

**Iowa Department of Natural Resources
Title V Operating Permit**

Name of Permitted Facility: City of Ames Combustion Turbine Station

Facility Location: 2200 Pullman Street

Air Quality Operating Permit Number: 99-TV-022R3

Expiration Date: 12/12/2021

Permit Renewal Application Deadline: 6/12/2021

EIQ Number: 92-5831

Facility File Number: 85-01-006

Responsible Official

Name: Donald Kom

Title: Director – Electric Services

Mailing Address: 502 Carroll Ave., P.O. Box 811, Ames, IA 50010

Phone #: 515-239-5171

Permit Contact Person for the Facility

Name: Brian Trower

Title: Assistant Director

Mailing Address: 502 Carroll Ave., P.O. Box 811, Ames, IA 50010

Phone #: 515-239-5176

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. Two Title V Permits have been issued to the City of Ames Combustion Turbine Station and the City of Ames Steam Electric Plant which are considered one stationary source. This is the permit for the City of Ames Combustion Turbine Station. Another separate permit has been issued for The City of Ames Steam Electric Plant (facility # 85-01-006, EIQ # 92-0224).

For the Director of the Department of Natural Resources



Lori Hanson, Supervisor of Air Operating Permits Section

12/13/16

Date

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Abbreviations

acfm.....actual cubic feet per minute
 CFR.....Code of Federal Regulation
 CEcontrol equipment
 CEM.....continuous emission monitor
 °Fdegrees Fahrenheit
 EIQ.....emissions inventory questionnaire
 EPemission point
 EUemission unit
 gr./dscfgrains per dry standard cubic foot
 IAC.....Iowa Administrative Code
 IDNR.....Iowa Department of Natural Resources
 MVAC.....motor vehicle air conditioner
 NAICS.....North American Industry Classification System
 NSPSnew source performance standard
 ppmvparts per million by volume
 lb/hr.....pounds per hour
 lb/MMBtupounds 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
 PM₁₀particulate matter ten microns or less in diameter
 SO₂sulfur dioxide
 NO_xnitrogen oxides
 VOC.....volatile organic compound
 CO.....carbon monoxide
 HAP.....hazardous air pollutant

I. Facility Description and Equipment List

Facility Name: City of Ames Combustion Turbine Station
Permit Number: 99-TV-022R3

Facility Description: Electrical Generation (SIC 4911)

Equipment List

| Emission Point Number | Emission Unit Number | Emission Unit Description | IDNR Construction Permit Number |
|------------------------------|-----------------------------|----------------------------------|--|
| EP-1 | EU-1 | Combustion Turbine | 72-A-78-S1 |
| EP-3 | EU-3 | Combustion Turbine | 04-A-697-S2 |

Insignificant Activities Equipment List

| Insignificant Emission Unit Number | Insignificant Emission Unit Description |
|---|--|
| EU-2 | 300,000 gallon #2 Fuel Oil Storage Tank |

II. Plant-Wide Conditions

Facility Name: City of Ames Combustion Turbine Station
Permit Number: 99-TV-022R3

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

Permit Duration

The term of this permit is: 5 years
Commencing on: DATE
Ending on: DATE

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 (SO₂): 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 - No person shall allow, cause or permit 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 public roads, without taking reasonable precautions to prevent particulate matter in quantities sufficient to create a nuisance, as defined in Iowa Code section 657.1, from becoming airborne. 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 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 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, fertilizers 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.

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

III. Emission Point-Specific Conditions

Facility Name: City of Ames Combustion Turbine Station
Permit Number: 99-TV-022R3

Emission Point ID Number: EP-1

Associated Equipment

Associated Emission Unit ID Numbers: EU-1

Emission Unit vented through this Emission Point: EU-1
Emission Unit Description: Combustion Turbine
Raw Material/Fuel: #2 Fuel Oil
Rated Capacity: 353.41 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 Limit(s): 40%⁽¹⁾⁽²⁾

Authority for Requirement: DNR Construction Permit 72-A-78-S1
567 IAC 23.3(2)"d"

Pollutant: Particulate Matter (PM)

Emission Limit(s): 0.1 gr/dscf

Authority for Requirement: DNR Construction Permit 72-A-78-S1
567 IAC 23.3(2)a(1)

Pollutant: Sulfur Dioxide (SO₂)

Emission Limit(s): 2.5 lbs/MMBtu

Authority for Requirement: DNR Construction Permit 72-A-78-S1
567 IAC 23.3(3)b(2)

⁽¹⁾ The emission limit is a six (6) minute average.

