Iowa Department of Natural Resources
Title V Operating Permit

Name of Permitted Facility: **Western Minnesota Municipal Power Agency - Exira Station**

Facility Location: **3429 Jay Avenue**
Brayton, Iowa 50042

Air Quality Operating Permit Number: 06-TV-003R2
Expiration Date: 5/1/2022
Permit Renewal Application Deadline: 11/1/2021

EIQ Number: 92-6920
Facility File Number: 05-04-002

Responsible Official
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This permit is issued in accordance with 567 Iowa Administrative Code Chapter 22, and is issued subject to the terms and conditions contained in this permit.

For the Director of the Department of Natural Resources

Lori Hanson — 5/2/2017

Lori Hanson, Supervisor of Air Operating Permits Section — Date

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Abbreviations

acfm .....actual cubic feet per minute
CFR.....Code of Federal Regulation
CE .....control equipment
CEM.....continuous emission monitor
^{o}F.....degrees Fahrenheit
EIQ.....emissions inventory questionnaire
EP.....emission point
EU .....emission unit
gr/dscf .....grains per dry standard cubic foot
gr/100 cf.....grains per one hundred cubic feet
IAC .....Iowa Administrative Code
IDNR.....Iowa Department of Natural Resources
MVAC .....motor vehicle air conditioner
NAICS .....North American Industry Classification System
NSPS.....new source performance standard
ppmv .....parts per million by volume
ppmvd .....parts per million by dry volume
lb/hr.....pounds per hour
lb/MMBtu .....pounds per million British thermal units
SCC.....Source Classification Codes
scfm.....standard cubic feet per minute
SIC .....Standard Industrial Classification
TPY.....tons per year
USEPA.....United States Environmental Protection Agency

Pollutants
PM.....particulate matter
PM_{10}.....particulate matter ten microns or less in diameter
$PM_{2.5}$ .....particulate matter two and one half microns or less in diameter
SO_2.....sulfur dioxide
NO_x .....nitrogen oxides
VOC.....volatile organic compound
CO.....carbon monoxide
HAP .....hazardous air pollutant

I. Facility Description and Equipment List

Facility Name: Western Minnesota Municipal Power Agency - Exira Station
Permit Number: **06-TV-003R2**

Facility Description: Electric Services (SIC 4911) (NAICS 221112)

Equipment List

Emission Point ID	Emission Unit ID	Emission Unit Description	Iowa DNR Construction Permit
U-1	**U-1**	**Combustion Turbine – Unit 1**	**03-A-617-S1**
U-2	**U-2**	**Combustion Turbine – Unit 2**	**03-A-618-S1**
U-3	**U-3**	**Combustion Turbine – Unit 3**	**06-A-652-S1**

Emission Point ID	Emission Unit ID	Emission Unit Description	Iowa DNR Construction Permit
FP-1	**FP-1**	**Emergency Fire Water Pump**	**08-A-607**

Insignificant Activities Equipment List

Insignificant Emission Unit ID	Insignificant Emission Unit Description
Tank - 1	**Fuel Oil Storage Tank No. 1 (250,000 Gallons)**
Tank - 2	**Fuel Oil Storage Tank No. 2 (250,000 Gallons)**

II. Plant-Wide Conditions

Facility Name: Western Minnesota Municipal Power Agency - Exira Station
Permit Number: **06-TV-003R2**

Permit conditions are established in accord with 567 Iowa Administrative Code rule 22.108

Permit Duration

The term of this permit is: Five (5) years
Commencing on: **5/2/2017**
Ending on: **5/1/2022**

Amendments, modifications and reopenings of the permit shall be obtained in accordance with 567 Iowa Administrative Code rules 22.110 - 22.114. Permits may be suspended, terminated, or revoked as specified in 567 Iowa Administrative Code Rules 22.115.

Emission Limits
Unless specified otherwise in the Source Specific Conditions, the following limitations and supporting regulations apply to all emission points at this plant:

Opacity (visible emissions): 40% opacity
Authority for Requirement: 567 IAC 23.3(2)"d"

Sulfur Dioxide (SO_2): 500 parts per million by volume
Authority for Requirement: 567 IAC 23.3(3)"e"

Particulate Matter:

No person shall cause or allow the emission of particulate matter from any source in excess of the emission standards specified in this chapter, except as provided in 567 – Chapter 24. For sources constructed, modified or reconstructed after July 21, 1999, the emission of particulate matter from any process shall not exceed an emission standard of 0.1 grain per dry standard cubic foot of exhaust gas, except as provided in 567 – 21.2(455B), 23.1(455B), 23.4(455B) and 567 – Chapter 24.

For sources constructed, modified or reconstructed prior to July 21, 1999, the emission of particulate matter from any process shall not exceed the amount determined from Table I, or amount specified in a permit if based on an emission standard of 0.1 grain per standard cubic foot of exhaust gas or established from standards provided in 23.1(455B) and 23.4(455B).

Authority for Requirement: 567 IAC 23.3(2)"a"

Fugitive Dust: Attainment and Unclassified Areas - A person shall take reasonable precautions to prevent particulate matter from becoming airborne in quantities sufficient to cause a nuisance as defined in Iowa Code section 657.1 when the person allows, causes or permits any materials to be handled, transported or stored or a building, its appurtenances or a construction haul road to be used, constructed, altered, repaired or demolished, with the exception of farming operations or dust generated by ordinary travel on unpaved roads. Ordinary travel includes routine traffic and road maintenance activities such as scarifying, compacting, transporting road maintenance surfacing material, and scraping of the unpaved public road surface. (the preceding sentence is State Only) All persons, with the above exceptions, shall take reasonable precautions to prevent the discharge of visible emissions of fugitive dusts beyond the lot line of the property on which the emissions originate. The public highway authority shall be responsible for taking corrective action in those cases where said authority has received complaints of or has actual knowledge of dust conditions which require abatement pursuant to this subrule. Reasonable precautions may include, but not be limited to, the following procedures.

1. Use, where practical, of water or chemicals for control of dusts in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.

2. Application of suitable materials, such as but not limited to asphalt, oil, water or chemicals on unpaved roads, material stockpiles, race tracks and other surfaces which can give rise to airborne dusts.

3. Installation and use of containment or control equipment, to enclose or otherwise limit the emissions resulting from the handling and transfer of dusty materials, such as but not limited to grain, fertilizer or limestone.

4. Covering, at all times when in motion, open-bodied vehicles transporting materials likely to give rise to airborne dusts.

5. Prompt removal of earth or other material from paved streets or to which earth or other material has been transported by trucking or earth-moving equipment, erosion by water or other means.

6. Reducing the speed of vehicles traveling over on-property surfaces as necessary to minimize the generation of airborne dusts.

Authority for Requirement: 567 IAC 23.3(2)"c"

NSPS/NESHAP

40 CFR Part 60 Subpart GG: Standards of Performance for Stationary Gas Turbines

This facility is subject to Standards of Performance for Stationary Gas Turbines – 40 CFR 60 Subpart GG and the affected units are EU U-1 and EU U-2 (Combustion Turbine Units #1 and #2). However, the EPA approved a waiver of specific requirements under 40 CFR 60 Subpart GG (as proposed and later promulgated on July 8, 2004) on April 23, 2004 (Appendix 2). Affected unit EU U-3 (Combustion Turbine Unit #3) is subject Standards of Performance for Stationary Gas Turbines – 40 CFR 60 subpart GG as promulgated on February 24, 2006. The 2006 revision to 40 CFR 60 subpart GG incorporated alternative methods of monitoring and other provisions outlined in the prior 2004 EPA waiver Applicable subpart GG requirements are incorporated into the Emission-Point Specific Conditions Section.

Authority for Requirement: 40 CFR 60 Subpart GG
567 IAC 23.1(2)"aa"

40 CFR Part 60 Subpart IIII: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

This facility has equipment of the source category affected by the following federal regulation: New Source Performance Standard (NSPS) for Stationary Compression Ignition Internal Combustion Engines. The affected unit is EU FP-1, Emergency Fire Water Pump.

Authority for Requirement: 40 CFR 60 Subpart IIII
567 IAC 23.1(2)"yyy"

40 CFR 63 Subpart ZZZZ: National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

This facility has equipment of the source category affected by the following federal regulation: National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE NESHAP) [40 CFR Part 63 Subpart ZZZZ].

Authority for Requirement: 40 CFR Part 63 Subpart ZZZZ

III. Emission Point-Specific Conditions

Facility Name: Western Minnesota Municipal Power Agency - Exira Station
Permit Number: **06-TV-003R2**

Emission Point ID Numbers: U-1, U-2 and U-3

Associated Equipment

EP	EU	EU Description	Raw Material/Fuel	Rated Capacity	CE ID & Description	CEM ID & Description
U-1	U-1	Combustion Turbine – Unit 1	Natural Gas	414 MMBtu/hr	CE-1 Water Injection	ME-1 NOx CEMS
			No. 2 Fuel Oil	424 MMBtu/hr		
U-2	U-2	Combustion Turbine – Unit 2	Natural Gas	414 MMBtu/hr	CE-2 Water Injection	ME-2 NOx CEMS
			No. 2 Fuel Oil	424 MMBtu/hr		
U-3	U-3	Combustion Turbine – Unit 3	Natural Gas	414 MMBtu/hr	CE-3 Water Injection	ME-3 NOx CEMS
			No. 2 Fuel Oil	424 MMBtu/hr		

Applicable Requirements

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)
The emissions from this emission point shall not exceed the levels specified below.

Pollutant: Opacity
Emission Limits: 40%[(1)]
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1
567 IAC 23.3(2)"d"

[(1)]An exceedance of the indicator opacity of "no visible emissions" will require the owner/operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedences continue after the corrections, the DNR may require additional proof to demonstrate compliance (e.g., stack testing).

Pollutant: Particulate Matter <10 microns (PM_{10})
Emission Limits: 30.38 lb/hr
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

Pollutant: Particulate Matter (PM)
Emission Limits: 0.1 gr/dscf
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1
567 IAC 23.3(2)"a"

Pollutant: Particulate Matter (PM)
Emission Limits: 30.38 lb/hr
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

Pollutant: Sulfur Dioxide (SO_2) "(oil)"
Emission Limits: 23.02 lb/hr
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

Pollutant: Sulfur Dioxide (SO_2)
Emission Limit: Sulfur Dioxide Allowances
Authority for Requirement: 567 IAC 22.108(7) (Attached Phase II Acid Rain Permits)

Pollutant: Nitrogen Oxides (NOx)
Emission Limits for Natural Gas only: 41.76 lb/hr [(1)] and 0.101 lb/MMBtu [(2)]
Emission Limits for Fuel Oil only: 73.30 lb/hr [(1)] and 0.173 lb/MMBtu [(2)]
Emission Limit for Natural Gas and Fuel Oil Combined: 245 tons/yr [(3)]
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

[(1)] 3-hour rolling average
[(2)] 3-hour rolling average and based on lower heating value of the fuel
[(3)] 12-month rolling total for turbines Unit 1, Unit 2 and Unit 3 combined

Pollutant: Nitrogen Oxides (NOx)
Emission Limit: 112.2 ppmvd at 15% oxygen (corrected to ISO standard day conditions) on a four-hour rolling basis
Emission Limit: 61.0 ppmvd at 15% oxygen (not corrected to ISO standard day conditions) on a four-hour rolling basis
Authority for Requirement: 40 CFR 60 Subpart GG (§332(a)(1))
567 IAC 23.1(2)"aa"
EPA Approved Alternative Monitoring Dated April 23, 2004 for Units 1 and 2.

