 60.5540.

**SECTION E. Source Group Restrictions.**

(d) For affected EGUs subject to the Acid Rain Program, the reports required under paragraphs (a) and (c)(1) of this section shall be submitted by:

- (1) The person appointed as the Designated Representative (DR) under § 72.20 of this chapter; or
- (2) The person appointed as the Alternate Designated Representative (ADR) under § 72.22 of this chapter; or
- (3) A person (or persons) authorized by the DR or ADR under § 72.26 of this chapter to make the required submissions.

(e) Not applicable.

(f) If your affected EGU captures CO₂ to meet the applicable emissions standard, you must report in accordance with the requirements of 40 CFR part 98, subpart PP, and either:

- (1) Report in accordance with the requirements of 40 CFR part 98, subpart RR, or subpart VV, if injection occurs on-site;
- (2) Transfer the captured CO₂ to an EGU or facility that reports in accordance with the requirements of 40 CFR part 98, subpart RR, or subpart VV, if injection occurs off-site; or
- (3) Transfer the captured CO₂ to a facility that has received an innovative technology waiver from EPA pursuant to paragraph (g) of this section.

(g) Any person may request the Administrator to issue a waiver of the requirement that captured CO₂ from an affected EGU be transferred to a facility reporting under 40 CFR part 98, subpart RR, or subpart VV. To receive a waiver, the applicant must demonstrate to the Administrator that its technology will store captured CO₂ as effectively as geologic sequestration, and that the proposed technology will not cause or contribute to an unreasonable risk to public health, welfare, or safety. In making this determination, the Administrator shall consider (among other factors) operating history of the technology, whether the technology will increase emissions or other releases of any pollutant other than CO₂, and permanence of the CO₂ storage. The Administrator may test the system or require the applicant to perform any tests considered by the Administrator to be necessary to show the technology's effectiveness, safety, and ability to store captured CO₂ without release. The Administrator may grant conditional approval of a technology, with the approval conditioned on monitoring and reporting of operations. The Administrator may also withdraw approval of the waiver on evidence of releases of CO₂ or other pollutants. The Administrator will provide notice to the public of any application under this provision and provide public notice of any proposed action on a petition before the Administrator takes final action.

[80 FR 64648, Oct. 23, 2015, as amended at 89 FR 40033, May 9, 2024]

VI. WORK PRACTICE REQUIREMENTS.**# 012 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The following conditions are related to the GHG Tailoring Rule (40 CFR 51, 52, and 98)

[Plan Approval 37-337A]

(a) The permittee shall incorporate instrumentation and control systems that will allow plant efficiency to be optimized to the maximum extent practicable. To maintain efficient operating characteristics, these systems shall be periodically maintained in accordance with the permittee's Preventative maintenance Program.

[Plan Approval 37-337A]

(b) Facility shall implement a sulfur hexafluoride (SF₆) leak detection program to minimize SF₆ leaks as follows. Circuit breakers are to be state-of-the-art sealed enclosed-pressure circuit breakers equipped with low-pressure alarms that are triggered when 10% of the SF₆ by weight has escaped. When alarms are triggered, the facility will take corrective action as soon as practicable to fix the circuit breaker units to a like-new state to prevent the emission of SF₆ to the maximum extent practicable.

[Plan Approval 37-337A]

(c) Facility shall develop a site Preventative Maintenance Program to maintain plant operating efficiency.

**SECTION E. Source Group Restrictions.****VII. ADDITIONAL REQUIREMENTS.****# 013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5508]****Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units****What is the purpose of this subpart?**

This subpart establishes emission standards and compliance schedules for the control of greenhouse gas (GHG) emissions from a steam generating unit or an integrated gasification combined cycle (IGCC) facility that commences construction after January 8, 2014, commences reconstruction after June 18, 2014, or commences modification after January 8, 2014, but on or before May 23, 2023. This subpart also establishes emission standards and compliance schedules for the control of GHG emissions from a stationary combustion turbine that commences construction after January 8, 2014, but on or before May 23, 2023, or commences reconstruction after June 18, 2014, but on or before May 23, 2023. An affected steam generating unit, IGCC, or stationary combustion turbine shall, for the purposes of this subpart, be referred to as an affected electric generating unit (EGU).

[89 FR 40028, May 9, 2024]

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5509]**Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units****Am I subject to this subpart?**

(a) Except as provided for in paragraph (b) of this section, the GHG standards included in this subpart apply to any steam generating unit or IGCC that commenced construction after January 8, 2014, or commenced modification or reconstruction after June 18, 2014, that meets the relevant applicability conditions in paragraphs (a)(1) and (2) of this section. The GHG standards included in this subpart also apply to any stationary combustion turbine that commenced construction after January 8, 2014, but on or before May 23, 2023, or commenced reconstruction after June 18, 2014, but on or before May 23, 2023, that meets the relevant applicability conditions in paragraphs (a)(1) and (2) of this section.