⁽²⁾ An exceedance of the indicator opacity 25% will require the owner or operator to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the Department may require additional proof to demonstrate compliance (e.g., stack testing).

Operational Limits & Requirements and Associated Recordkeeping

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

Unless specified by a federal regulation, 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 Department. Records shall be legible and maintained in an orderly manner. The operating requirements and associated recordkeeping for this permit shall be:

- A. This turbine shall be fired by distillate oil only.
- B. The sulfur content of the distillate oil used in this turbine shall not exceed 0.5 percent by weight.
 - a. Maintain a record of the sulfur content of any fuel used in this turbine.
- C. Per 567 IAC 33.3(18)“f”(1), prior to beginning actual construction of the project (Project Number 16-377) the owner or operator shall document and maintain a record of the following:
 - (1) A description of the project (Project Number 16-377),
 - (2) Identification of the emission unit(s) whose emissions of a regulated NSR pollutant could be affected by the project (Project Number 16-377), and
 - (3) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions (BAE), the projected actual emissions (PAE), the amount of emissions excluded under paragraph “3” of the definition of “*projected actual emissions*” in subrule 33.3(1), an explanation describing why such amount was excluded, and any netting analysis if applicable.
- D. Per 567 IAC 33.3(18)“f”(4), the owner or operator shall:
 - (1) Monitor the emission of any regulated NSR pollutant that could increase as a result of the project that is emitted by any emissions unit identified in Condition 5C.(2).
 - (2) Calculate the annual emissions, in tons per year on a calendar-year basis, for a period of five (5) years following resumption of regular operations and maintain a record of regular operations after the change.
- E. Per 567 IAC 33.3(18)“f”(5), the owner or operator shall retain a written record containing the information required in Condition 5D. of this permit for a period of ten (10) years after the project (Project Number 16-377) is completed.
- F. Per 567 IAC 33.3(18)“g”, the owner or operator shall make the information required to be documented and maintained pursuant to 567 IAC 33.3(18)“f” available for review upon request for inspection by the Department or the general public pursuant to the requirements for Title V operating permits contained in 567 IAC 22.107(6).
- G. Submit reports as required by 40 CFR §63.6150.
- H. Maintain records as required by 40 CFR §63.6155.

NESHAP

This unit is considered an affected source under 40 CFR 63 Subpart YYYYY (National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines). It meets the definition of an "existing stationary combustion turbine" because it was constructed or reconstructed before January 14, 2003 [Sec. 63.6090(a)(1)]. According to Sec. 63.6090(b)(4), existing stationary combustion turbines do not have to meet the requirements of 40 CFR 63 Subparts YYYYY and A. No initial notification is necessary.

Authority for Requirement: 40 CFR 63, Subpart YYYYY

Emission Point Characteristics

The emission point shall conform to the specifications listed below.

Stack Height, (ft, from the ground): 31.85

Exhaust Flow Rate (scfm): 205,580

Exhaust Temperature (°F): 820

Discharge Style: Vertical Unobstructed

Authority for Requirement: DNR Construction Permit 72-A-78-S1

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)

Emission Point ID Number: EP-3

Associated Equipment

Associated Emission Unit ID Numbers: EU-3

Emissions Control Equipment ID Number: CE-3

Emissions Control Equipment Description: Water Injection, oxidation catalyst

Emission Unit vented through this Emission Point: EU-3

Emission Unit Description: Combustion Turbine

Raw Material/Fuel: Natural Gas, Distillate Fuel Oil

Rated Capacity: 320 MMBtu/hr (Natural Gas), 313MMBtu/hr (Distillate Fuel Oil)

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.