Pollutant: Volatile Organic Compounds (VOC)
Emission Limits: 13.35 lb/hr
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

Pollutant: Carbon Monoxide (CO)
Emission Limits: 113.21 lb/hr, 245 tons/yr [(4)]
Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

[(4)] 12-month rolling total for turbines Unit 1, Unit 2 and Unit 3 combined

Operational Limits & Requirements

The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

NSPS Requirements:

These units are subject to regulation outlined in 40 CFR 60 Subpart GG (567 IAC 23.1(2)"aa")

Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

40 CFR 60 Subpart A and Subpart GG are applicable to this equipment. The owner or operator of the equipment shall comply with all the requirements in these NSPS subparts. However, the EPA approved a waiver of specific requirements under 40 CFR 60 Subpart GG on April 23, 2004 (Appendix 2 to this permit) which is incorporated into this permit by reference for Units 1 and 2.

1. The fuel nitrogen content monitoring requirement of 40 CFR Part 60 Subpart GG has been waived by the EPA, provided that the facility does not claim fuel nitrogen credit.
2. The monitoring requirements of natural gas sulfur content may be fulfilled by demonstrating that the fuel meets the definition of natural gas as in 40 CFR 60.334(h)(3).
3. The monitoring requirements of fuel oil sulfur content can be fulfilled by complying with either 40 CFR 60.334(h)(1) and 334(i) or the EPA approved Custom Fuel Monitoring Schedule (Appendix 2).

Authority for Requirement: 40 CFR 60 Subpart GG
567 IAC 23.1(2)"aa"

EPA Approved Waiver of Specific Requirements under 40 CFR 60 Subpart GG Dated April 23, 2004 for Units 1 and 2.

Process throughput:

1. These units shall be fired on natural gas or distillate oil only.
2. The sulfur content of any distillate oil used in these units shall not exceed 0.05% wt.
3. The combined emissions of nitrogen oxides from turbine #1 (Unit 1), turbine #2 (Unit 2) and turbine #3 (Unit3) shall not exceed 245 tons per twelve (12) month rolling period.
4. The combined emissions of carbon monoxide from turbine #1 (Unit 1), turbine #2 (Unit 2), and turbine #3 (Unit3) shall not exceed 245 tons per twelve (12) month rolling period.

Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

5. The sulfur content of any fuel used in these units shall not exceed 0.8% wt.

Authority for Requirement: 40 CFR 60.333(b)
567 IAC 23.1(2)"aa"

Reporting & Record keeping:
All records as required by this permit shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.

1. A record of the type and quantity of each fuel used over the previous month shall be recorded at the end of each month.
2. The total quantity of each type of fuel consumed over the previous twelve (12) month period shall be recorded at the end of each month.
3. At the end of each month the twelve (12) month rolling total emissions of nitrogen oxides shall be calculated. This calculation shall be completed using the following formula:

$$ER = (0.101\, lb/mmBTU) * (900\, mmBTU/mmscf) * Qng + (0.173\, lb/mmBTU) * (0.134\, mmBTU/gal) * Qoil$$

Where

$ER = emissions\ of\ NOx\ in\ lb/12\ month\ rolling\ period$

$Qng = Volumetric\ flow\ rate\ of\ natural\ gas\ in\ mmscf/12\ month\ rolling\ period$

$Qoil = Volumetric\ flow\ rate\ of\ distillate\ oil\ in\ gallons/12\ month\ rolling\ period$

The tons of pollutant emitted shall be calculated by:

$$E = ER/2000$$

Where

$E = emissions\ of\ NOx\ in\ tons/12 month\ rolling\ period$

4. At the end of each month the twelve (12) month rolling total emissions of carbon monoxide shall be calculated. This calculation shall be completed using the following formula:

$$ER = (0.111\, lb/mmBTU) * (900\, mmBTU/mmscf) * Qng + (0.037\, lb/mmBTU) * (0.134\, mmBTU/gal) * Qoil$$

Where

$ER = emissions\ of\ CO\ in\ lb/12\ month\ rolling\ period$

$Qng = Volumetric\ flow\ rate\ of\ natural\ gas\ in\ mmscf/12\ month\ rolling\ period$

$Qoil = Volumetric\ flow\ rate\ of\ distillate\ oil\ in\ gallons/12\ month\ rolling\ period$

The tons of pollutant emitted shall be calculated by:

$$E = ER/2000$$

Where

$E = emissions\ of\ CO\ in\ tons/12 month\ rolling\ period$

Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

Emission Point Characteristics

The emission point shall conform to the specifications listed below.

			Stack Characteristics				
EP	**EU**	**IDNR Construction Permit**	**Height (ft)**	**Discharge Style**	**Opening Diameter (in)**	**Exhaust Temp. (ºF)**	**Exhaust Flowrate (scfm)**
U-1	U-1	03-A-617-S1	45	Vertical Unobstructed	120 (*)	791	247,000
U-2	U-2	03-A-618-S1	45	Vertical Unobstructed	120 (*)	791	247,000
U-3	U-3	06-A-652-S1	46.2	Vertical Unobstructed	120	791	247,000

(*) Construction permits specify 108 inches for each of the two stacks.

Authority for Requirement: Iowa DNR construction permits referenced in the above table

The temperature and flow rate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that any of the emission point design characteristics are different than the values stated above, the owner/operator must notify the Department and obtain a permit amendment, if required.

Monitoring Requirements

The owner/operator of this equipment shall comply with the monitoring requirements listed below.

Stack Testing:

Pollutant – PM_{10}
Stack Test to be Completed by – (1)
Test Run Time – 2 hours
Test Method - 40 CFR 51, Appendix M, 201A with 202 (or approved alternative)

Authority for Requirement: Iowa DNR Construction Permits 03-A-617, 03-A-618 & 06-A-652-S1

(1) This test is only required if units U-1, U-2 and U-3 operate on fuel oil for a total of 800 unit hours in any given calendar year. This test must be conducted with the unit(s) operating on fuel oil. A test of either unit U-1, U-2 or U-3 may be taken as representative of the other units.

Pollutant – CO
Stack Test to be Completed by – (1)
Test Run Time – 1 hour
Test Method - 40 CFR 60, Appendix A, Method 10

Authority for Requirement: Iowa DNR Construction Permits 03-A-617, 03-A-618 & 06-A-652-S1

(1) This test is only required if units U-1, U-2 and U-3 operate on fuel oil for a total of 800 unit hours in any given calendar year. This test must be conducted with the unit(s) operating on fuel oil. A test of either unit U-1, U-2 or U-3 may be taken as representative of the other units.

Continuous Emissions Monitoring:
Pollutant - Nitrogen Oxides (NOx) (for ME-1, ME-2 and ME-3)
Operational Specifications - 40 CFR Part75
System Calibration/Quality Assurance (for ME-1) – 5/12/2015
System Calibration/Quality Assurance (for ME-2) – 5/13/2015
System Calibration/Quality Assurance (for ME-3) – 5/14/2015
Ongoing System Calibration/Quality Assurance - 40 CFR Part75
Reporting & Record keeping - 40 CFR Part 75, 40 CFR 60 Subpart GG, 567 IAC 25.1(6)

Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1
40 CFR 60 Subpart GG
567 IAC 23.1(2)"aa"

Other Parameters

Pollutant - Other - Diluent Oxygen (O_2) (for Unit #1, Unit #2 and Unit #3)
Operational Specifications - 40 CFR Part75
System Calibration/Quality Assurance (for Unit #1) – 5/12/2015
System Calibration/Quality Assurance (for Unit #2) – 5/13/2015
System Calibration/Quality Assurance (for Unit #3) – 5/14/2015
Ongoing System Calibration/Quality Assurance - 40 CFR Part75
Reporting & Record keeping - 40 CFR Part 75, 40 CFR 60 Subpart GG, 567 IAC 25.1(6)

Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1
40 CFR 60 Subpart GG
567 IAC 23.1(2)"aa"

Compliance with the nitrogen oxides emission limit of this permit shall be continuously demonstrated by the owner/operator through the use of a CEMS. Therefore, a CEMS shall be installed, calibrated, maintained, and operated for measuring nitrogen oxides emissions in units of the standards discharged to the atmosphere from this unit and the output of the system shall be recorded. The system shall be designed to meet the 40 CFR 75, Appendix A, and Appendix C requirements. Missing data shall be treated according to 40 CFR 75 Appendix C (Section 2. Load-based Procedure for Missing Flow Rate, NOx Concentration, and NOx Emission Rate Data.) The specifications of 40 CFR 75 Appendix B (Quality Assurance/Quality Control) shall apply. If requested by the Department, the owner/operator shall coordinate the quarterly cylinder gas audits with the Department to afford the Department the opportunity to observe these audits. The relative accuracy test audits shall be coordinated with the Department.

Authority for Requirement: Iowa DNR Construction Permits 03-A-617-S1, 03-A-618-S1 & 06-A-652-S1

The owner of this equipment or the owner's authorized agent shall provide written notice to the Director, not less than 30 days before a required stack test or performance evaluation of a continuous emission monitor. Results of the test shall be submitted in writing to the Director in the form of a comprehensive report within 6 weeks of the completion of the testing. 567 IAC 25.1(7)

Agency Approved Operation & Maintenance Plan Required? **Yes** ☐ **No** ☒

Facility Maintained Operation & Maintenance Plan Required? **Yes** ☐ **No** ☒

Compliance Assurance Monitoring (CAM) Plan Required? **Yes** ☐ **No** ☒

Authority for Requirement: 567 IAC 22.108(3)

Emission Point ID Number: FP-1

Associated Equipment

Associated Emission Unit ID Number: FP-1

Emission Unit vented through this Emission Point: FP-1
Emission Unit Description: Emergency Fire Water Pump
Raw Material/Fuel: Diesel Fuel (Distillate Oil)
Rated Capacity: 200 hp

Applicable Requirements

Emission Limits (lb/hr, gr/dscf, lb/MMBtu, % opacity, etc.)
The emissions from this emission point shall not exceed the levels specified below.

Pollutant: Opacity
Emission Limit(s): 40%[(1)]
Authority for Requirement: Iowa DNR Construction Permit 08-A-607
[(1)]An exceedance of the indicator opacity of 10% will require the owner/operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedences continue after the corrections, the DNR may require additional proof to demonstrate compliance (e.g., stack testing).

Pollutant: Particulate Matter (PM)
Emission Limit(s): 0.54 g/kW hr
Authority for Requirement: Iowa DNR Construction Permit 08-A-607
567 IAC 23.1(2)"yyy"

Pollutant: Carbon Monoxide (CO)
Emission Limit(s): 3.5 g/kW hr
Authority for Requirement: Iowa DNR Construction Permit 08-A-607
567 IAC 23.1(2)"yyy"

Pollutant: Non-Methane Hydrocarbons + Nitrogen Oxides (NMHC + NOx)
Emission Limit(s): 10.5 g/kW hr
Authority for Requirement: Iowa DNR Construction Permit 08-A-607
567 IAC 23.1(2)"yyy"

Operational Limits & Requirements
The owner/operator of this equipment shall comply with the operational limits and requirements listed below.

Operating limits for this emission unit shall be:

A. This unit shall not operation for more than 500 hours per twelve (12) month period, rolled monthly.

B. All fuel used in this unit shall meet the requirement of 40 CFR 60.4207. This standard requires that 1) all fuel have either a minimum cetane index of 40 or a maximum aromatic content of 35 percent by volume and 2) all fuel have a maximum sulfur content of 500 ppm. Beginning October 1, 2010, the maximum sulfur content requirement changes to a maximum of 15 ppm.

C. The operation of this unit for maintenance checking and readiness testing shall not exceed 100 hours per year.

D. This unit shall not be operated for reasons other than maintenance checks, readiness testing, and emergency situations.

E. A non-resettable hour meter must be installed to track the number of hours this unit operates.

Reporting & Recordkeeping:
All records as required by this permit shall be kept on-site for a minimum of five (5) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner.

1. At the end of each month, record the number of hours this unit has operated over the previous month.
2. At the end of each month, record the number of hours this unit has operated over the previous twelve (12) months.
3. A log of the operation of this unit shall be maintained. This log shall contain the time operation of the unit as well as the reason the unit was operated.
4. Records of the compliance demonstration shall be kept onsite.