(1) Has a base load rating greater than 260 GJ/h (250 MMBtu/h) of fossil fuel (either alone or in combination with any other fuel); and

(2) Serves a generator or generators capable of selling greater than 25 MW of electricity to a utility power distribution system.

(b) Not applicable.

[89 FR 40028, May 9, 2024]

015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.5515]**Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units****Which pollutants are regulated by this subpart?**

(a) The pollutants regulated by this subpart are greenhouse gases. The greenhouse gas standard in this subpart is in the form of a limitation on emission of carbon dioxide.

(b) PSD and title V thresholds for greenhouse gases.

(1) For the purposes of 40 CFR 51.166(b)(49)(ii), with respect to GHG emissions from affected facilities, the "pollutant that is subject to the standard promulgated under section 111 of the Act" shall be considered to be the pollutant that otherwise is subject to regulation under the Act as defined in § 51.166(b)(48) of this chapter and in any SIP approved by the EPA that is interpreted to incorporate, or specifically incorporates, § 51.166(b)(48).

(2) For the purposes of 40 CFR 52.21(b)(50)(ii), with respect to GHG emissions from affected facilities, the "pollutant that is subject to the standard promulgated under section 111 of the Act" shall be considered to be the pollutant that otherwise is subject to regulation under the Act as defined in § 52.21(b)(49) of this chapter.

(3) For the purposes of 40 CFR 70.2, with respect to greenhouse gas emissions from affected facilities, the "pollutant that is subject to any standard promulgated under section 111 of the Act" shall be considered to be the pollutant that otherwise is "subject to regulation" as defined in 40 CFR 70.2.

(4) For the purposes of 40 CFR 71.2, with respect to greenhouse gas emissions from affected facilities, the "pollutant that is subject to any standard promulgated under section 111 of the Act" shall be considered to be the pollutant that otherwise is

**SECTION E. Source Group Restrictions.**

"subject to regulation" as defined in 40 CFR 71.2.

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

**SECTION E. Source Group Restrictions.**

Group Name: STARTUP & SHUTDOWN

Group Description: Startup & Shutdown

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

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

[Plan Approval 37-337C]

(a) The startup and shutdown emissions from each CCU shall be limited to the following:

1.

- (a) NO_x: S/U: 44.73 tpy & S/D: 18.28 tpy
- (b) CO: S/U: 149.72 tpy & S/D: 51.09 tpy
- (c) VOC: S/U: 44.72 tpy & S/D: 20.16 tpy
- (d) SO_x: S/U: 1.07 tpy & S/D: 0.38 tpy
- (e) H₂SO₄: S/U: 0.17 tpy & S/D: 0.06 tpy
- (f) PM₁₀/PM_{2.5}: S/U: 2.52 tpy & S/D: 1.31 tpy

Operation Hours Restriction(s).**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Plan Approval 37-337A]

(a) Startup is defined as the period beginning with ignition in the combustion turbine and lasting until either:

- 1. The combustion process, air pollution control equipment, and associated control systems have attained normal operating conditions for two consecutive 15-minute averaging periods, or
- 2. Five hours after ignition, whichever occurs first.

[Plan Approval 37-337A]

(b) Startup shall be limited to 500 total hours in any consecutive 12-month period.

[Plan Approval 37-337A]

(c) Shutdown is defined as the period beginning with the lowering of unit load below 60% with the intent of ceasing operation of the unit and concluding with the cessation of combustion in the turbine, limited to a maximum of one hour in duration.

[Plan Approval 37-337A]

(d) Shutdown shall be limited to 250 total hours in any consecutive 12-month period.

[Plan Approval 37-337A]

(e) Malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner that may result in an increase in the emissions of air contaminants.

II. TESTING REQUIREMENTS.

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

**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).

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 E. Source Group Restrictions.**

Group Name: SUBPART KKKK

Group Description: Subpart KKKK

Sources included in this group

ID	Name
031	COMBINED CYCLE UNIT #1
032	COMBINED CYCLE UNIT #2

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4320]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What emission limits must I meet for nitrogen oxides (NOX)?**

[Compliance with the NO_x limit of 2.0 ppmvd @ 15% oxygen for the CCU under 127.12b will show compliance with this requirement]

(a) You must meet the emission limits for NO_x specified in Table 1 to this subpart. [From Table 1: For new turbine firing natural gas and > 850 mmbtu/hr: 15 ppm at 15% O₂ or 54 ng/J of useful output (0.43 #/MWh) and For heat recovery units operating independent of the combustion turbine: 54 ppm @ 15% O₂ or 110 ng/J of useful output (0.86 #/MWh)]

(b) If you have two or more turbines that are connected to a single generator, each turbine must meet the emission limits for NO_x.