Emissions Limits for Natural Gas Combustion

Pollutant: Opacity

Emission Limit(s): 40% ⁽¹⁾

Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.3(2)"d"

Pollutant: Particulate Matter (PM)

Emission Limit(s): 0.0344 lbs/MMBtu⁽²⁾, 0.1 gr/dscf

Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 53.3(2)"a"

Pollutant: Particulate Matter (PM₁₀)

Emission Limit(s): 0.0344 lbs/MMBtu⁽²⁾

Authority for Requirement: DNR Construction Permit 04-A-697-S2

Pollutant: Sulfur Dioxide (SO₂)

Emission Limit(s): 0.0034 lbs/MMBtu⁽²⁾, 150 ppmv

Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.1(2)"aa"

Pollutant: Nitrogen Oxides (NO_x)

Emission Limit(s): 0.1001 lbs/MMBtu⁽²⁾, 75 ppmv

Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.1(2)"aa"

Pollutant: Carbon Monoxide (CO)
Emission Limit(s): 0.3356 lb/MMBtu⁽²⁾
Authority for Requirement: DNR Construction Permit 04-A-697-S2

Pollutant: Formaldehyde ⁽³⁾
Emission Limit(s): 91 ppbv
Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.1(4)"cy"

Emission Limits for Distillate Fuel Oil Combustion

Pollutant: Opacity
Emission Limit(s): 40% ⁽¹⁾
Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.3(2)"d"

Pollutant: Particulate Matter (PM)
Emission Limit(s): 0.0798 lbs/MMBtu, 0.1 gr/dscf
Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.3(2)"a"

Pollutant: Particulate Matter (PM₁₀)
Emission Limit(s): 0.0798 lbs/MMBtu
Authority for Requirement: DNR Construction Permit 04-A-697-S2

Pollutant: Sulfur Dioxide (SO₂)
Emission Limit(s): 0.0505 lbs/MMBtu, 150 ppmv
Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.1(2)"aa"

Pollutant: Nitrogen Oxides (NO_x)
Emission Limit(s): 0.1757 lbs/MMBtu, 75 ppmv
Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.1(2)"aa"

Pollutant: Carbon Monoxide (CO)
Emission Limit(s): 0.237 lbs/MMBtu
Authority for Requirement: DNR Construction Permit 04-A-697-S2

Pollutant: Formaldehyde ⁽³⁾
Emission Limit(s): 91 ppbv
Authority for Requirement: DNR Construction Permit 04-A-697-S2
567 IAC 23.1(4)"cy"

Pollutant: Sulfur Dioxide

Emission Limit(s): Sulfur Dioxide Allowance

Authority for Requirement: 567 IAC 22.108(7)

See attached Phase II Acid Rain Permit

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 (SO₂) Group 1

Emission Limits: Nitrogen Oxides and Sulfur Dioxide Allowances

Authority for Requirement: 40 CFR Part 97 (See appendix for requirements)

⁽¹⁾ Standard is expressed as the average of 3 runs

⁽²⁾ If visible emissions are observed other than startup, shutdown, or malfunction, the owner/operator will be required to promptly investigate the emission unit and make corrections to operations or equipment associated with the exceedance. If exceedances continue after the corrections, the DNR may require additional proof to demonstrate compliance with the applicable standards (e.g., stack testing).

⁽³⁾ As specified in 40 CFR 63.6100 (Table 1) this combustion turbine must not discharge to the atmosphere formaldehyde emissions in excess of 91ppbv at 15% oxygen (O₂). Standard is expressed as the average of 3 runs.

Operational Limits & Requirements and Associated Recordkeeping

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

- A. The owner or operator shall only combust either natural gas or distillate fuel oil in the combustion turbine (EU 3).
- B. The combustion turbine (EU 3) shall be limited to a maximum heat input of 344,400 MMBtu per rolling 12-month period.
- C. The maximum sulfur content of the distillate fuel oil combusted in the combustion turbine (EU 3) shall not exceed 0.05% by weight.
- D. The owner or operator shall comply with the applicable operating limits of Subpart YYYY, 40 CFR 63.6100 Table 2.

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.