Authority for Requirement: Iowa DNR Construction Permit 08-A-607

Additional Compliance Requirements and Recordkeeping:

1. You must operate and maintain the engine to comply with the required emission standards over the entire life of the engine (40 CFR 60.4206) by doing all of the following (40 CFR 60.4211(a)).
   a) Operating and maintaining the engine and control device according to the manufacturer's emission-related written instructions;
   b) Changing only those emission-related settings that are permitted by the manufacturer; and
   c) Meeting the requirements of 40 CFR 89, 94 and/or 1068, as they apply to you.
2. You must demonstrate compliance with the applicable emission standards by purchasing an engine certified to the applicable emission standards. The engine must be installed and configured according to the manufacturer's emission-related specifications. 40 CFR 60.4211(c).
3. 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 keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct the following performance testing in accordance with 40 CFR 60.4212 to demonstrate compliance with applicable emission standards. You are required to notify the DNR 30 days prior to the test date and are required to submit a stack

test report to the DNR within 60 days after the completion of the testing. See 40 CFR 60.4211(g) for additional information.

Maximum Engine Power	Initial Test	Subsequent Test
HP < 100	Within 1 year of non-permitted action [(1)]	Not required
100 ≤ HP ≤ 500	Within 1 year of engine startup, or non-permitted action [(1)]	Not required
500 < HP	Within 1 year of engine startup, or non-permitted action [(1)]	Every 8,760 hours or 3 years, whichever comes first

[(1)] Non-permitted action means that you do not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer.

Operating and Recordkeeping Requirements

1. If your emergency engine does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine (40 CFR 40.4209(a)) and, starting with the model years in the following table, you 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. 40 CFR 40.4214(b).

Engine power	Starting model year
19 ≤ KW < 56 (25 ≤ HP < 75)	2013
56 ≤ KW < 130 (75 ≤ HP < 175)	2012
130 ≤ KW (175 ≤ HP)	2011

2. There is no time limit on the use of the emergency engine in emergency situations. 40 CFR 60.4211(f)(1).
3. The engine may be operated for the purpose of maintenance checks and readiness testing for a maximum of 100 hours/year. See 40 CFR 60.4211(f)(2) for more information.
4. The engine may be operated for up to 50 hours per year for non-emergency purposes. This operating time cannot be used for peak shaving or to generate income for the facility (e.g. supplying power to the grid) and should be included in the total of 100 hours allowed for maintenance checks and readiness testing. See 40 CFR 60.4211(f)(3) for more information.

Authority for Requirement: 40 CFR 60 Subpart IIII

NSPS / NESHAP
NESHAP:
The emergency engine is subject to 40 CFR 63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE). According to 40 CFR 63.6590(a)(2)(iii) this emergency engine, located at an area source, is a new stationary RICE as it was constructed on or after June 12, 2006.

According to 40 CFR 63.6590(c)(1), a new stationary RICE located at an area source of HAP emissions must meet the requirements of Part 63 by meeting the requirements of 40 CFR part 60 subpart IIII for compression ignition engines. No further requirements apply for this engine under Part 63.

Authority for Requirement: 40 CFR Part 63 Subpart ZZZZ
567 IAC 23.1(4)"cz"

Emission Point Characteristics
The emission point shall conform to the specifications listed below.

Stack Height, (ft, from the ground): 13
Stack Opening, (inches, dia.): 5
Exhaust Flow Rate (scfm): 952
Exhaust Temperature (8F): 988
Discharge Style: Horizontal
Authority for Requirement: Iowa DNR Construction Permit 08-A-607

The temperature and flow rate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that any of the emission point design characteristics are different than the values stated above, the owner/operator must notify the Department and obtain a permit amendment, if required.

Monitoring Requirements
The owner/operator of this equipment shall comply with the monitoring requirements listed below.

Agency Approved Operation & Maintenance Plan Required? **Yes** ☐ **No** ☒

Facility Maintained Operation & Maintenance Plan Required? **Yes** ☐ **No** ☒

Compliance Assurance Monitoring (CAM) Plan Required? **Yes** ☐ **No** ☒

Authority for Requirement: 567 IAC 22.108(3)

IV. General Conditions

This permit is issued under the authority of the Iowa Code subsection 455B.133(8) and in accordance with 567 Iowa Administrative Code chapter 22.

G1. Duty to Comply

1. The permittee must comply with all conditions of the Title V permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for a permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. *567 IAC 22.108(9)"a"*
2. Any compliance schedule shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based. *567 IAC 22.105 (2)"h"(3)*
3. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be enforceable by the administrator and are incorporated into this permit. *567 IAC 22.108 (1)"b"*
4. Unless specified as either "state enforceable only" or "local program enforceable only", all terms and conditions in the permit, including provisions to limit a source's potential to emit, are enforceable by the administrator and citizens under the Act. *567 IAC 22.108 (14)*
5. 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 the permit. *567 IAC 22.108 (9)"b"*
6. For applicable requirements with which the permittee is in compliance, the permittee shall continue to comply with such requirements. For applicable requirements that will become effective during the permit term, the permittee shall meet such requirements on a timely basis. *567 IAC 22.108(15)"c"*

G2. Permit Expiration

1. Except as provided in rule 567—22.104(455B), permit expiration terminates a source's right to operate unless a timely and complete application for renewal has been submitted in accordance with rule 567—22.105(455B). *567 IAC 22.116(2)*
2. To be considered timely, the owner, operator, or designated representative (where applicable) of each source required to obtain a Title V permit shall submit on forms or electronic format specified by the Department to the Air Quality Bureau, Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Rd, Suite #1, Windsor Heights, Iowa 50324, two copies (three if your facility is located in Linn or Polk county) of a complete permit application, at least 6 months but not more than 18 months prior to the date of permit expiration. An additional copy must also be sent to U.S. EPA Region VII, Attention: Chief of Air Permits, 11201 Renner Blvd., Lenexa, KS 66219. Additional copies to local programs or EPA are not required for application materials submitted through the electronic format specified by the Department. The application must include all emission points, emission units, air pollution control equipment, and monitoring devices at the facility. All emissions generating activities, including fugitive emissions, must be included. The definition of a complete application is as indicated in 567 IAC 22.105(2). *567 IAC 22.105*

G3. Certification Requirement for Title V Related Documents

Any application, report, compliance certification or other document submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. All certifications shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. *567 IAC 22.107 (4)*

G4. Annual Compliance Certification

By March 31 of each year, the permittee shall submit compliance certifications for the previous calendar year. The certifications shall include descriptions of means to monitor the compliance status of all emissions sources including emissions limitations, standards, and work practices in accordance with applicable requirements. The certification for a source shall include the identification of each term or condition of the permit that is the basis of the certification; the compliance status; whether compliance was continuous or intermittent; the method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with all applicable department rules. For sources determined not to be in compliance at the time of compliance certification, a compliance schedule shall be submitted which provides for periodic progress reports, dates for achieving activities, milestones, and an explanation of why any dates were missed and preventive or corrective measures. The compliance certification shall be submitted to the administrator, director, and the appropriate DNR Field office. *567 IAC 22.108 (15)"e"*

G5. Semi-Annual Monitoring Report

By March 31 and September 30 of each year, the permittee shall submit a report of any monitoring required under this permit for the 6 month periods of July 1 to December 31 and January 1 to June 30, respectively. All instances of deviations from permit requirements must be clearly identified in these reports, and the report must be signed by a responsible official, consistent with 567 IAC 22.107(4). The semi-annual monitoring report shall be submitted to the director and the appropriate DNR Field office. *567 IAC 22.108 (5)*

G6. Annual Fee

1. The permittee is required under subrule 567 IAC 22.106 to pay an annual fee based on the total tons of actual emissions of each regulated air pollutant. Beginning July 1, 1996, Title V operating permit fees will be paid on July 1 of each year. The fee shall be based on emissions for the previous calendar year.
2. The fee amount shall be calculated based on the first 4,000 tons of each regulated air pollutant emitted each year. The fee to be charged per ton of pollutant will be available from the department by June 1 of each year. The Responsible Official will be advised of any change in the annual fee per ton of pollutant.
3. The following forms shall be submitted annually by March 31 documenting actual emissions for the previous calendar year.
    a. Form 1.0 "Facility Identification";
    b. Form 4.0 "Emissions unit-actual operations and emissions" for each emission unit;
    c. Form 5.0 "Title V annual emissions summary/fee"; and
    d. Part 3 "Application certification."
4. The fee shall be submitted annually by July 1. The fee shall be submitted with the following forms:
    a. Form 1.0 "Facility Identification";
    b. Form 5.0 "Title V annual emissions summary/fee";
    c. Part 3 "Application certification."
5. If there are any changes to the emission calculation form, the department shall make revised forms available to the public by January 1. If revised forms are not available by January 1, forms from the previous year may be used and the year of emissions documented changed. The department shall calculate the total statewide Title V emissions for the prior calendar year and make this information available to the public no later than April 30 of each year.
6. Phase I acid rain affected units under section 404 of the Act shall not be required to pay a fee for emissions which occur during the years 1993 through 1999 inclusive.

7. The fee for a portable emissions unit or stationary source which operates both in Iowa and out of state shall be calculated only for emissions from the source while operating in Iowa.
8. Failure to pay the appropriate Title V fee represents cause for revocation of the Title V permit as indicated in 567 IAC 22.115(1)"d".

G7. Inspection of Premises, Records, Equipment, Methods and Discharges

Upon presentation of proper credentials and any other documents as may be required by law, the permittee shall allow the director or the director's authorized representative to:
1. Enter upon the permittee's premises where a Title V source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
4. Sample or monitor, at reasonable times, substances or parameters for the purpose of ensuring compliance with the permit or other applicable requirements. *567 IAC 22.108 (15)"b"*

G8. Duty to Provide Information

The permittee shall furnish to the director, within a reasonable time, any information that the director 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. Upon request, the permittee also shall furnish to the director copies of records required to be kept by the permit, or for information claimed to be confidential, the permittee shall furnish such records directly to the administrator of EPA along with a claim of confidentiality. *567 IAC 22.108 (9)"e"*

G9. General Maintenance and Repair Duties

The owner or operator of any air emission source or control equipment shall:
1. Maintain and operate the equipment or control equipment at all times in a manner consistent with good practice for minimizing emissions.
2. Remedy any cause of excess emissions in an expeditious manner.
3. Minimize the amount and duration of any excess emission to the maximum extent possible during periods of such emissions. These measures may include but not be limited to the use of clean fuels, production cutbacks, or the use of alternate process units or, in the case of utilities, purchase of electrical power until repairs are completed.
4. Schedule, at a minimum, routine maintenance of equipment or control equipment during periods of process shutdowns to the maximum extent possible. *567 IAC 24.2(1)*

G10. Recordkeeping Requirements for Compliance Monitoring

1. In addition to any source specific recordkeeping requirements contained in this permit, the permittee shall maintain the following compliance monitoring records, where applicable:
    a. The date, place and time of sampling or measurements
    b. The date the analyses were performed.
    c. The company or entity that performed the analyses.
    d. The analytical techniques or methods used.
    e. The results of such analyses; and
    f. The operating conditions as existing at the time of sampling or measurement.
    g. The records of quality assurance for continuous compliance monitoring systems (including but not limited to quality control activities, audits and calibration drifts.)
2. The permittee shall retain records of all required compliance monitoring data and support information for a period of at least 5 years from the date of compliance monitoring sample, measurement report or application. Support information includes all calibration and maintenance

records and all original strip chart recordings for continuous compliance monitoring, and copies of all reports required by the permit.

3. For any source which in its application identified reasonably anticipated alternative operating scenarios, the permittee shall:

a. Comply with all terms and conditions of this permit specific to each alternative scenario.

b. Maintain a log at the permitted facility of the scenario under which it is operating.

c. Consider the permit shield, if provided in this permit, to extend to all terms and conditions under each operating scenario. *567 IAC 22.108(4), 567 IAC 22.108(12)*

G11. Evidence used in establishing that a violation has or is occurring.