002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4325]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What emission limits must I meet for NOX if my turbine burns both natural gas and distillate oil (or some other combinat**

Not applicable

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4330]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What emission limits must I meet for sulfur dioxide (SO₂)?**

[Compliance with the sulfur limit in the fuel of 0.75 gr / 100 scf natural gas under 127.12b will show compliance with this requirement]

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

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

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

(3) Not applicable

(b) Not applicable

II. TESTING REQUIREMENTS.**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4400]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I conduct the initial and subsequent performance tests, regarding NOX ?**

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

**SECTION E. Source Group Restrictions.**

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

(i) Not applicable

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

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

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

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

(A) [Reserved], or

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

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

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

(B) Not applicable

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

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

(1) Not applicable

(2) For a combined cycle and CHP turbine systems with supplemental heat (duct burner), you must measure the total NOX emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

(3) Not applicable

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

**SECTION E. Source Group Restrictions.**

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

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

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4405]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I perform the initial performance test if I have chosen to install a NOX-diluent CEMS?**

If you elect to install and certify a NOX - diluent CEMS under § 60.4345, then the initial performance test required under § 60.8 may be performed in the following alternative manner:

(a) Perform a minimum of nine RATA reference method runs, with a minimum time per run of 21 minutes, at a single load level, within plus or minus 25 percent of 100 percent of peak load. The ambient temperature must be greater than 0°F during the RATA runs.

(b) For each RATA run, concurrently measure the heat input to the unit using a fuel flow meter (or flow meters) and measure the electrical and thermal output from the unit.

(c) Use the test data both to demonstrate compliance with the applicable NOX emission limit under § 60.4320 and to provide the required reference method data for the RATA of the CEMS described under § 60.4335.

(d) Compliance with the applicable emission limit in § 60.4320 is achieved if the arithmetic average of all of the NOX emission rates for the RATA runs, expressed in units of ppm or lb/MWh, does not exceed the emission limit.

006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4410]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I establish a valid parameter range if I have chosen to continuously monitor parameters?**

Not applicable

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4415]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I conduct the initial and subsequent performance tests for sulfur?**

(a) You must conduct an initial performance test, as required in § 60.8. Subsequent SO₂ performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test). There are four methodologies that you may use to conduct the performance tests.

(1) The use of a current, valid purchase contract, tariff sheet, or transportation contract for the fuel specifying the maximum total sulfur content of all fuels combusted in the affected facility. Alternately, the fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter may be used.

(2) Periodically determine the sulfur content of the fuel combusted in the turbine, a representative fuel sample may be collected either by an automatic sampling systems or manually. For automatic sampling, follow ASTM D5287 (incorporated by reference, see § 60.17) for gaseous fuels or ASTM D4177 (incorporated by reference, see § 60.17) for liquid fuels. For manual sampling of gaseous fuels, follow API Manual of Petroleum Measurement Standards, Chapter 14, Section 1, GPA 2166, or ISO 10715 (all incorporated by reference, see § 60.17). For manual sampling of liquid fuels, follow GPA 2174 or the procedures for manual pipeline sampling in section 14 of ASTM D4057 (both incorporated by reference, see § 60.17). The fuel analyses of this section may be performed either by you, a service contractor retained by you, the fuel vendor, or any other qualified agency. Analyze the samples for the total sulfur content of the fuel using:

(i) Not applicable

(ii) For gaseous fuels, ASTM D1072, or alternatively D3246, D4084, D4468, D4810, D6228, D6667, GPA 2140, 2261, or 2377 (all incorporated by reference, see § 60.17).

(3) Measure the SO₂ concentration (in parts per million (ppm)), using EPA Methods 6, 6C, 8, or 20 in appendix A of this part. In addition, the American Society of Mechanical Engineers (ASME) standard, ASME PTC 19-10-1981-Part 10, "Flue and Exhaust Gas Analyses," manual methods for sulfur dioxide (incorporated by reference, see § 60.17) can be used instead of EPA Methods 6 or 20. For units complying with the output based standard, concurrently measure the stack gas flow rate,

**SECTION E. Source Group Restrictions.**

using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then use the following equation to calculate the SO₂ emission rate:

See 40 CFR 60.4415(a)(3) (Eq. 6)

(4) Measure the SO₂ and diluent gas concentrations, using either EPA Methods 6, 6C, or 8 and 3A, or 20 in appendix A of this part. In addition, you may use the manual methods for sulfur dioxide ASME PTC 19-10-1981-Part 10 (incorporated by reference, see § 60.17). Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the SO₂ emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in § 60.4350(f) to calculate the SO₂ emission rate in lb/MWh.