- A. The owner or operator shall record on a monthly basis the heat input of the combustion turbine (EU 3) and shall calculate and record the rolling 12-month total.
- B. The owner or operator shall perform all applicable monitoring activities as specified in 40 CFR 60.334.
- C. The owner or operator shall perform all applicable monitoring activities as specified in 40 CFR 63.6125.

Authority for Requirement: DNR Construction Permit 04-A-697-S2

- D. The owner or operator must keep the records as described in 40 CFR 63.6155.

Authority for Requirement: 40 CFR 63, Subpart YYYY

NESHAP/NSPS/Acid Rain

This unit is subject to the requirements of the National Emission Standard for Hazardous Air Pollutants (NESHAP) for Stationary Gas Turbines (40 CFR 63 Subpart YYYY, 567 IAC 23.1(4)"cy") as well as the General Provisions of NESHAP (40 CFR 63 Subpart A, 567 IAC 23.1(4)"a")

This unit is subject to the requirements of the New Source Performance Standard (NSPS) for Stationary Gas Turbines (40 CFR 60 Subpart GG, 567 IAC 23.1(2)"aa") as well as the General Provisions of NSPS (40 CFR 60 Subpart A, 567 IAC 23.1(2)).

This unit is subject to the requirements of the Acid Rain Program (40 CFR 72 through 40 CFR 78)

Authority for Requirement: Iowa DNR Construction Permit 04-A-697-S2

Emission Point Characteristics

The emission point shall conform to the specifications listed below.

Stack Height, (ft, from the ground): 60

Exhaust Flow Rate (acfm): 406,500

Exhaust Temperature (°F): 939

Discharge Style: Vertical Unobstructed

Authority for Requirement: DNR Construction Permit 04-A-697-S2

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.

Alternative SO₂ Emission Factor Conditions:

1. City of Ames shall implement the fuel sampling methodology described in section 2.2.4.3 of Appendix D to Part 75 ("sampling from each delivery") for the diesel fuel combusted in Unit GT2. The total sulfur content of the oil shall be determined using one of the analytical methods listed in section 2.2.5 of Appendix D. Oil sampling may be performed either by City of Ames, an independent laboratory, or by the supplier of the fuel.
2. For the purpose of Part 75 emissions reporting, City of Ames shall use an assumed value of 0.05 weight percent sulfur for the diesel fuel combusted in Unit GT2, which equates to an SO₂ emission rate 0.0505 lb/MMBtu when the equation from AP-42 is used. This SO₂ emission rate shall be substituted into Equation LM-9 in 40 CFR 75.19 for each hour of oil combustion in Unit GT2.
3. If the results of a required fuel sample show that the sulfur content of a particular oil shipment exceeds the assumed value of 0.05 weight percent, City of Ames shall not burn the oil in Unit GT2.
4. In each of the quarterly electronic data reports (EDRs) required under 40 CFR 75.64, City of Ames shall represent the approved SO₂ emission rate of 0.0505 lb/MMBtu in EDR record type 531 of the electronic monitoring plan. In column 10 of RT 531, a parameter value of "SO2U" shall be reported. In column 41 of RT 531 a "source of value code" of "APP" shall be reported, indicated that the SO₂ emission rate has been approved by petition.

Authority for Requirement: 567 IAC 22.108(14)

Appendix D: EPA Correspondence Dated May 17, 2005

Stack Testing:

Pollutant – Nitrogen Oxides (NOx) ⁽¹⁾

Stack Test to be Completed: Within 60 days after achieving maximum production rate when combusting natural gas and no later than 180 days after the initial startup of natural gas combustion.

⁽¹⁾ Testing must be completed for all fuels according to the requirements of 40 CFR 60 Subpart GG and 40 CFR 60 Subpart A. Testing when combusting fuel oil has been completed.

Method of Testing: 40 CFR 60, Appendix A, Method 7E

Authority for Requirement –DNR Construction Permit 04-A-697-S2

Stack Testing:

Pollutant – Formaldehyde ⁽²⁾

Stack Test to be Completed: Annually

⁽²⁾ Testing must be completed for all fuels according to the requirements of 40 CFR 63, Subpart YYYYY and 40 CFR 63, Subpart A.