Notwithstanding any other provisions of these rules, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any provisions herein.

1. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at a source:

a. A monitoring method approved for the source and incorporated in an operating permit pursuant to 567 Chapter 22;

b. Compliance test methods specified in 567 Chapter 25; or

c. Testing or monitoring methods approved for the source in a construction permit issued pursuant to 567 Chapter 22.

2. The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:

a. Any monitoring or testing methods provided in these rules; or

b. Other testing, monitoring, or information gathering methods that produce information comparable to that produced by any method in subrule 21.5(1) or this subrule. *567 IAC 21.5(1)-567 IAC 21.5(2)*

G12. Prevention of Accidental Release: Risk Management Plan Notification and Compliance Certification

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Act, the permittee shall notify the department of this requirement. The plan shall be filed with all appropriate authorities by the deadline specified by EPA. A certification that this risk management plan is being properly implemented shall be included in the annual compliance certification of this permit. *567 IAC 22.108(6)*

G13. Hazardous Release

The permittee must report any situation involving the actual, imminent, or probable release of a hazardous substance into the atmosphere which, because of the quantity, strength and toxicity of the substance, creates an immediate or potential danger to the public health, safety or to the environment. A verbal report shall be made to the department at (515) 281-8694 and to the local police department or the office of the sheriff of the affected county as soon as possible but not later than six hours after the discovery or onset of the condition. This verbal report must be followed up with a written report as indicated in 567 IAC 131.2(2). *567 IAC Chapter 131-State Only*

G14. Excess Emissions and Excess Emissions Reporting Requirements

1. Excess Emissions. Excess emission during a period of startup, shutdown, or cleaning of control equipment is not a violation of the emission standard if the startup, shutdown or cleaning is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions. Cleaning of control equipment which does not require the shutdown of the process equipment shall be limited to one six-minute period per one-hour period. An incident of excess emission (other than an incident during startup, shutdown or cleaning of control equipment) is a violation. If the owner or operator of a source maintains that the incident of excess emission was

due to a malfunction, the owner or operator must show that the conditions which caused the incident of excess emission were not preventable by reasonable maintenance and control measures. Determination of any subsequent enforcement action will be made following review of this report. If excess emissions are occurring, either the control equipment causing the excess emission shall be repaired in an expeditious manner or the process generating the emissions shall be shutdown within a reasonable period of time. An expeditious manner is the time necessary to determine the cause of the excess emissions and to correct it within a reasonable period of time. A reasonable period of time is eight hours plus the period of time required to shut down the process without damaging the process equipment or control equipment. A variance from this subrule may be available as provided for in Iowa Code section 455B.143. In the case of an electric utility, a reasonable period of time is eight hours plus the period of time until comparable generating capacity is available to meet consumer demand with the affected unit out of service, unless, the director shall, upon investigation, reasonably determine that continued operation constitutes an unjustifiable environmental hazard and issue an order that such operation is not in the public interest and require a process shutdown to commence immediately.

2. Excess Emissions Reporting

a. Initial Reporting of Excess Emissions. An incident of excess emission (other than an incident of excess emission during a period of startup, shutdown, or cleaning) shall be reported to the appropriate field office of the department within eight hours of, or at the start of the first working day following the onset of the incident. The reporting exemption for an incident of excess emission during startup, shutdown or cleaning does not relieve the owner or operator of a source with continuous monitoring equipment of the obligation of submitting reports required in 567-subrule 25.1(6). An initial report of excess emission is not required for a source with operational continuous monitoring equipment (as specified in 567-subrule 25.1(1)) if the incident of excess emission continues for less than 30 minutes and does not exceed the applicable emission standard by more than 10 percent or the applicable visible emission standard by more than 10 percent opacity. The initial report may be made by electronic mail (E-mail), in person, or by telephone and shall include as a minimum the following:

i. The identity of the equipment or source operation from which the excess emission originated and the associated stack or emission point.

ii. The estimated quantity of the excess emission.

iii. The time and expected duration of the excess emission.

iv. The cause of the excess emission.

v. The steps being taken to remedy the excess emission.

vi. The steps being taken to limit the excess emission in the interim period.

b. Written Reporting of Excess Emissions. A written report of an incident of excess emission shall be submitted as a follow-up to all required initial reports to the department within seven days of the onset of the upset condition, and shall include as a minimum the following:

i. The identity of the equipment or source operation point from which the excess emission originated and the associated stack or emission point.

ii. The estimated quantity of the excess emission.

iii. The time and duration of the excess emission.

iv. The cause of the excess emission.

v. The steps that were taken to remedy and to prevent the recurrence of the incident of excess emission.

vi. The steps that were taken to limit the excess emission.
vii. If the owner claims that the excess emission was due to malfunction, documentation to support this claim. *567 IAC 24.1(1)-567 IAC 24.1(4)*

3. Emergency Defense for Excess Emissions. For the purposes of this permit, an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include non-compliance, to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation or operator error. An emergency constitutes an affirmative defense to an action brought for non-compliance with technology based limitations if it can be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
b. The facility at the time was being properly operated;
c. During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements of the permit; and
d. The permittee submitted notice of the emergency to the director by certified mail within two working days of the time when the emissions limitations were exceeded due to the emergency. This notice fulfills the requirement of paragraph 22.108(5)"b." – See G15. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof. This provision is in addition to any emergency or upset provision contained in any applicable requirement. *567 IAC 22.108(16)*

G15. Permit Deviation Reporting Requirements

A deviation is any failure to meet a term, condition or applicable requirement in the permit. Reporting requirements for deviations that result in a hazardous release or excess emissions have been indicated above (see G13 and G14). Unless more frequent deviation reporting is specified in the permit, any other deviation shall be documented in the semi-annual monitoring report and the annual compliance certification (see G4 and G5). *567 IAC 22.108(5)"b"*

G16. Notification Requirements for Sources That Become Subject to NSPS and NESHAP Regulations

During the term of this permit, the permittee must notify the department of any source that becomes subject to a standard or other requirement under 567-subrule 23.1(2) (standards of performance of new stationary sources) or section 111 of the Act; or 567-subrule 23.1(3) (emissions standards for hazardous air pollutants), 567-subrule 23.1(4) (emission standards for hazardous air pollutants for source categories) or section 112 of the Act. This notification shall be submitted in writing to the department pursuant to the notification requirements in 40 CFR Section 60.7, 40 CFR Section 61.07, and/or 40 CFR Section 63.9. *567 IAC 23.1(2), 567 IAC 23.1(3), 567 IAC 23.1(4)*

G17. Requirements for Making Changes to Emission Sources That Do Not Require Title V Permit Modification

1. Off Permit Changes to a Source. Pursuant to section 502(b)(10) of the CAAA, the permittee may make changes to this installation/facility without revising this permit if:

a. The changes are not major modifications under any provision of any program required by section 110 of the Act, modifications under section 111 of the act, modifications under

section 112 of the act, or major modifications as defined in 567 IAC Chapter 22.
b. The changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions);
c. The changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or as total emissions);
d. The changes are not subject to any requirement under Title IV of the Act (revisions affecting Title IV permitting are addressed in rules 567—22.140(455B) through 567 - 22.144(455B));.
e. The changes comply with all applicable requirements.
f. For each such change, the permitted source provides to the department and the administrator by certified mail, at least 30 days in advance of the proposed change, a written notification, including the following, which must be attached to the permit by the source, the department and the administrator:

i. A brief description of the change within the permitted facility,
ii. The date on which the change will occur,
iii. Any change in emission as a result of that change,
iv. The pollutants emitted subject to the emissions trade
v. If the emissions trading provisions of the state implementation plan are invoked, then Title V permit requirements with which the source shall comply; a description of how the emissions increases and decreases will comply with the terms and conditions of the Title V permit.
vi. A description of the trading of emissions increases and decreases for the purpose of complying with a federally enforceable emissions cap as specified in and in compliance with the Title V permit; and
vii. Any permit term or condition no longer applicable as a result of the change.
567 IAC 22.110(1)

2. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), record keeping, reporting, or compliance certification requirements. *567 IAC 22.110(2)*
3. Notwithstanding any other part of this rule, the director may, upon review of a notice, require a stationary source to apply for a Title V permit if the change does not meet the requirements of subrule 22.110(1). *567 IAC 22.110(3)*
4. The permit shield provided in subrule 22.108(18) shall not apply to any change made pursuant to this rule. Compliance with the permit requirements that the source will meet using the emissions trade shall be determined according to requirements of the state implementation plan authorizing the emissions trade. *567 IAC 22.110(4)*
5. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes, for changes that are provided for in this permit. *567 IAC 22.108(11)*

G18. Duty to Modify a Title V Permit

1. Administrative Amendment.

a. An administrative permit amendment is a permit revision that does any of the following:

i. Correct typographical errors
ii. Identify a change in the name, address, or telephone number of any person identified in the permit, or provides a similar minor administrative change at the source;

iii. Require more frequent monitoring or reporting by the permittee; or

iv. Allow for a change in ownership or operational control of a source where the director determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted to the director.

b. The permittee may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request. The request shall be submitted to the director.

c. Administrative amendments to portions of permits containing provisions pursuant to Title IV of the Act shall be governed by regulations promulgated by the administrator under Title IV of the Act.

2. Minor Title V Permit Modification.

a. Minor Title V permit modification procedures may be used only for those permit modifications that satisfy all of the following:

i. Do not violate any applicable requirement;

ii. Do not involve significant changes to existing monitoring, reporting or recordkeeping requirements in the Title V permit;

iii. Do not require or change a case by case determination of an emission limitation or other standard, or an increment analysis;

iv. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed in order to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include any federally enforceable emissions caps which the source would assume to avoid classification as a modification under any provision under Title I of the Act; and an alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Act;

v. Are not modifications under any provision of Title I of the Act; and

vi. Are not required to be processed as significant modification under rule 567 - 22.113(455B).

b. An application for minor permit revision shall be on the minor Title V modification application form and shall include at least the following:

i. A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

ii. The permittee's suggested draft permit;

iii. Certification by a responsible official, pursuant to 567 IAC 22.107(4), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and

iv. Completed forms to enable the department to notify the administrator and the affected states as required by 567 IAC 22.107(7).

c. The permittee may make the change proposed in its minor permit modification application immediately after it files the application. After the permittee makes this change and until the director takes any of the actions specified in 567 IAC 22.112(4) "a" to "c", the permittee must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time, the permittee need not comply with the existing permit terms and conditions it seeks to modify. However, if the permittee fails to

comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against the facility.

3. Significant Title V Permit Modification.

Significant Title V modification procedures shall be used for applications requesting Title V permit modifications that do not qualify as minor Title V modifications or as administrative amendments. These include but are not limited to all significant changes in monitoring permit terms, every relaxation of reporting or recordkeeping permit terms, and any change in the method of measuring compliance with existing requirements. Significant Title V modifications shall meet all requirements of 567 IAC Chapter 22, including those for applications, public participation, review by affected states, and review by the administrator, as those requirements that apply to Title V issuance and renewal.

