



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

TITLE V/STATE OPERATING PERMIT

Issue Date: November 16, 2012 Effective Date: August 28, 2013
Revision Date: August 28, 2013 Expiration Date: November 16, 2017
Revision Type: Modification, Significant

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

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

TITLE V Permit No: 32-00055

Federal Tax Id - Plant Code: 80-0833693-1

Owner Information

Name: HOMER CITY GENERATION LP
Mailing Address: 1750 POWER PLANT RD
HOMER CITY, PA 15748-8009

Plant Information

Plant: HOMER CITY GEN LP/ CENTER TWP
Location: 32 Indiana County 32912 Center Township
SIC Code: 4911 Trans. & Utilities - Electric Services

Operator

Name: NRG HOMER CITY SERVICES LLC [If different from owner]
Mailing Address: 1750 POWER PLANT RD
HOMER CITY, PA 15748-8009

Responsible Official

Name: LEO C RAJTER
Title: STATION GEN MGR
Phone: (724) 479 - 6233

Permit Contact Person

Name: GARY CLINE
Title: ENVIRONMENTAL MANAGER
Phone: (724) 479 - 6255

[Signature] _____
MARK A. WAYNER, SOUTHWEST REGION AIR PROGRAM MANAGER

**SECTION A. Table of Contents****Section A. Facility/Source Identification**

Table of Contents
Site Inventory List

Section B. General Title V Requirements

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

Section C. Site Level Title V Requirements

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

Section D. Source Level Title V Requirements

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

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



SECTION A. Table of Contents

Section E. Source Group Restrictions

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

Section F. Alternative Operating Scenario(s)

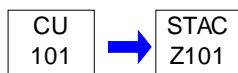
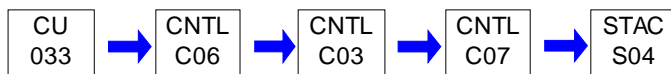
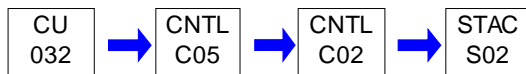
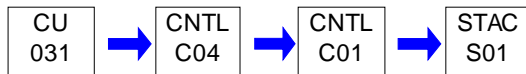
- F-I: Restrictions
- F-II: Testing Requirements
- F-III: Monitoring Requirements
- F-IV: Recordkeeping Requirements
- F-V: Reporting Requirements
- F-VI: Work Practice Standards
- F-VII: Additional Requirements

Section G. Emission Restriction Summary

Section H. Miscellaneous

**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
031	BOILER NO.1 (UNIT 1)	6,792.000 MMBTU/HR	
032	BOILER NO.2 (UNIT 2)	6,792.000 MMBTU/HR	
033	BOILER NO.3 (UNIT 3)	7,260.000 MMBTU/HR	
101	OIL FIRED SPACE HEATERS	58.000 MMBTU/HR	
104	MISCELLANEOUS PLANT FUGITIVES		
107	THREE ANHYDROUS AMMONIA STORAGE TANKS		
108	LIMESTONE AND GYPSUM STORAGE & HANDLING SYSTEM		
111	EMERGENCY DIESEL GENERATOR (855 BHP)		
112	DIESEL FIRE PUMP (330 BHP)		
113	EMERGENCY DIESEL GENERATOR (800 BHP)		
114	UNIT MIX COAL BLENDING YARD		
C01	ESP UNIT 1 W/NH3 CONDITIONING		
C02	ESP UNIT 2 W/NH3 CONDITIONING		
C03	ESP UNIT 3		
C04	SCR - UNIT 1 (SELECTIVE CATALYTIC REDUCTION)		
C05	SCR - UNIT 2 (SELECTIVE CATALYTIC REDUCTION)		
C06	SCR - UNIT 3 (SELECTIVE CATALYTIC REDUCTION)		
C07	FGD - UNIT 3 (FLUE GAS DESULFURIZATION)		
S01	UNIT 1 STACK		
S02	UNIT 2 STACK		
S04	UNIT 3 STACK (FROM FGD)		
S06	FIRE PUMP ENGINE STACK		
S07	EMERGENCY GENERATOR 2 STACK		
Z101	OIL SPACE HEATERS		
Z102	PLANT FUGITIVE EXHAUST		

PERMIT MAPS



PERMIT MAPS

PROC 108 → STAC Z102

PROC 112 → STAC S06

PROC 113 → STAC S07

PROC 114 → STAC Z102

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

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

#002 [25 Pa. Code § 127.512(c)(4)]**Property Rights**

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

#003 [25 Pa. Code § 127.446(a) and (c)]**Permit Expiration**

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

#004 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446(e) & 127.503]**Permit Renewal**

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

(b) The application for permit renewal shall include the current permit number, the appropriate permit renewal fee, a description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term.

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

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

#005 [25 Pa. Code §§ 127.450(a)(4) & 127.464(a)]**Transfer of Ownership or Operational Control**

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

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

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

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

**SECTION B. General Title V Requirements**

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

#006 [25 Pa. Code § 127.513, 35 P.S. § 4008 and § 114 of the CAA]**Inspection and Entry**

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

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

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

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

#007 [25 Pa. Code §§ 127.25, 127.444, & 127.512(c)(1)]**Compliance Requirements**

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

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

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

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

#008 [25 Pa. Code § 127.512(c)(2)]**Need to Halt or Reduce Activity Not a Defense**

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

**SECTION B. General Title V Requirements****#009 [25 Pa. Code §§ 127.411(d) & 127.512(c)(5)]****Duty to Provide Information**

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

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

#010 [25 Pa. Code §§ 127.463, 127.512(c)(3) & 127.542]**Reopening and Revising the Title V Permit for Cause**

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

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

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

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

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

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

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

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

#011 [25 Pa. Code § 127.543]**Reopening a Title V Permit for Cause by EPA**

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

#012 [25 Pa. Code § 127.541]**Significant Operating Permit Modifications**

When permit modifications during the term of this permit do not qualify as minor permit modifications or administrative amendments, the permittee shall submit an application for significant Title V permit modifications in accordance with 25 Pa. Code § 127.541.