Method of Testing: 40 CFR 60, Appendix A, Method 320

Authority for Requirement – DNR Construction Permit 04-A-697-S2

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

This facility is currently meeting the CAM requirements for NOx control through the monitoring requirements of the Acid Rain Program (40 CFR Part 72), which incorporates 40 CFR Part 75 monitoring protocols that presumptively meet the requirements of CAM (40 CFR 64.4(b)(3)).

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 except 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 not 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 63 Subpart A- *General Provisions*
<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.10.63.a>

- D. 40 CFR Part 63 Subpart YYYY- Standard Performance for *Stationary Combustion Turbines*
<http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&r=SUBPART&n=sp40.15.63.yyyy>

Appendix B: Phase II Acid Rain Permit



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

Phase II Acid Rain Permit

Issued to: City of Ames Combustion Turbine (Dayton Ave. Substation)
Operated by: Ames Municipal Electric System
ORIS code: 6463
Effective: December 13, 2016 through December 12, 2021

For the Director of the Department of Natural Resources

Lori Hanson, Supervisor of Operating Permits Section

Date

Acid Rain Permit comprises the following:

- 1) Statement of Basis.
- 2) SO₂ 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) SO₂ Allowance Allocations for each affected unit

| | | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|---------------------|--|------|------|------|------|------|------|
| Unit GT2 | 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 SO₂ allowance allocations identified in this permit (See 40 CFR 72.84).

3) Comments, Notes and Justifications:

[Renewal #3 of the Phase II SO₂ permit.](#)

4) Permit Application: Attached.

Permit Requirements**STEP 3**

Read the standard requirements.

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

Sulfur Dioxide Requirements, Cont'd.**STEP 3, Cont'd.**

(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.

(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.

(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

(1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.

(2) The owners and operators of an affected source that has excess emissions in any calendar year shall:

(i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and

(ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:

(i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission

of a new certificate of representation changing the designated representative;

STEP 3, Cont'd.**Recordkeeping and Reporting Requirements, Cont'd.**

- (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with

City of Ames Combustion Turbine Plant

Facility (Source) Name (from STEP 1)

any other provision of the Act, including the provisions of title I of the Act relating

STEP 3, Cont'd.

Effect on Other Authorities, Cont'd.

to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a source can hold; *provided*, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

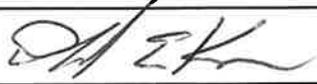
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Read the certification statement, sign, and date.

Certification

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

| | | |
|-----------|---|---------------|
| Name | Donald E. Kom | |
| Signature |  | Date |
| | | July 25, 2016 |

Appendix C: Cross State Air Pollution Rule (CSAPR) aka Transport Rule (CR)

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 SO₂ Group 1 Trading Program.

| Unit ID: GT2 (ORIS Code: 6463) | | | | | |
|--|--|---|---|---|---|
| City of Ames Combustion Turbine (Dayton Ave. Substation) | | | | | |
| 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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.

TR NO_x Ozone Season Trading Program Requirements (40 CFR 97.506)

(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 BBBBBB 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 BBBBBB.
- (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 BBBBBB.
 - (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.

TR SO₂ Group 1 Trading Program requirements (40 CFR 97.606)

(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 SO₂ Group 1 source and each TR SO₂ 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 SO₂ Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO₂ 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) SO₂ emissions requirements.