The permittee shall submit an application for a significant permit modification not later than three months after commencing operation of the changed source unless the existing Title V permit would prohibit such construction or change in operation, in which event the operation of the changed source may not commence until the department revises the permit. *567 IAC 22.111-567 IAC 22.113*

G19. Duty to Obtain Construction Permits

Unless exempted in 567 IAC 22.1(2) or to meet the parameters established in 567 IAC 22.1(1)"c", the permittee shall not construct, install, reconstruct or alter any equipment, control equipment or anaerobic lagoon without first obtaining a construction permit, or conditional permit, or permit pursuant to rule 567 IAC 22.8, or permits required pursuant to rules 567 IAC 22.4, 567 IAC 22.5, 567 IAC 31.3, and 567 IAC 33.3 as required in 567 IAC 22.1(1). A permit shall be obtained prior to the initiation of construction, installation or alteration of any portion of the stationary source or anaerobic lagoon. *567 IAC 22.1(1)*

G20. Asbestos

The permittee shall comply with 567 IAC 23.1(3)"a", and 567 IAC 23.2(3)"g" when activities involve asbestos mills, surfacing of roadways, manufacturing operations, fabricating, insulating, waste disposal, spraying applications, demolition and renovation operations (*567 IAC 23.1(3)"a");* training fires and controlled burning of a demolished building *(567 IAC 23.2).*

G21. Open Burning

The permittee is prohibited from conducting open burning, except as provided in 567 IAC 23.2. *567 IAC 23.2 <u>except</u> 23.2(3)"j"; 567 IAC 23.2(3)"j" - State Only*

G22. Acid Rain (Title IV) Emissions Allowances

The permittee shall not exceed any allowances that it holds under Title IV of the Act or the regulations promulgated there under. Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide held by the owners and operators of the unit or the designated representative of the owners and operators is prohibited. Exceedences of applicable emission rates are prohibited. "Held" in this context refers to both those allowances assigned to the owners and operators by USEPA, and those allowances supplementally acquired by the owners and operators. The use of any allowance prior to the year for which it was allocated is prohibited. Contravention of any other provision of the permit is prohibited. *567 IAC 22.108(7)*

G23. Stratospheric Ozone and Climate Protection (Title VI) Requirements

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

a. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to § 82.106.

b. The placement of the required warning statement must comply with the requirements pursuant to § 82.108.

c. The form of the label bearing the required warning statement must comply with the requirements pursuant to § 82.110.

d. No person may modify, remove, or interfere with the required warning statement except as described in § 82.112.

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVACs in Subpart B:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161.

d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with reporting and recordkeeping requirements pursuant to § 82.166. ("MVAC-like appliance" as defined at § 82.152)

e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to § 82.156.

f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.

4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant,

5. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *40 CFR part 82*

G24. Permit Reopenings

1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. *567 IAC 22.108(9)"c"*

2. Additional applicable requirements under the Act become applicable to a major part 70 source with a remaining permit term of 3 or more years. Revisions shall be made as expeditiously as practicable, but not later than 18 months after the promulgation of such standards and regulations.

a. Reopening and revision on this ground is <u>not</u> required if the permit has a remaining term of less than three years;

b. Reopening and revision on this ground is not required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii) as amended to May 15, 2001.

c. Reopening and revision on this ground is not required if the additional applicable requirements are implemented in a general permit that is applicable to the source and the source receives approval for coverage under that general permit. *567 IAC 22.108(17)"a", 567 IAC 22.108(17)"b"*

3. A permit shall be reopened and revised under any of the following circumstances:

a. The department receives notice that the administrator has granted a petition for disapproval of a permit pursuant to 40 CFR 70.8(d) as amended to July 21, 1992, provided that the reopening may be stayed pending judicial review of that determination;

b. The department or the administrator determines that the Title V permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Title V permit;

c. Additional applicable requirements under the Act become applicable to a Title V source, provided that the reopening on this ground is not required if the permit has a remaining term of less than three years, the effective date of the requirement is later than the date on which the permit is due to expire, or the additional applicable requirements are implemented in a general permit that is applicable to the source and the source receives approval for coverage under that general permit. Such a reopening shall be complete not later than 18 months after promulgation of the applicable requirement.

d. Additional requirements, including excess emissions requirements, become applicable to a Title IV affected source under the acid rain program. Upon approval by the administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

e. The department or the administrator determines that the permit must be revised or revoked to ensure compliance by the source with the applicable requirements. *567 IAC 22.114(1)*

4. Proceedings to reopen and reissue a Title V permit shall follow the procedures applicable to initial permit issuance and shall effect only those parts of the permit for which cause to reopen exists. *567 IAC 22.114(2)*

5. A notice of intent shall be provided to the Title V source at least 30 days in advance of the date the permit is to be reopened, except that the director may provide a shorter time period in the case of an emergency. *567 IAC 22.114(3)*

G25. Permit Shield

1. The director may expressly include in a Title V permit a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

a. Such applicable requirements are included and are specifically identified in the permit; or

b. The director, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary thereof.

2. A Title V permit that does not expressly state that a permit shield exists shall be presumed not to provide such a shield.

3. A permit shield shall not alter or affect the following:

a. The provisions of Section 303 of the Act (emergency orders), including the authority of the administrator under that section;

b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

c. The applicable requirements of the acid rain program, consistent with Section 408(a) of the Act;

d. The ability of the department or the administrator to obtain information from the facility pursuant to Section 114 of the Act. *567 IAC 22.108 (18)*

G26. Severability

The provisions of this permit are severable and if any provision or application of any provision is found to be invalid by this department or a court of law, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected by such finding. *567 IAC 22.108 (8)*

G27. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. *567 IAC 22.108 (9)"d"*

G28. Transferability

This permit is not transferable from one source to another. If title to the facility or any part of it is transferred, an administrative amendment to the permit must be sought consistent with the requirements of 567 IAC 22.111(1). *567 IAC 22.111 (1)"d"*

G29. Disclaimer

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. *567 IAC 22.3(3)"c"*

G30. Notification and Reporting Requirements for Stack Tests or Monitor Certification

The permittee shall notify the department's stack test contact in writing not less than 30 days before a required test or performance evaluation of a continuous emission monitor is performed to determine compliance with applicable requirements of 567 – Chapter 23 or a permit condition. Such notice shall include the time, the place, the name of the person who will conduct the test and other information as required by the department. If the owner or operator does not provide timely notice to the department, the department shall not consider the test results or performance evaluation results to be a valid demonstration of compliance with applicable rules or permit conditions. Upon written request, the department may allow a notification period of less than 30 days. At the department’s request, a pretest meeting shall be held not later than 15 days prior to conducting the compliance demonstration. A testing protocol shall be submitted to the department no later than 15 days before the owner or operator conducts the compliance demonstration. A representative of the department shall be permitted to witness the tests. Results of the tests shall be submitted in writing to the department's stack test contact in the form of a comprehensive report within six weeks of the completion of the testing. Compliance tests conducted pursuant to this permit shall be conducted with the source operating in a normal manner at its maximum continuous output as rated by the equipment manufacturer, or the rate specified by the owner as the maximum production rate at which the source shall be operated. In cases where compliance is to be demonstrated at less than the maximum continuous output as rated by the equipment manufacturer, and it is the owner's intent to limit the capacity to that rating, the owner may submit evidence to the department that the source has been physically altered so that capacity cannot be exceeded, or the department may require

additional testing, continuous monitoring, reports of operating levels, or any other information deemed necessary by the department to determine whether such source is in compliance.
Stack test notifications, reports and correspondence shall be sent to:

Stack Test Review Coordinator
Iowa DNR, Air Quality Bureau
7900 Hickman Road, Suite #1
Windsor Heights, IA 50324
(515) 725-9545

Within Polk and Linn Counties, stack test notifications, reports and correspondence shall also be directed to the supervisor of the respective county air pollution program.
567 IAC 25.1(7)"a", 567 IAC 25.1(9)

G31. Prevention of Air Pollution Emergency Episodes

The permittee shall comply with the provisions of 567 IAC Chapter 26 in the prevention of excessive build-up of air contaminants during air pollution episodes, thereby preventing the occurrence of an emergency due to the effects of these contaminants on the health of persons. *567 IAC 26.1(1)*

G32. Contacts List

The current address and phone number for reports and notifications to the EPA administrator is:

Chief of Air Permits
U.S. EPA Region 7
Air Permits and Compliance Branch
11201 Renner Blvd.
Lenexa, KS 66219
(913) 551-7020

The current address and phone number for reports and notifications to the department or the Director is:

Chief, Air Quality Bureau
Iowa Department of Natural Resources
7900 Hickman Road, Suite #1
Windsor Heights, IA 50324
(515) 725-9500

Reports or notifications to the DNR Field Offices or local programs shall be directed to the supervisor at the appropriate field office or local program. Current addresses and phone numbers are:

Field Office 1
909 West Main – Suite 4
Manchester, IA 52057
(563) 927-2640

Field Office 2
2300-15th St., SW
Mason City, IA 50401
(641) 424-4073

Field Office 3
1900 N. Grand Ave.
Spencer, IA 51301
(712) 262-4177

Field Office 4
1401 Sunnyside Lane
Atlantic, IA 50022
(712) 243-1934

Field Office 5
7900 Hickman Road, Suite #200
Windsor Heights, IA 50324
(515) 725-0268

Field Office 6
1023 West Madison Street
Washington, IA 52353-1623
(319) 653-2135

Polk County Public Works Dept.
Air Quality Division
5885 NE 14th St.
Des Moines, IA 50313
(515) 286-3351

Linn County Public Health
Air Quality Branch
501 13th St., NW
Cedar Rapids, IA 52405
(319) 892-6000

V. Appendix

Appendix A: Links to Standards

A. 40 CFR Part 60 Subpart A-*General Provisions*
http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div6&view=text&node=40:7.0.1.1.1.1

B. 40 CFR Part 60 Subpart GG – Standard Performance for *Stationary Gas Turbines*
http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.7.60.gg

C. 40 CFR Part 60 Subpart IIII – Standard Performance for *Stationary Compression Ignition Internal Combustion Engines*
http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.7.60.iiii

D. 40 CFR Part 63 Subpart A – *General Provisions*
http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.10.63.a

E. 40 CFR Part 63 Subpart ZZZZ – Standard Performance for *Stationary Reciprocating Internal Combustion Engines*
http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.15.63.zzzz

Appendix B: EPA Approved Waiver of Specific Requirements under 40 CFR 60 Subpart GG

05-04-002
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

APR 23 2004

Raymond J. Wahle
Director, Power Supply and Operations
Missouri River Energy Services
3725 West Avera Drive
P.O. Box 88920
Sioux Falls, SD 57109-8920

RE: Missouri River Energy Services Request for Waiver of Specified Requirements Under 40 CFR 60 Subpart GG. Western Minnesota Municipal Power Agency, Exira Station in Brayton, Iowa, Air Quality Permits Numbers 03-A-617 and 03-A-618

Dear Mr. Wahle:

On March 2, 2004, Missouri River Energy Services, Western Minnesota Municipal Power Agency (WMMPA), Exira Station in Brayton, Iowa, (Exira) requested relief from several monitoring and testing requirements under the New Source Performance Standards, Subparts GG for two LM 6000 simple cycle turbines located at the Exira plant.

Exira operates two GE LM6000 simple cycle combustion turbines which are rated nominally at 45 MWe (gross) each. Each turbine is a stand alone system. Each turbine may operate unlimited hours on natural gas, less than 800 hours in any calender year on #2 fuel oil with a sulfur content less than $0.05\%_w$.

In brief, Exira requested:

1) a waiver from the Subpart GG requirement to determine gaseous fuel sulfur content on a daily basis;

2) a waiver from the Subpart GG requirement to determine the fuel-bound nitrogen content of oil or gaseous fuels;

3) a waiver from the requirement to demonstrate initial compliance of SO2 emissions according to Method 20 as described in Subpart GG;

4) a waiver from the requirement to demonstrate initial compliance of NO_x emissions while operating on oil as required under Subpart GG;

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5) a waiver from the requirement to demonstrate initial compliance of NOx emissions at the four load points by 40 CFR 60.335 (c)(2) and (3); and

6) a waiver from the requirement to use Method 20 for the initial Subpart GG tests and instead use Method 7E for the reference method.

Your request for 1 above is hereby approved for reduced fuel sampling for natural gas and very low sulfur oil containing 0.05% sulfur or less. Your request for 2 above is hereby granted as long as you agree not to use the fuel-bound nitrogen credit in Subpart GG. Your request for 3 above is hereby granted as long as only natural gas, pipeline natural gas and very low sulfur oil containing 0.05% sulfur or less. Your request for 4 above is hereby granted as long as the facility remains consistent with the requirements below. Your request for 5 above is hereby granted. Your request for 6 above is hereby granted. All of these above 6 waivers are contingent upon the source remaining consistent with those requirements below and Appendix A.