(b) [Reserved]

[71 FR 38497, July 6, 2006, as amended at 85 FR 63410, Oct. 7, 2020]

III. MONITORING REQUIREMENTS.**# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4335]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I demonstrate compliance for NOX if I use water or steam injection?**

Not applicable

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4340]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I demonstrate continuous compliance for NOX if I do not use water or steam injection?**

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

(b) As an alternative, you may install, calibrate, maintain and operate one of the following continuous monitoring systems:

(1) Continuous emission monitoring as described in §§ 60.4335(b) and 60.4345, or

(2) Not applicable

010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4345]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What are the requirements for the continuous emission monitoring system equipment, if I choose to use this option?**

If the option to use a NOX CEMS is chosen:

(a) Each NOX diluent CEMS must be installed and certified according to Performance Specification 2 (PS 2) in appendix B to this part, except the 7-day calibration drift is based on unit operating days, not calendar days. With state approval, Procedure 1 in appendix F to this part is not required. Alternatively, a NOX diluent CEMS that is installed and certified according to appendix A of part 75 of this chapter is acceptable for use under this subpart. The relative accuracy test audit (RATA) of the CEMS shall be performed on a lb/MMBtu basis.

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

(c) Each fuel flowmeter shall be installed, calibrated, maintained, and operated according to the manufacturer's

**SECTION E. Source Group Restrictions.**

instructions. Alternatively, with state approval, fuel flowmeters that meet the installation, certification, and quality assurance requirements of appendix D to part 75 of this chapter are acceptable for use under this subpart.

(d) Each watt meter, steam flow meter, and each pressure or temperature measurement device shall be installed, calibrated, maintained, and operated according to manufacturer's instructions.

(e) The owner or operator shall develop and keep on-site a quality assurance (QA) plan for all of the continuous monitoring equipment described in paragraphs (a), (c), and (d) of this section. For the CEMS and fuel flow meters, the owner or operator may, with state approval, satisfy the requirements of this paragraph by implementing the QA program and plan described in section 1 of appendix B to part 75 of this chapter.

011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4350]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

How do I use data from the continuous emission monitoring equipment to identify excess emissions?

For purposes of identifying excess emissions:

(a) All CEMS data must be reduced to hourly averages as specified in § 60.13(h).

(b) For each unit operating hour in which a valid hourly average, as described in § 60.4345(b), is obtained for both NOX and diluent monitors, the data acquisition and handling system must calculate and record the hourly NOX emission rate in units of ppm or lb/MMBtu, using the appropriate equation from method 19 in appendix A of this part. For any hour in which the hourly average O2 concentration exceeds 19.0 percent O2 (or the hourly average CO2 concentration is less than 1.0 percent CO2), a diluent cap value of 19.0 percent O2 or 1.0 percent CO2 (as applicable) may be used in the emission calculations.

(c) Correction of measured NOX concentrations to 15 percent O2 is not allowed.

(d) If you have installed and certified a NOX diluent CEMS to meet the requirements of part 75 of this chapter, states can approve that only quality assured data from the CEMS shall be used to identify excess emissions under this subpart. Periods where the missing data substitution procedures in subpart D of part 75 are applied are to be reported as monitor downtime in the excess emissions and monitoring performance report required under § 60.7(c).

(e) All required fuel flow rate, steam flow rate, temperature, pressure, and megawatt data must be reduced to hourly averages.

(f) Calculate the hourly average NOX emission rates, in units of the emission standards under § 60.4320, using either ppm for units complying with the concentration limit or the following equation for units complying with the output based standard:

(1) Not applicable

(2) For combined-cycle and combined heat and power complying with the output-based standard, use Equation 1 of this subpart, except that the gross energy output is calculated as the sum of the total electrical and mechanical energy generated by the combustion turbine, the additional electrical or mechanical energy (if any) generated by the steam turbine following the heat recovery steam generator, and 100 percent of the total useful thermal energy output that is not used to generate additional electricity or mechanical output, expressed in equivalent MW, as in the following equations in 40 CFR 60.4350(f)(2).

(3) Not applicable

(g) Not applicable

(h) For combined cycle and combined heat and power units with heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 30 unit operating day rolling average basis, as described in § 60.4380(b)(1).

012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4355]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

How do I establish and document a proper parameter monitoring plan?

Not applicable

**SECTION E. Source Group Restrictions.****# 013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4360]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How do I determine the total sulfur content of the turbine's combustion fuel?**

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

014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4365]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How can I be exempted from monitoring the total sulfur content of the fuel?**

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

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

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

015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4370]**Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****How often must I determine the sulfur content of the fuel?**

The frequency of determining the sulfur content of the fuel must be as follows:

(a) Not applicable

(b) Gaseous fuel. If you elect not to demonstrate sulfur content using options in § 60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.