- (1) TR SO₂ Group 1 emissions limitation.
 - (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO₂ Group 1 source and each TR SO₂ Group 1 unit at the source shall hold, in the source's compliance account, TR SO₂ 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 SO₂ emissions for such control period from all TR SO₂ Group 1 units at the source.
 - (ii). If total SO₂ emissions during a control period in a given year from the TR SO₂ Group 1 units at a TR SO₂ Group 1 source are in excess of the TR SO₂ Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:
 - (A). The owners and operators of the source and each TR SO₂ Group 1 unit at the source shall hold the TR SO₂ Group 1 allowances required for deduction under 40 CFR 97.624(d); and
 - (B). The owners and operators of the source and each TR SO₂ Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR part 97, subpart CCCCC and the Clean Air Act.
- (2) TR SO₂ Group 1 assurance provisions.
 - (i). If total SO₂ emissions during a control period in a given year from all TR SO₂ Group 1 units at TR SO₂ 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 SO₂ emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR SO₂ 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 SO₂ emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO₂ emissions exceeds the respective common designated representative's assurance level; and
 - (B). The amount by which total SO₂ emissions from all TR SO₂ Group 1 units at TR SO₂ Group 1 sources in the state for such control period exceed the state assurance level.
- (ii). The owners and operators shall hold the TR SO₂ 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 SO₂ emissions from all TR SO₂ Group 1 units at TR SO₂ Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO₂ emissions exceed the sum, for such control period, of the state SO₂ Group 1 trading budget under 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 SO₂ emissions from all TR SO₂ Group 1 units at TR SO₂ 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 SO₂ emissions from the TR SO₂ Group 1 units at TR SO₂ 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 SO₂ 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 SO₂ Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Group 1 allowance that was allocated for such control period or a control period in a prior year.
 - (ii). A TR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Group 1 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows:
- (i). Such authorization shall only be used in accordance with the TR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ Group 1 source and each TR SO₂ Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (i). The certificate of representation under 40 CFR 97.616 for the designated representative for the source and each TR SO₂ Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 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 SO₂ Group 1 Trading Program.
- (2) The designated representative of a TR SO₂ Group 1 source and each TR SO₂ Group 1 unit at the source shall make all submissions required under the TR SO₂ 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 SO₂ Group 1 Trading Program that applies to a TR SO₂ Group 1 source or the designated representative of a TR SO₂ Group 1 source shall also apply to the owners and operators of such source and of the TR SO₂ Group 1 units at the source.
- (2) Any provision of the TR SO₂ Group 1 Trading Program that applies to a TR SO₂ Group 1 unit or the designated representative of a TR SO₂ Group 1 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the TR SO₂ 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 SO₂ Group 1 source or TR SO₂ Group 1 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

Appendix D: EPA Correspondence Dated May 17, 2005



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

R. SERIES / ~~Initials~~ Title V File / ~~CSK~~
FACILITY ID 85-01-006
~~WVACT / Day 000~~ TV-01e

MAY 17 2005

OFFICE OF
AIR AND RADIATION

Gary Titus
Alternate Designated Representative
City of Ames
P.O. Box 811
502 Carroll
Ames, IA 50010

Re: Petition to Use an Alternative SO₂ Emission Factor for Unit GT2 at the Dayton Avenue Substation (Facility ID (ORISPL) 6463)

Dear Mr. Titus:

This is in response to your March 15, 2005 petition under §75.66, in which the City of Ames, Iowa (City of Ames) requested to use an alternative sulfur dioxide (SO₂) emission factor for a combustion turbine at its Dayton Avenue Substation. EPA approves the petition, with conditions, as discussed below.

Background

City of Ames is presently constructing, and will own and operate, a simple-cycle combustion turbine, Unit GT2, at its Dayton Avenue Substation. Unit GT2 has a rated capacity of 27 megawatts and will combust distillate oil. The projected date of first operation (first-fire) of Unit GT2 is May 23, 2005. The unit is subject to the Acid Rain Program. Therefore, City of Ames is required to continuously monitor and report sulfur dioxide (SO₂), nitrogen oxides (NO_x), and carbon dioxide (CO₂) emissions and heat input for Unit GT2, in accordance with 40 CFR Part 75.

On January 26, 2005, City of Ames submitted a certification application to EPA under §75.19, to demonstrate that Unit GT2 will qualify to use the excepted low mass emissions (LME) methodology, in lieu of installing continuous monitoring systems on Unit GT2. In order to qualify for LME status, the projected annual SO₂ emissions from Unit GT2 must not exceed 25 tons and the annual NO_x emissions must be less than 100 tons. Using enforceable permit limits for SO₂, NO_x, and annual unit heat input, City of Ames projected that the annual SO₂ and NO_x emissions from Unit GT2 will be 8.7 tons and 30.2 tons, respectively.