Custom Fuel Monitoring Schedule

NSPS Subpart GG requires the owner or operator of any stationary gas turbine to monitor the sulfur and nitrogen content of all fuels fired in the turbine. For bulk storage fuels, sampling and analysis occurs each time new fuel is added to the storage tank. For fuels without bulk storage, sampling and analysis is required daily. Nitrogen sampling under NSPS Subpart GG is designed to measure the fuel-bound nitrogen content which can then be used to make an upward adjustment to NO_x emission limitation. For sources that do not seek to use the fuel-bound nitrogen credit, it is unnecessary to perform rigorous sampling and analysis to determine the daily fuel-nitrogen concentrations. Because the NO_x emission limitations in the permit are much more conservative than those in Subpart GG, Missouri River Energy Services, Exira Station suggests that it is unlikely that they will want or need to make use of the fuel-bound nitrogen credit to demonstrate compliance with NSPS Subpart GG. As a result, it is unnecessary at this time to require any nitrogen sampling of the natural gas or fuel oil.

Under the approved permit, Missouri River Energy Services, Exira Station is allowed to burn pipeline grade natural gas in all the turbine units along with limited quantities of very low sulfur fuel oil. The turbines will be subject to the Part 75 acid rain program monitoring requirements and must install the appropriate equipment to measure and account for all SO_2 and NO_x emissions. Under Part 75, a turbine may elect to use fuel measurement along with sampling and analysis to quantify SO_2 emissions in lieu of a CEMS. These procedures, found in 40 CFR Part 75, Appendix D, establish quality assurance specification for the fuel measurement devices along with a schedule for sampling and analyzing various fuels. In general, these procedures, taken together, create a record that is sufficient to document whether a source is in compliance with the fuel sulfur specifications under Subpart GG.

For specific details on the custom fuel schedule approved for the Missouri River Energy Services, Exira Station, see Appendix A.

Variance From Specified Subpart GG Testing Points & Initial Demonstration of Compliance with NSPS Subpart GG

Under 40 CFR §60.8(a), an affected source must demonstrate initial compliance with the applicable emission limitations within 60 days after achieving the maximum production rate but in no case later than 180 days after initial startup. Turbines subject to NSPS Subpart GG must demonstrate initial compliance within the time line above using Reference Method 20. In brief, Subpart GG requires each owner or operator to perform the reference method at four generating loads to adequately characterize the emissions over the full range of operation. Simultaneously, the affected source is required to record information on the water-to-fuel ratio, using the equipment specified in 40 CFR §60.334(a), to create a parametric curve that is then used as an indicator that turbine NO_x emissions are within a range similar to those documented during the initial performance test.

Missouri River Energy Services, Exira Station will install and operate a Part 75 NO_x CEMS on each turbine. The testing procedures to certify the CEMS are nearly identical to those used for Reference Method 20, except that the CEMS performance is demonstrated at only one load level. Based on prior determinations made by Region 7 and other EPA regions, we have concluded consistent with 40 CFR §60.8(b)(4), that the Reference Method 20 tests at four different loads may be waived on the premise that data collected during the Part 75 CEMS performance tests are sufficient for the purpose of demonstrating initial compliance with the NSPS Subpart GG requirements. Further, since a certified CEMS can provide quality assured emissions data over the whole range of turbine operations, it is not necessary for an affected unit to conduct Subpart GG performance tests at the four operating loads specified in NSPS Subpart GG. Additionally, since part 75 utilizes Method 7E reference method for the certification tests, Method 7E is appropriate in lieu of Method 20.

To address concerns about the potential for emission stratification in the stack -- inherent with turbines and recognized in the Reference Method 20 sampling protocol -- Region 7 requires a stratification analysis to assure that any sampling occurs at locations in the stack that result in the highest NO_x readings. The stratification analysis is consistent with the sampling requirements recently promulgated in Part 75, Appendix A. For specific details on how to demonstrate initial compliance with NSPS Subpart GG using the NO_x CEMS, see Appendix A.

Ongoing Demonstration of Compliance with NSPS Subpart GG

Under NSPS Subpart GG, §60.334(a), any affected unit with a water injection system is required to install and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine. When subsequent measurements are compared to the water-to-fuel curve developed during the initial performance

test, the source and air pollution control agencies can use the data to determine whether a turbine continues to operate under the same performance conditions as those documented during the initial and any subsequent compliance tests; thus indicating ongoing compliance with the NO_x standard. Any deviations from the parameter ranges established during the initial performance test form the basis for excess emission reporting under 60.334(c)(1).

By using a NO_x CEMS, certified in accordance with 40 CFR Part 75, in lieu of parameter measurements, Missouri River Energy Services, Exira Station will be able to directly compare the measured NO_x data against the Subpart GG standard. Because of the rigorous quality assurance and quality control standards under Part 75, the NO_x CEMS data serve as evidence of direct compliance with the Subpart GG standard over all operating ranges. Since the NO_x CEMS is expected to provide direct, relevant emissions data, it is hereby approved, pursuant to §60.13(i), as an alternative monitoring system to the Subpart GG parametric monitoring system. For the purpose of excess emission reporting, Missouri River Energy Services, Exira Station will use ISO-corrected NO_x concentration information reported by the CEMS.

For specific details on how to use the CEMS to report excess emissions for the purpose of NSPS Subpart GG, see Appendix A.

General Disclaimer

This approval does not change or otherwise supercede any conditions prescribed in any permit issued by the Iowa Department of Natural Resources (IDNR). To the extent this test waiver and alternative monitoring approval is incompatible or conflicts with any of the permits issued by IDNR, we recommend that you work with the state agency either to modify the permit accordingly or seek assurance that this agreement is an acceptable alternative to the testing and monitoring conditions found in the permit.

If you have any questions concerning the details of this approval, please contact Scott Postma at 913-551-7048.

Sincerely,

JoAnn M. Heiman
Acting Chief
Air Permitting and Compliance Branch

cc: Dave Phelps
Iowa Department of Natural resources

Appendix A

Approval of Alternative Monitoring and Test Waiver for
Missouri River Energy Services, Exira Station
While Operating in Simple Cycle Mode

Custom Fuel Monitoring Schedule

Sulfur Monitoring... while operating on natural gas

Pursuant to 40 CFR §60.13(i), EPA Region 7 approves the sampling and analysis procedures found in 40 CFR Part 75, Appendix D, Sections 2.3.1.4, 2.3.2.4, and 2.3.3.1 as an alternative to the natural gas monitoring and sulfur fuel sampling and analysis requirements of NSPS Subpart GG, subject to the following conditions:

1) Missouri River Energy Services, Exira shall submit an excess emissions report to the Iowa Department of Natural Resources consistent with the format and schedule described in 40 CFR §60.7(d).

Consistent with prior custom fuel monitoring schedule approvals found on EPA's Applicability Determinations Index [see http://cfpub.epa.gov/adi/], Missouri River Energy Services, Exira Station may, at its option, also use the length of stain tube method (GPA Standard 2377-86) for the purpose of demonstrating that the sulfur content of the fuel is below the NSPS Subpart GG limit of $0.8\%_w$.

Sulfur Monitoring... while operating on very low sulfur distillate oil

Pursuant to 40 CFR §60.13(i), EPA Region 7 approves any of the sampling and analysis procedures found in 40 CFR Part 75, Appendix D, Section 2.2 as an alternative to the fuel oil monitoring and sulfur fuel sampling and analysis requirements of NSPS Subpart GG.

Sulfur... Excess Emission Reporting

Missouri River Energy Services, Exira Station shall submit an excess emissions report to the Iowa Department of Natural resources (IDNR) consistent with the format and schedule described in 40 CFR §60.7(d). Since sulfur emissions from both the pipeline grade natural gas and low sulfur diesel fuel are expected to be at least an order of magnitude less than the NSPS Subpart GG fuel sulfur standards, Missouri River Energy Services, Exira Station may submit the streamlined excess emission report provided for in §60.7(c)(4) and §60.7(d)(1).

Nitrogen Monitoring

Pursuant to 40 CFR §60.13(i), Missouri River Energy Services, Exira Station shall not be required to sample the nitrogen content of the fuel, as long as the following conditions are met:

1) As described in its February 25, 2004, request, Missouri River Energy Services, Exira Station agrees to accept a value of zero ("0") for the fuel-bound nitrogen credit. As a result, no nitrogen sampling and analysis of the fuel is required.

2) If Missouri River Energy Services, Exira Station seeks credit for fuel-bound nitrogen at some future time, then they shall sample and analyze the nitrogen concentration in the fuel each day. However, this approval in no way limits Missouri River Energy Services, Exira Station's opportunity to pursue EPA approval of a custom fuel schedule for a reduced nitrogen sampling and analysis frequency under 40 CFR §60.334(b)(2) at that time.

3) For your protection and as a courtesy to the agency responsible for reviewing the excess emission reports, we suggest that Missouri River Energy Services, Exira Station add a statement to each report reaffirming that no nitrogen sampling was performed pursuant to the agreement described herein.

Initial Demonstration of Compliance with NSPS Subpart GG

Pursuant to 40 CFR §60.8(b)(4) and subject to the following conditions, Region 7 hereby waives the Reference Method 20 test required by NSPS Subpart GG. In its place, Missouri River Energy Services, Exira Station may substitute the Part 75 NO_x and diluent CEMS certification procedures for the purpose of demonstrating initial compliance with NSPS Subparts GG.

1) Missouri River Energy Services, Exira Station shall successfully complete the Part 75 NO_x and diluent CEMS certification tests so that the data are, at a minimum, conditionally certified prior to the testing deadlines outlined in 40 CFR §60.8(a) or Part 75, whichever date is earlier.

2) Prior to the start of Part 75 CEM certification testing, Missouri River Energy Services, Exira Station shall perform a stratification test for NO_x and diluent pursuant to the procedures specified in 40 CFR Part 75, Appendix A, Section 6.5.6.1(a) through (e). Once the stratification sampling is completed, Missouri River Energy Services, Exira Station shall analyze the data using the procedures in Section 6.5.6.3 (a) and (c) to determine if subsequent RATA testing will occur along a short or long reference method measurement line. The short or long reference method measurement line, as determined above, will serve in lieu of the sampling points usually required by Reference Method 20. In no case shall the RATA be based on fewer than three sample points as specified in 40 CFR Part 60, Appendix B, Performance Specification 2, Section 3.2.

3) Reference method data collected during the Part 75 CEMS certification testing, or certified data collected by the CEMS subsequent to the RATA may be used to demonstrate initial compliance with the Subpart GG NO_x emission limitation. These data shall be ISO-corrected for the purpose of demonstrating initial compliance.

4) The permits issued to the Missouri River Energy Services, Exira Station limits each simple cycle turbine to the use of only pipeline grade natural gas or very low sulfur fuel oil (<0.05%$_w$ sulfur), the SO_2 measurement requirements under 40 CFR Part 60, Appendix A, Reference Method 20, Section 6.3 are waived pursuant to 40 CFR §60.8(b)(4).

5) Initial compliance with NSPS Subpart GG shall be demonstrated for each turbine in accordance with the deadlines described in 40 CFR §60.8(a). Each turbine and associated fuel type will have its own demonstration period (e.g. Unit 1-gas, Unit 1-oil), each period commencing when the primary or backup fuel is first fired.

Ongoing Demonstration of Compliance with NSPS Subpart GG

Pursuant to 40 CFR §60.13(i), EPA hereby approves the use of a NO_x CEMS in lieu of the water-to-fuel monitoring system, subject to the following conditions:

1) Missouri River Energy Services, Exira Station shall install, operate, maintain, and quality assure a NO_x and diluent CEMS, pursuant to 40 CFR Part 75, for each turbine.

2) Missouri River Energy Services, Exira Station shall calculate and record an ISO-corrected NO_x emission rate each hour using the equation in 40 CFR §60.335(c)(1). If CO_2 is used as the diluent, then the NO_x concentration shall be corrected to an O_2 basis using the appropriate equations in 40 CFR Part 60, Appendix A, Reference Method 20, Section 7.