(c) Custom schedules. Notwithstanding the requirements of paragraph (b) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (c)(1) and (c)(2) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in § 60.4330.

(1) The two custom sulfur monitoring schedules set forth in paragraphs (c)(1)(i) through (iv) and in paragraph (c)(2) of this section are acceptable, without prior Administrative approval:

(i) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (c)(1)(ii), (iii), or (iv) of this section, as applicable.

**SECTION E. Source Group Restrictions.**

(ii) If none of the 30 daily measurements of the fuel's total sulfur content exceeds half the applicable standard, subsequent sulfur content monitoring may be performed at 12-month intervals. If any of the samples taken at 12-month intervals has a total sulfur content greater than half but less than the applicable limit, follow the procedures in paragraph (c)(1)(iii) of this section. If any measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section.

(iii) If at least one of the 30 daily measurements of the fuel's total sulfur content is greater than half but less than the applicable limit, but none exceeds the applicable limit, then:

(A) Collect and analyze a sample every 30 days for 3 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(B) of this section.

(B) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(C) of this section.

(C) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, continue to monitor at this frequency.

(iv) If a sulfur content measurement exceeds the applicable limit, immediately begin daily monitoring according to paragraph (c)(1)(i) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than the applicable limit, are obtained. At that point, the applicable procedures of paragraph (c)(1)(ii) or (iii) of this section shall be followed.

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

(i) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf, no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

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

(iii) If any sample result exceeds half the applicable limit, but none exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iii) of this section.

(iv) If the sulfur content of any of the 720 hourly samples exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iv) of this section.

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.**# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4375]****Subpart KKKK - Standards of Performance for Stationary Combustion Turbines****What reports must I submit?**

(a) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content under this subpart, you must submit reports of excess emissions and monitor downtime, in accordance with § 60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

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

**SECTION E. Source Group Restrictions.**

017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4390]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What are my reporting requirements if I operate an emergency combustion turbine or a research and development turbine?

Not applicable

018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4395]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

When must I submit my reports?

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

VI. WORK PRACTICE REQUIREMENTS.

019 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4333]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What are my general requirements for complying with this subpart?

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

(b) When an affected unit with heat recovery utilizes a common steam header with one or more combustion turbines, the owner or operator shall either:

(1) Determine compliance with the applicable NOX emissions limits by measuring the emissions combined with the emissions from the other unit(s) utilizing the common heat recovery unit; or

(2) Develop, demonstrate, and provide information satisfactory to the Administrator on methods for apportioning the combined gross energy output from the heat recovery unit for each of the affected combustion turbines. The Administrator may approve such demonstrated substitute methods for apportioning the combined gross energy output measured at the steam turbine whenever the demonstration ensures accurate estimation of emissions related under this part.

020 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4380]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

How are excess emissions and monitor downtime defined for NOX ?

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

(a) Not applicable

(b) For turbines using continuous emission monitoring, as described in §§ 60.4335(b) and 60.4345:

(1) An excess emissions is any unit operating period in which the 4-hour or 30-day rolling average NOX emission rate exceeds the applicable emission limit in § 60.4320. For the purposes of this subpart, a "4-hour rolling average NOX emission rate" is the arithmetic average of the average NOX emission rate in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given hour and the three unit operating hour average NOX emission rates immediately preceding that unit operating hour. Calculate the rolling average if a valid NOX emission rate is obtained for at least 3 of the 4 hours. For the purposes of this subpart, a "30-day rolling average NOX emission rate" is the arithmetic average of all hourly NOX emission data in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given day and the twenty-nine unit operating days immediately preceding that unit operating day. A new 30-day average is calculated each unit operating day as the average of all hourly NOX emissions rates for the preceding 30 unit operating days if a valid NOX emission rate is obtained for at least 75 percent of all operating hours.

(2) A period of monitor downtime is any unit operating hour in which the data for any of the following parameters are either missing or invalid: NOX concentration, CO2 or O2 concentration, fuel flow rate, steam flow rate, steam temperature, steam pressure, or megawatts. The steam flow rate, steam temperature, and steam pressure are only required if you will use this information for compliance purposes.

(3) For operating periods during which multiple emissions standards apply, the applicable standard is the average of the

**SECTION E. Source Group Restrictions.**

applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard.

(c) Not applicable

021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4385]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

How are excess emissions and monitoring downtime defined for SO₂?

If you choose the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as follows:

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

(b) Not applicable

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

VII. ADDITIONAL REQUIREMENTS.

022 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4300]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What is the purpose of this subpart?

This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

023 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4305]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

Does this subpart apply to my stationary combustion turbine?

(a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart. Only heat input to the combustion turbine should be included when determining whether or not this subpart is applicable to your turbine. Any additional heat input to associated heat recovery steam generators (HRSG) or duct burners should not be included when determining your peak heat input. However, this subpart does apply to emissions from any associated HRSG and duct burners.