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However, the SO₂ emission factor used by City of Ames to estimate the annual SO₂ emissions from Unit GT2 was 0.0505 lb/mmBtu, which is much lower than the default SO₂ emission rate of 0.5 lb/mmBtu prescribed in Table LM-1 of §75.19 for distillate oil combustion. According to City of Ames, using the default SO₂ emission rate from Table LM-1 would result in the SO₂ emissions from Unit GT2 being over-reported by a factor of ten.

In view of this, in the March 15, 2005 petition, City of Ames requested to use a default SO₂ emission rate of 0.0505 lb/mmBtu to report Part 75 SO₂ emissions data for Unit GT2. This emission rate is based on 0.05 weight percent sulfur, which is the maximum sulfur content allowed by the unit's operating permit for the distillate oil combusted in the unit¹.

EPA's Determination

EPA conditionally approves City of Ames' March 15, 2005 petition to use an alternative SO₂ emission factor of 0.0505 lb/mmBtu when diesel fuel is combusted in Unit GT2, in lieu of reporting the 0.5 lb/mmBtu default SO₂ emission rate from §75.19(c)(4)(i). City of Ames may use the approved alternative SO₂ emission factor for Part 75 reporting purposes beginning with the first hour that emissions data for Unit GT2 are required to be reported under §75.64(a). The basis for this approval is that there is an enforceable permit condition in place for Unit GT2, limiting the sulfur content of the diesel oil combusted in the unit to 0.05 percent sulfur by weight. When this limit is met, the SO₂ emission rate from the turbines will not exceed 0.0505 lb/mmBtu².

The conditions of approval are as follows:

- (1) City of Ames shall implement the fuel sampling methodology described in section 2.2.4.3 of Appendix D to Part 75 ("sampling from each delivery") for the diesel fuel combusted in Unit GT2. The total sulfur content of the oil shall be determined using one of the analytical methods listed in section 2.2.5 of Appendix D. Oil sampling may be performed either by City of Ames, an independent laboratory, or by the supplier of the fuel;
- (2) For the purposes of Part 75 emissions reporting, City of Ames shall use an assumed value of 0.05 weight percent sulfur for the diesel fuel combusted in Unit GT2, which equates to an SO₂ emission rate 0.0505 lb/mmBtu when the equation from AP-42 is used. This SO₂ emission rate shall be substituted into Equation LM-9 in §75.19 for each hour of oil combustion in Unit GT2;

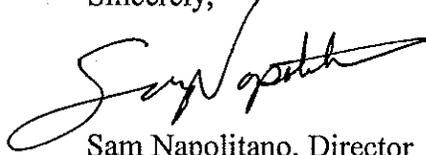
¹ According to AP-42, the following equation is used to convert weight percent sulfur in fuel oil to an emission rate (E) in lb/mmBtu: $E = 1.01 (\text{weight \% sulfur})$.

² See footnote 1

- (3) If the results of a required fuel sample show that the sulfur content of a particular oil shipment exceeds the assumed value of 0.05 weight percent, City of Ames shall not burn the oil in Unit GT2.
- (4) In each of the quarterly electronic data reports (EDRs) required under §75.64, City of Ames shall represent the approved SO₂ emission rate of 0.0505 lb/mmBtu in EDR record type 531 of the electronic monitoring plan. In column 10 of RT 531, a parameter value of "SO2U" shall be reported³. In column 41 of RT 531, a "source of value code" of "APP" shall be reported, indicating that the SO₂ emission rate has been approved by petition.

EPA's approval relies on the completeness and accuracy of the information provided by City of Ames in the March 15, 2005 petition and is appealable under Part 78. If you have any questions about this determination, please contact Robert Vollaro, at (202) 343-9116. Thank you for your continued cooperation.

Sincerely,



Sam Napolitano, Director
Clean Air Markets Division

cc: Jon Knodel, EPA Region VII
Christopher Kjellmark, INDR
Robert Vollaro, CAMD

³ The MDC software has recently been modified to accept code "SO2U" for oil in column 10 of RT 531, provided that it is coupled with code "APP" in column 41.