3) As an alternative to calculating and recording an ISO-corrected NO_x emission rate for each hour, Missouri River Energy Services, Exira Station may perform a "worst case" ISO calculation, using the equation in §60.335(c)(1) to back calculate an observed NO_x concentration (NO_{xo}) at which the corresponding ISO corrected NO_x rate (NO_x) would exceed the Subpart GG standard. For the purpose of this calculation, Missouri River Energy Services, Exira Station should substitute the <u>maximum</u> humidity of ambient air (H_o), <u>minimum</u> ambient temperature (T_a), and <u>minimum</u> combustor inlet absolute pressure (P_o) into the ISO adjustment equation.

4) Missouri River Energy Services, Exira Station shall submit an excess emissions report to the IDNR Air Program consistent with the content found in 40 CFR §60.334(c) and the format and schedule described in 40 CFR §60.7(d). In place of §60.334(c)(1), Missouri River Energy Services, Exira Station shall report each period during which 1) the ISO-

corrected NO_x data exceed the applicable NSPS Subpart GG NO_x emission limitation if Paragraph 2 above is used, or 2) the diluent-corrected NOx concentration data exceed the "worst case" non-ISO corrected NO_x concentration if Paragraph 3 above is used. The excess emissions analysis shall be based on Part 75 "bias corrected" NO_x and diluent concentration data, averaged over each 3-hour period (arithmetic average of three contiguous one hour periods), but shall exclude any data substituted by the Part 75 "missing data" routines.

[End of Conditions]

Western Minnesota municipal power agency
25 NW 2nd Street, Suite 102, Ortonville, MN 56278
Telephone: 320/839-2549

Affiliated with
MISSOURI RIVER ENERGY SERVICES®
3724 West Avera Drive, PO Box 88920, Sioux Falls, SD 57109-8920
Telephone: 605/338-4042

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05-04-002
CWD

February 25, 2004

Ms. Joann Heiman
Branch Chief of Air Permitting and Compliance
EPA Region 7
901 North 5th Street
Kansas City, KS 66101

Re: Request for Waiver of Specified Requirements Under 40 CFR 60 Subpart GG. WMMPA Exira Station IDNR Air Quality Permit Numbers 03-A-617 and 03-A-618

The Exira Station, located in Brayton, Iowa, is nearing the completion of the construction of the combustion turbine units authorized by the Iowa Department of Natural Resources (IDNR) Air Quality Construction Permits 03-A-617 and 03-A-618 (air quality permits) issued June 20, 2003. Emissions compliance and continuous emissions monitoring system certification tests are tentatively scheduled for the week of April 19, 2004. Western Minnesota Municipal Power Agency (WMMPA) is submitting this letter to request approval of alternatives for initial compliance testing and fuel monitoring for the two LM6000 generating units, nominally rated at 45 MW each, that will be primarily used for peaking purposes. Because the affected emissions units at the Exira Station are subject to somewhat overlapping compliance requirements under the air quality permits, the New Source Performance Standards under 40 CFR 60 Subpart GG, and the Acid Rain Program under 40 CFR 75, WMMPA respectfully requests that EPA Region 7 authorize the alternative provisions and waivers for the Exira Station listed below. Based on the WMMPA inquiries with EPA Region 7, WMMPA is of the understanding that similar requests for alternative provisions and waivers of the requirements of 40 CFR 60 Subpart GG have been granted in Region 7 in the past.

Fuel Monitoring

Pursuant to the fuel monitoring requirements under 40 CFR 60.334(b) and 335(e), WMMPA requests the following:

1. A waiver from the requirement to determine gaseous fuel sulfur content on a daily basis.
   - Proposed Alternative
     - Gaseous fuel sulfur content will be monitored and demonstrated pursuant to the requirements of 40 CFR 75 Appendix D Section 2.3.1.4 (for pipeline natural gas) or 2.3.2.4 (for natural gas).

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Fuel used at the Exira Station will be demonstrated to meet the definitions of pipeline natural gas or natural gas in 40 CFR 72.2.

2. A waiver from the requirement to determine the fuel-bound nitrogen content of oil or gaseous fuels.
   - Proposal Alternative
     - The combustion turbine units will be equipped with a CEMS that will measure and record NO_x and O_2 exhaust emissions over the range of operation on either oil or gas. The CEMS will be certified and maintained according to the performance specifications of 40 CFR 75 Appendix A and B.
     - Additionally, WMMPA intends to demonstrate compliance with the NO_x standard without using the allowance for fuel-bound nitrogen provided in 40 CFR 60.332.

Initial Compliance Demonstration

Pursuant to the requirements of Test Methods and Procedures under 40 CFR 60.335 and the Performance Tests under 40 CFR 60.8, WMMPA requests the following:

1. A waiver from the requirement to demonstrate initial compliance of SO_2 emissions according to Method 20 as described under 40 CFR 60.335(c)(3).
   - Proposed Alternative
     - The standards for sulfur dioxide emissions will be determined through fuel monitoring as described above and in 40 CFR 60.334.
2. A waiver from the requirement to demonstrate initial compliance of NO_x emissions while operating on oil as described under 40 CFR60.335(c).
   - Proposed Alternative
     - Oil will only be used as a backup source of fuel at the Exira Station. Pursuant to the air quality permits, compliance testing must be performed on one of the units if Unit 1 and Unit 2 operate on oil for a total of 800 hours or more during any calendar year. If Unit 1 and Unit 2 operate for a total of 800 hours or more in any calendar year, oil testing on one of the units will be performed. Additionally, each unit will be equipped with a certified CEMS capable of monitoring and recording NO_x and O_2 emissions while burning oil.
3. A waiver from the requirement to demonstrate initial compliance of NO_x emissions at the four load points specified by 40 CFR60.335(c)(2) and (3).
   - Proposed Alternative
     - Pursuant to the requirements of the air quality permits, NO_x emissions compliance will be demonstrated for each unit firing gas at or near base load utilizing either Method 20 or Method 7E results during the relative accuracy test audit for the 40 CFR 75

CEMS certification. Therefore, the NO_x standard will be demonstrated from the average of 9 to 12 test runs of at least 21 minutes each.

- Rather than performing emissions testing at three additional loads, each combustion turbine unit will be equipped with a NO_x and O_2 CEMS, certified and maintained according to the performance specifications of 40 CFR 75 Appendix A and B, capable of making valid measurements over the range of operation.

WMMPA is currently in the process of drafting a test protocol for an appropriate test program, and will soon be forwarding the protocol to IDNR for approval. Based on these plans, and the planned testing schedule of April 19, 2004, WMMPA would appreciate your expeditious review and reply to this request.

If you have any questions, please call me at (605) 330-6963.

Sincerely,

Raymond J. Wahle

Raymond J. Wahle
Director, Power Supply and Operations
Missouri River Energy Services

c: D. Keegel, MRES
L. Crowser, MRES
IDNR
TRC Environmental
Ivan Clark, R.W. Beck
Brian Nelson, R.W. Beck

Appendix C: Phase II Acid Rain Permit

AIR QUALITY BUREAU
7900 Hickman Rd., Suite 1
Windsor Heights, IA 50324

Phase II Acid Rain Permit

Issued to:	Exira Station
Operated by:	Western Minnesota Municipal Power Agency
ORIS code:	56013
Effective:	May 2, 2017 through May 1, 2022

For the Director of the Department of Natural Resources

Lori Hanson 5/2/17

Lori Hanson, Supervisor of Operating Permits Section Date

Acid Rain Permit comprises the following:

1) Statement of Basis.

2) SO_2 allowances allocated under this permit for each affected unit.

3) Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements or conditions.

4) The permit application submitted for this source, as corrected by the Iowa Department of Natural Resources (IDNR), Air Quality Bureau, Operating Permit Section. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

1) Statement of Basis

Statutory and Regulatory Authorities: In accordance with Iowa Code paragraph 455B.133[8"a"], and Titles IV and V of the Clean Air Act, the Iowa Department of Natural Resources (IDNR), Air Quality Bureau, Operating Permit Section issues this permit pursuant to 567 Iowa Administrative Code (IAC) 22.135(455B) to 22.145(455B) and 567 IAC 22.100(455B) to 22.116(455B). The compliance options are approved as proposed in the attached application.

2) SO_2 Allowance Allocations for each affected unit

		2017	2018	2019	2020	2021	2022
Unit U-1	SO_2 allowances, under Table 2 of 40 CFR part 73.	0*	0*	0*	0*	0*	0*

		2017	2018	2019	2020	2021	2022
Unit U-2	SO_2 allowances, under Table 2 of 40 CFR part 73.	0*	0*	0*	0*	0*	0*

		2017	2018	2019	2020	2021	2022
Unit U-3	SO_2 allowances, under Table 2 of 40 CFR part 73.	0*	0*	0*	0*	0*	0*

* The number of allowances allocated to Phase II affected units by U.S. EPA in 40 CFR part 73 Table 2 (Revised May 12, 2005). In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitate a revision to the unit SO_2 allowance allocations identified in this permit (See 40 CFR 72.84).

3) Comments, Notes and Justifications:

Renewal #3 of the Phase II SO_2 permit.

4) Permit Application: Attached.

Appendix D: Cross State Air Pollution Rule (CSAPR) aka Transport Rule (TR)

Transport Rule (TR) Trading Program Title V Requirements

Description of TR Monitoring Provisions

The TR subject unit(s), and the unit-specific monitoring provisions at this source, are identified in the following table(s). These unit(s) are subject to the requirements for the TR NO_X Annual Trading Program, TR NO_X Ozone Season Trading Program and TR SO_2 Group 1 Trading Program.

Unit ID: U-1 (ORIS Code: 56013) Western Minnesota Municipal Power Agency - Exira Station					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO_2		X	----------		
NO_X	X	----------			
Heat input		X	----------		

Unit ID: U-2 (ORIS Code: 56013) Western Minnesota Municipal Power Agency - Exira Station					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO_2		X	----------		
NO_X	X	----------			
Heat input		X	----------		

Unit ID: U-3 (ORIS Code: 56013) Western Minnesota Municipal Power Agency - Exira Station					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO_2		X	----------		
NO_X	X	----------			
Heat input		X	----------		

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (TR NO_X Annual Trading Program), 97.530 through 97.535 (TR NO_X Ozone Season Trading Program), and 97.630 through 97.635 (TR SO_2 Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.

2. Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at http://www.epa.gov/airmarkets/emissions/monitoringplans.html.

3. Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR part 75, subpart E and 40 CFR 75.66 and 97.435 (TR NO_X Annual Trading Program), 97.535 (TR NO_X Ozone Season Trading Program) and/or 97.635 (TR SO_2 Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

4. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (TR NO_X Annual Trading Program), 97.530 through 97.534 (TR NO_X Ozone Season Trading Program) and/or 97.630 through 97.634 (TR SO_2 Group 1 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (TR NO_X Annual Trading Program), 97.535 (TR NO_X Ozone Season Trading Program) and/or 97.635 (TR SO_2 Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (TR NO_X Annual Trading Program), 97.530 through 97.534 (TR NO_X Ozone Season Trading Program) and 97.630 through 97.634 (TR SO_2 Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add to or change this unit's monitoring system description.

TR NO_X Annual Trading Program requirements (40 CFR 97.406)

(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 40 CFR 97.413 through 97.418.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NO_X Annual source and each TR NO_X Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of TR NO_X Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the TR NO_X Annual emissions limitation and assurance provisions under paragraph (c) below, 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 40 CFR 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) TR 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 TR NO_X Annual source and each TR NO_X Annual unit at the source shall hold, in the source's compliance account, TR NO_X Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NO_X emissions for such control period from all TR NO_X Annual units at the source.

(ii). If total NO_X emissions during a control period in a given year from the TR NO_X Annual units at a TR NO_X Annual source are in excess of the TR NO_X Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR NO_X Annual unit at the source shall hold the TR NO_X Annual allowances required for deduction under 40 CFR 97.424(d); and

(B). The owners and operators of the source and each TR 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 40 CFR part 97, subpart AAAAA and the Clean Air Act.