(b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part. Heat recovery steam generators and duct burners regulated under this subpart are exempted from the requirements of subparts Da, Db, and Dc of this part.

024 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4310]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What types of operations are exempt from these standards of performance?

Not applicable

025 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4315]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What pollutants are regulated by this subpart?

The pollutants regulated by this subpart are nitrogen oxide (NO_x) and sulfur dioxide (SO₂).

026 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4420]

Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

What definitions apply to this subpart?

**SECTION E. Source Group Restrictions.**

See 40 CFR 60.4420 for definitions pertaining to this Subpart.

***** 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		
031	COMBINED CYCLE UNIT #1		
Emission Limit		Pollutant	
5.000	PPMV	dry basis corrected at 15% oxygen averaged over any rolling 3-hour period	Ammonia
110.200	Tons/Yr	based on a 12-month rolling total	Ammonia
2.000	PPMV	Normal operation with or without duct burner @ 15% oxygen	CO
15.440	Lbs/Hr	Normal operation without duct burner	CO
17.780	Lbs/Hr	Normal operation with duct burner	CO
66.500	Tons/Yr	Total Normal Operation based on a 12-month rolling total	CO
267.320	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	CO
928.000	Lbs/KW-Hr	lbs/MW-hr (gross) not kW-hr	Carbon Dioxide
2.000	PPMV	Normal operation with or without duct burner @ 15% oxygen	NOX
25.360	Lbs/Hr	Normal operation without duct burner	NOX
29.200	Lbs/Hr	Normal operation with duct burner	NOX
109.240	Tons/Yr	Total Normal Operation based on a 12-month rolling total	NOX
172.250	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	NOX
11.000	Lbs/Hr	Normal operation without duct burner	PM10
18.500	Lbs/Hr	Normal operation with duct burner	PM10
59.060	Tons/Yr	Total Normal Operation based on a 12-month rolling total	PM10
62.890	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	PM10
353.700	Lbs/Day	Calendar Day	PM10
11.000	Lbs/Hr	Normal operation without duct burner	PM2.5
18.500	Lbs/Hr	Normal operation with duct burner	PM2.5
59.060	Tons/Yr	Total Normal Operation based on a 12-month rolling total	PM2.5
62.890	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	PM2.5
353.700	Lbs/Day	Calendar Day	PM2.5
6.150	Lbs/Hr	Normal operation without duct burner	SOX
7.190	Lbs/Hr	Normal operation with duct burner	SOX
26.720	Tons/Yr	Total Normal Operation based on a 12-month rolling total	SOX
28.150	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	SOX
172.400	Lbs/Day	Calendar Day	SOX
0.920	Lbs/Hr	Normal operation without duct burner	Sulfuric Acid
1.080	Lbs/Hr	Normal operation with duct burner	Sulfuric Acid
4.010	Tons/Yr	Total Normal Operation based on a 12-month rolling total	Sulfuric Acid
4.240	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	Sulfuric Acid
11.000	Lbs/Hr	Normal operation without duct burner	TSP
18.500	Lbs/Hr	Normal operation with duct burner	TSP

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description		
59.060	Tons/Yr	Total Normal Operation based on a 12-month rolling total	TSP
62.890	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	TSP
353.700	Lbs/Day	Calendar Day	TSP
0.700	PPMV	Normal operation without duct burner @ 15% oxygen	VOC
1.500	PPMV	Normal operation with duct burner @ 15% oxygen	VOC
3.090	Lbs/Hr	Normal operation without duct burner	VOC
7.640	Lbs/Hr	Normal operation with duct burner	VOC
21.480	Tons/Yr	Total Normal Operation based on a 12-month rolling total	VOC
86.350	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	VOC
032	COMBINED CYCLE UNIT #2		
Emission Limit			Pollutant
5.000	PPMV	dry basis corrected at 15% oxygen averaged over any rolling 3-hour period	Ammonia
110.200	Tons/Yr	based on a 12-month rolling total	Ammonia
2.000	PPMV	Normal operation with or without duct burner @ 15% oxygen	CO
15.440	Lbs/Hr	Normal operation without duct burner	CO
17.780	Lbs/Hr	Normal operation with duct burner	CO
66.500	Tons/Yr	Total Normal Operation based on a 12-month rolling total	CO
267.320	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	CO
928.000	Lbs/KW-Hr	lbs/MW-hr (gross) not kW-hr	Carbon Dioxide
2.000	PPMV	Normal operation with or without duct burner @ 15% oxygen	NOX
25.360	Lbs/Hr	Normal operation without duct burner	NOX
29.200	Lbs/Hr	Normal operation with duct burner	NOX
109.240	Tons/Yr	Total Normal Operation based on a 12-month rolling total	NOX
172.250	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	NOX
11.000	Lbs/Hr	Normal operation without duct burner	PM10
18.500	Lbs/Hr	Normal operation with duct burner	PM10
59.060	Tons/Yr	Total Normal Operation based on a 12-month rolling total	PM10
62.890	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	PM10
353.700	Lbs/Day	Calendar Day	PM10
11.000	Lbs/Hr	Normal operation without duct burner	PM2.5
18.500	Lbs/Hr	Normal operation with duct burner	PM2.5
59.060	Tons/Yr	Total Normal Operation based on a 12-month rolling total	PM2.5
62.890	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	PM2.5

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description		
		a 12-month rolling total	
353.700	Lbs/Day	Calendar Day	PM2.5
6.150	Lbs/Hr	Normal operation without duct burner	SOX
7.190	Lbs/Hr	Normal operation with duct burner	SOX
26.720	Tons/Yr	Total Normal Operation based on a 12-month rolling total	SOX
28.150	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	SOX
172.400	Lbs/Day	Calendar Day	SOX
0.920	Lbs/Hr	Normal operation without duct burner	Sulfuric Acid
1.080	Lbs/Hr	Normal operation with duct burner	Sulfuric Acid
4.010	Tons/Yr	Total Normal Operation based on a 12-month rolling total	Sulfuric Acid
4.240	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	Sulfuric Acid
11.000	Lbs/Hr	Normal operation without duct burner	TSP
18.500	Lbs/Hr	Normal operation with duct burner	TSP
59.060	Tons/Yr	Total Normal Operation based on a 12-month rolling total	TSP
62.890	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	TSP
353.700	Lbs/Day	Calendar Day	TSP
0.700	PPMV	Normal operation without duct burner @ 15% oxygen	VOC
1.500	PPMV	Normal operation with duct burner @ 15% oxygen	VOC
3.090	Lbs/Hr	Normal operation without duct burner	VOC
7.640	Lbs/Hr	Normal operation with duct burner	VOC
21.480	Tons/Yr	Total Normal Operation based on a 12-month rolling total	VOC
86.350	Tons/Yr	Total including startup & shutdown based on a 12-month rolling total	VOC
033	40 MMBTU/HR SIMONEAU MODEL MAVERICK AQT-800 NG AUX BOILER		
Emission Limit			Pollutant
0.036	Lbs/MMBTU		CO
3.310	Tons/Yr	based on a 12-month rolling total	CO
0.011	Lbs/MMBTU		NOX
1.010	Tons/Yr	based on a 12-month rolling total	NOX
0.005	Lbs/MMBTU		PM10
0.460	Tons/Yr	based on a 12-month rolling total	PM10
0.005	Lbs/MMBTU		PM2.5
0.460	Tons/Yr	based on a 12-month rolling total	PM2.5
0.002	Lbs/MMBTU		SOX
0.190	Tons/Yr	based on a 12-month rolling total	SOX
0.000	Lbs/MMBTU		Sulfuric Acid
0.040	Tons/Yr	based on a 12-month rolling total	Sulfuric Acid

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description
0.005	Lbs/MMBTU TSP
0.460	Tons/Yr based on a 12-month rolling total TSP
0.002	Lbs/MMBTU VOC
0.140	Tons/Yr based on a 12-month rolling total VOC
101	2328 BHP MITSUBISHI MODEL S16R-Y2PTAW-1 EMERG. ULSD GEN.
Emission Limit	Pollutant
0.580 Tons/Yr	based on a 12-month rolling total CO
12.000 Lbs/Hr	CO
1.100 Tons/Yr	based on a 12-month rolling total NOX
21.000 Lbs/Hr	NOX
0.033 Tons/Yr	based on a 12-month rolling total PM10
0.660 Lbs/Hr	PM10
0.033 Tons/Yr	based on a 12-month rolling total PM2.5
0.660 Lbs/Hr	PM2.5
0.001 Tons/Yr	based on a 12-month rolling total SOX
0.024 Lbs/Hr	SOX
0.000 Tons/Yr	based on a 12-month rolling total Sulfuric Acid
0.006 Lbs/Hr	Sulfuric Acid
0.033 Tons/Yr	based on a 12-month rolling total TSP
0.660 Lbs/Hr	TSP
0.030 Tons/Yr	based on a 12-month rolling total VOC
0.700 Lbs/Hr	VOC
102	450 BHP CLARKE MODEL JU6H-UFADX8 EMERG. ULSD FIREWATER PUMP
Emission Limit	Pollutant
0.130 Tons/Yr	based on a 12-month rolling total CO
2.580 Lbs/Hr	CO
0.090 Tons/Yr	based on a 12-month rolling total NOX
1.860 Lbs/Hr	NOX
0.010 Tons/Yr	based on a 12-month rolling total PM10
0.150 Lbs/Hr	PM10
0.010 Tons/Yr	based on a 12-month rolling total PM2.5
0.150 Lbs/Hr	PM2.5
0.000 Tons/Yr	based on a 12-month rolling total SOX
0.006 Lbs/Hr	SOX
0.000 Tons/Yr	based on a 12-month rolling total Sulfuric Acid
0.001 Lbs/Hr	Sulfuric Acid
0.010 Tons/Yr	based on a 12-month rolling total TSP
0.150 Lbs/Hr	TSP
0.060 Tons/Yr	based on a 12-month rolling total VOC
1.110 Lbs/Hr	VOC