(2) TR NO_X Annual assurance provisions.

(i). If total NO_X emissions during a control period in a given year from all TR NO_X Annual units at TR NO_X Annual sources in the 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 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) TR NO_X Annual allowances available for deduction for such control period under 40 CFR 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 40 CFR 97.425(b), of multiplying— (A) The quotient of the amount by which the common designated representative's share of such NO_X 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 for such control period, by which each common designated representative's share of such NO_X emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total NO_X emissions from all TR NO_X Annual units at TR NO_X Annual sources in the state for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the TR NO_X Annual allowances required under paragraph (c)(2)(i) above, 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 such control period.

(iii). Total NO_X emissions from all TR NO_X Annual units at TR NO_X Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO_X emissions exceed the sum, for such control period, of the state NO_X Annual trading budget under 40 CFR 97.410(a) and the state's variability limit under 40 CFR 97.410(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart AAAAA or of the Clean Air Act if total NO_X emissions from all TR NO_X Annual units at TR NO_X Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO_X emissions from the TR NO_X Annual units at TR NO_X Annual sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold TR NO_X Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

(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 TR NO_X Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act.

(3) Compliance periods.

(i). A TR NO_X Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.

(ii). A TR NO_X Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting

the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

(i). A TR NO_X Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO_X Annual allowance that was allocated for such control period or a control period in a prior year.

(ii). A TR NO_X Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO_X Annual allowance that was allocated 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 TR NO_X Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart AAAAA.

(6) Limited authorization. A TR NO_X Annual allowance is a limited authorization to emit one ton of NO_X 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 TR NO_X Annual Trading Program; and

(ii). Notwithstanding any other provision of 40 CFR part 97, 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 TR NO_X Annual allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO_X Annual allowances in accordance with 40 CFR part 97, subpart AAAAA.

(2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.406(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NO_X Annual source and each TR NO_X 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 40 CFR 97.416 for the designated representative for the source and each TR NO_X 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 40 CFR 97.416 changing the designated representative.

(ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart AAAAA.

(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 TR NO_X Annual Trading Program.

(2) The designated representative of a TR NO_X Annual source and each TR NO_X Annual unit at the source shall make all submissions required under the TR NO_X Annual Trading Program, except as provided in 40 CFR 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 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the TR NO_X Annual Trading Program that applies to a TR NO_X Annual source or the designated representative of a TR NO_X Annual source shall also apply to the owners and operators of such source and of the TR NO_X Annual units at the source.

(2) Any provision of the TR NO_X Annual Trading Program that applies to a TR NO_X Annual unit or the designated representative of a TR NO_X Annual unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the TR NO_X Annual Trading Program or exemption under 40 CFR 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NO_X Annual source or TR NO_X Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

<u>TR NO_X Ozone Season Trading Program Requirements (40 CFR 97.506)</u>

(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 40 CFR 97.513 through 97.518.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.530 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.531 (initial monitoring system certification and recertification procedures), 97.532 (monitoring system out-of-control periods), 97.533 (notifications concerning monitoring), 97.534 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.535 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.530 through 97.535 shall be used to calculate allocations of TR NO_X Ozone Season allowances under 40 CFR 97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NO_X Ozone Season emissions limitation and assurance provisions under paragraph (c) below, 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 40 CFR 97.530 through 97.535 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) TR NO_X Ozone Season emissions limitation.

(i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall hold, in the source's compliance account, TR NO_X Ozone Season allowances available for deduction for such control period under 40 CFR 97.524(a) in an amount not less than the tons of total NO_X emissions for such control period from all TR NO_X Ozone Season units at the source.

(ii). If total NO_X emissions during a control period in a given year from the TR NO_X Ozone Season units at a TR NO_X Ozone Season source are in excess of the TR NO_X Ozone Season emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR NO_X Ozone Season unit at the source shall hold the TR NO_X Ozone Season allowances required for deduction under 40 CFR 97.524(d); and

(B). The owners and operators of the source and each TR NO_X Ozone Season 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 40 CFR part 97, subpart BBBBB and the Clean Air Act.

(2) TR NO_X Ozone Season assurance provisions.

(i). If total NO_X emissions during a control period in a given year from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the 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 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) TR NO_X Ozone Season allowances available for deduction for such control period under 40 CFR 97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.525(b), of multiplying—

(A). The quotient of the amount by which the common designated representative's share of such NO_X 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 for such control period, by which each common designated representative's share of such NO_X emissions exceeds the respective common designated representative's assurance level; and

(B). The amount by which total NO_X emissions from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the TR NO_X Ozone Season allowances required under paragraph (c)(2)(i) above, 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 such control period.

(iii). Total NO_X emissions from all TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state during a control period in a given year exceed the state assurance level if such total NO_X emissions exceed the sum, for such control period, of the State NO_X Ozone Season trading budget under 40 CFR 97.510(a) and the state's variability limit under 40 CFR 97.510(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart BBBBB or of the Clean Air Act if total NO_X emissions from all TR NO_X Ozone Season units at TR NO_X Ozone Season

sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO_X emissions from the TR NO_X Ozone Season units at TR NO_X Ozone Season sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold TR NO_X Ozone Season allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

(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 TR NO_X Ozone Season allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart BBBBB and the Clean Air Act.

(3) Compliance periods.

(i). A TR NO_X Ozone Season unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.

(ii). A TR NO_X Ozone Season unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.530(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

(i). A TR NO_X Ozone Season allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR NO_X Ozone Season allowance that was allocated for such control period or a control period in a prior year.

(ii). A TR NO_X Ozone Season allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NO_X Ozone Season allowance that was allocated 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 TR NO_X Ozone Season allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart BBBBB.

(6) Limited authorization. A TR NO_X Ozone Season allowance is a limited authorization to emit one ton of NO_X 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 TR NO_X Ozone Season Trading Program; and

(ii). Notwithstanding any other provision of 40 CFR part 97, subpart BBBBB, 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 TR NO_X Ozone Season allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NO_X Ozone Season allowances in accordance with 40 CFR part 97, subpart BBBBB.

(2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.530 through 97.535, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted

monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.506(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR NO_X Ozone Season source and each TR NO_X Ozone Season 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 40 CFR 97.516 for the designated representative for the source and each TR NO_X Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.516 changing the designated representative.

(ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart BBBBB.

(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 TR NO_X Ozone Season Trading Program.

(2) The designated representative of a TR NO_X Ozone Season source and each TR NO_X Ozone Season unit at the source shall make all submissions required under the TR NO_X Ozone Season Trading Program, except as provided in 40 CFR 97.518. 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 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the TR NO_X Ozone Season Trading Program that applies to a TR NO_X Ozone Season source or the designated representative of a TR NO_X Ozone Season source shall also apply to the owners and operators of such source and of the TR NO_X Ozone Season units at the source.

(2) Any provision of the TR NO_X Ozone Season Trading Program that applies to a TR NO_X Ozone Season unit or the designated representative of a TR NO_X Ozone Season unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the TR NO_X Ozone Season Trading Program or exemption under 40 CFR 97.505 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NO_X Ozone Season source or TR NO_X Ozone Season unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

<u>TR SO_2 Group 1 Trading Program requirements (40 CFR 97.606)</u>

(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 40 CFR 97.613 through 97.618.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each TR SO_2 Group 1 source and each TR SO_2 Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.630 through 97.635 shall be used to calculate allocations of TR SO_2 Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO_2 Group 1 emissions limitation and assurance provisions under paragraph (c) below, 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 40 CFR 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) SO_2 emissions requirements.

(1) TR SO_2 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 TR SO_2 Group 1 source and each TR SO2 Group 1 unit at the source shall hold, in the source's compliance account, TR SO_2 Group 1 allowances available for deduction for such control period under 40 CFR 97.624(a) in an amount not less than the tons of total SO_2 emissions for such control period from all TR SO_2 Group 1 units at the source.

(ii). If total SO_2 emissions during a control period in a given year from the TR SO_2 Group 1 units at a TR SO_2 Group 1 source are in excess of the TR SO_2 Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A). The owners and operators of the source and each TR SO_2 Group 1 unit at the source shall hold the TR SO_2 Group 1 allowances required for deduction under 40 CFR 97.624(d); and

(B). The owners and operators of the source and each TR SO_2 Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR part 97, subpart CCCCC and the Clean Air Act.

(2) TR SO_2 Group 1 assurance provisions.

(i). If total SO_2 emissions during a control period in a given year from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the 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 SO_2 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) TR SO_2 Group 1 allowances available for deduction for such control period under 40 CFR 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 40 CFR 97.625(b), of multiplying—

(A). The quotient of the amount by which the common designated representative's share of such SO_2 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 for such control period, by which each common designated representative's share of such SO_2 emissions exceeds the respective common designated representative's assurance level; and

(B). The amount by which total SO_2 emissions from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state for such control period exceed the state assurance level.

(ii). The owners and operators shall hold the TR SO_2 Group 1 allowances required under paragraph (c)(2)(i) above, 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 such control period.

(iii). Total SO_2 emissions from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO_2 emissions exceed the sum, for such control period, of the state SO_2 Group 1 trading budget under 40 CFR 97.610(a) and the state's variability limit under 40 CFR 97.610(b).

(iv). It shall not be a violation of 40 CFR part 97, subpart CCCCC or of the Clean Air Act if total SO_2 emissions from all TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO_2 emissions from the TR SO_2 Group 1 units at TR SO_2 Group 1 sources in the state during a control period exceeds the common designated representative's assurance level.

(v). To the extent the owners and operators fail to hold TR SO_2 Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

(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 TR SO_2 Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart CCCCC and the Clean Air Act.

(3) Compliance periods.

(i). A TR SO_2 Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.

(ii). A TR SO_2 Group 1 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

(i). A TR SO_2 Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR SO_2 Group 1 allowance that was allocated for such control period or a control period in a prior year.

(ii). A TR SO_2 Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR SO_2 Group 1 allowance that was allocated 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 TR SO_2 Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart CCCCC.

(6) Limited authorization. A TR SO_2 Group 1 allowance is a limited authorization to emit one ton of SO_2 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 TR SO_2 Group 1 Trading Program; and

(ii). Notwithstanding any other provision of 40 CFR part 97, subpart CCCCC, 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 TR SO_2 Group 1 allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR SO_2 Group 1 allowances in accordance with 40 CFR part 97, subpart CCCCC.

(2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.630 through 97.635, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR part 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E), Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.606(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR SO_2 Group 1 source and each TR SO_2 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 40 CFR 97.616 for the designated representative for the source and each TR SO_2 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 40 CFR 97.616 changing the designated representative.

(ii). All emissions monitoring information, in accordance with 40 CFR part 97, subpart CCCCC.

(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 TR SO_2 Group 1 Trading Program.

(2) The designated representative of a TR SO_2 Group 1 source and each TR SO_2 Group 1 unit at the source shall make all submissions required under the TR SO_2 Group 1 Trading Program, except as provided in 40 CFR 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 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the TR SO_2 Group 1 Trading Program that applies to a TR SO_2 Group 1 source or the designated representative of a TR SO_2 Group 1 source shall also apply to the owners and operators of such source and of the TR SO_2 Group 1 units at the source.

(2) Any provision of the TR SO_2 Group 1 Trading Program that applies to a TR SO_2 Group 1 unit or the designated representative of a TR SO_2 Group 1 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the TR SO_2 Group 1 Trading Program or exemption under 40 CFR 97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR SO_2 Group 1 source or TR SO_2 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.

Cross-State Air Pollution Rule (CSAPR) (a.k.a., Transport Rule (TR))
Pollutant: Nitrogen Oxides (NO_x) Annual, Nitrogen Oxides (NO_x) Ozone Season, Sulfur Dioxide (SO_2) Group 1
Emission Limits: Nitrogen Oxides and Sulfur Dioxide Allowances
Authority for Requirement: 40 CFR Part 97 (See appendix for requirements)