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description
103	COOLING WATER TOWER
Emission Limit	
0.830 Lbs/Hr	PM10
3.620 Tons/Yr	based on a 12-month rolling total
0.005 Lbs/Hr	PM2.5
0.022 Tons/Yr	based on a 12-month rolling total
2.750 Lbs/Hr	TSP
12.050 Tons/Yr	based on a 12-month rolling total

Site Emission Restriction Summary

Emission Limit		Pollutant
6.900 Tons/Yr	based on a 12-month rolling total for formaldehyde	Hazardous Air Pollutants
15.300 Tons/Yr	based on a 12-month rolling total for all HAPs	Hazardous Air Pollutants

**SECTION H. Miscellaneous.**

a) The Capacity/Hour numbers listed on Page 5 and provided in Section D of this permit for individual sources are for informational purposes only and are not to be considered enforceable limits. Enforceable emission limits are listed in the Restriction section for each source. They are also summarized for informational purposes only in Section F.

- b) 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
Comb: Combustion source
Proc: Process
CD: Control device
EP: Emission point

Pollutant:

Ammonia: Ammonia
CO: Carbon Monoxide
CO₂: Carbon Dioxide
HAP: Hazardous Air Pollutants
NO_x: Nitrogen Oxide
PM₁₀: PM < 10 microns
PM_{2.5}: PM < 2.5 microns
SO_x: Sulfur Oxide
Sulfuric Acid: Sulfur Acid
TSP: Total Suspended Particulate
VOC: Volatile Organic Compound

c) For the purpose of this operating permit, the combustion turbines incorporated into the Combined Cycle Units are:

1. Siemens H (3.4 mmscf/hr natural gas)

d) For the purpose of this operating permit, Source 031 (Combined Cycle Unit) consists of the following:

1. A combustion turbine generator (CTG) and a heat recovery steam generator (HRSG) that provides steam to drive a single steam turbine generator (STG). The combined cycle unit (CCU) is a CTG and a HRSG. Each HRSG are equipped with a natural gas-fired duct burner (500 mmbtu/hr) which may be utilized at times of peak power demand to supplement power output by raising the heat content of the exhaust gas and thereby increasing the amount of steam generated.

e) For the purpose of this operating permit, Source 032 (Combined Cycle Unit) consists of the following:

1. A combustion turbine generator (CTG) and a heat recovery steam generator (HRSG) that provides steam to drive a single steam turbine generator (STG). The combined cycle unit (CCU) is a CTG and a HRSG. Each HRSG is equipped with a natural gas-fired duct burner (500 mmbtu/hr) which may be utilized at times of peak power demand to supplement power output by raising the heat content of the exhaust gas and thereby increasing the amount of steam generated.

f) For the purpose of this operating permit, Source 033 (Auxiliary Boiler) consists of the following:

1. Forty (40) mmbtu/hr natural gas fired Simoneau, Maverick AQT-800. (expected operating hours = 4,600 hr/yr)

g) For the purpose of this operating permit, Source 101 (Emergency Generator) consists of the following:

1. The 1500 kW emergency generator, Mitsubishi, Model S16R-Y2PTAW-1, is rated at 2,328 bhp (1736 kW) and fired with ULSD. (expected operating hours = 100 hr/yr)

h) For the purpose of this operating permit, Source 102 (Emergency Firewater Pump) consists of the following:

1. The fire pump is rated at 305 bhp and fired with ULSD (Clarke, Model JU6H-UFADX8). (expected operating hours = 100 hr/yr)

i) For the purpose of this operating permit, Source 103 (Cooling Water Tower) consists of the following:

**SECTION H. Miscellaneous.**

1. A multi-cell mechanical draft cooling tower with a water circulation rate of 220,000 gpm; with a TDS concentration of 5,000 ppmv; and with an associated drift of 0.0005%.

j) For the purpose of this operating permit, Source 104 (Fuel Storage Tanks) consists of the following:

1. Two (2) AGST with capacities less than 20,000 gallons for the storage of ULSD.



***** End of Report *****