**SECTION B. General Title V Requirements****#013 [25 Pa. Code §§ 121.1 & 127.462]****Minor Operating Permit Modifications**

- (a) The permittee may make minor operating permit modifications (as defined in 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.
- (b) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa. Code § 127.516 (relating to permit shield) shall extend to an operational flexibility change authorized by 25 Pa. Code § 127.462.

#014 [25 Pa. Code § 127.450]**Administrative Operating Permit Amendments**

- (a) The permittee may request administrative operating permit amendments, as defined in 25 Pa. Code § 127.450(a), according to procedures specified in § 127.450. Administrative amendments are not authorized for any amendment precluded by the Clean Air Act or the regulations thereunder from being processed as an administrative amendment.
- (b) Upon taking final action granting a request for an administrative permit amendment in accordance with § 127.450(c), the Department will allow coverage under 25 Pa. Code § 127.516 (relating to permit shield) for administrative permit amendments which meet the relevant requirements of 25 Pa. Code Article III, unless precluded by the Clean Air Act or the regulations thereunder.

#015 [25 Pa. Code § 127.512(b)]**Severability Clause**

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

#016 [25 Pa. Code §§ 127.704, 127.705 & 127.707]**Fee Payment**

- (a) The permittee shall pay fees to the Department in accordance with the applicable fee schedules in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees).
- (b) Emission Fees. The permittee shall, on or before September 1st of each year, pay applicable annual Title V emission fees for emissions occurring in the previous calendar year as specified in 25 Pa. Code § 127.705. The permittee is not required to pay an emission fee for emissions of more than 4,000 tons of each regulated pollutant emitted from the facility.
- (c) As used in this permit condition, the term "regulated pollutant" is defined as a VOC, each pollutant regulated under Sections 111 and 112 of the Clean Air Act and each pollutant for which a National Ambient Air Quality Standard has been promulgated, except that carbon monoxide is excluded.
- (d) Late Payment. Late payment of emission fees will subject the permittee to the penalties prescribed in 25 Pa. Code § 127.707 and may result in the suspension or termination of the Title V permit. The permittee shall pay a penalty of fifty percent (50%) of the fee amount, plus interest on the fee amount computed in accordance with 26 U.S.C.A. § 6621(a)(2) from the date the emission fee should have been paid in accordance with the time frame specified in 25 Pa. Code § 127.705(c).
- (e) The permittee shall pay an annual operating permit administration fee according to the fee schedule established in 25 Pa. Code § 127.704(c) if the facility, identified in Subparagraph (iv) of the definition of the term "Title V facility" in 25 Pa. Code § 121.1, is subject to Title V after the EPA Administrator completes a rulemaking requiring regulation of those sources under Title V of the Clean Air Act.
- (f) This permit condition does not apply to a Title V facility which qualifies for exemption from emission fees under 35 P.S. § 4006.3(f).

SECTION B. General Title V Requirements**#017 [25 Pa. Code §§ 127.14(b) & 127.449]****Authorization for De Minimis Emission Increases**

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

- (1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.
- (2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

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

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

- (1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.
- (2) One ton of NO_x from a single source during the term of the permit and 5 tons of NO_x at the facility during the term of the permit.
- (3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.
- (4) Six-tenths of a ton of PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.
- (5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act or 25 Pa. Code Article III.

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

- (1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.
- (2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.
- (3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility, liquefied petroleum gas or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code § 123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.
- (4) Space heaters which heat by direct heat transfer.
- (5) Laboratory equipment used exclusively for chemical or physical analysis.
- (6) Other sources and classes of sources determined to be of minor significance by the Department.

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

**SECTION B. General Title V Requirements**

of the following:

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

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

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

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

(e) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa. Code § 127.516 (relating to permit shield) applies to de minimis emission increases and the installation of minor sources made pursuant to this permit condition.

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

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

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

#018 [25 Pa. Code §§ 127.11a & 127.215]**Reactivation of Sources**

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

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

#019 [25 Pa. Code §§ 121.9 & 127.216]**Circumvention**

(a) The owner of this Title V facility, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

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

**SECTION B. General Title V Requirements****#020 [25 Pa. Code §§ 127.402(d) & 127.513(1)]****Submissions**

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

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

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

Office of Air Enforcement and Compliance Assistance (3AP20)
United States Environmental Protection Agency
Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

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

#021 [25 Pa. Code §§ 127.441(c) & 127.463(e); Chapter 139; & 114(a)(3), 504(b) of the CAA]**Sampling, Testing and Monitoring Procedures**

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

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

#022 [25 Pa. Code §§ 127.511 & Chapter 135]**Recordkeeping Requirements**

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

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

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

**SECTION B. General Title V Requirements**

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

#023 [25 Pa. Code §§ 127.411(d), 127.442, 127.463(e) & 127.511(c)]**Reporting Requirements**

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

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

(c) Every report submitted to the Department under this permit condition shall comply with the submission procedures specified in Section B, Condition #020(c) of this permit.

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

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

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

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

(b) The compliance certification shall be postmarked or hand-delivered no later than thirty days after each anniversary of the date of issuance of this Title V Operating Permit, or on the submittal date specified elsewhere in the permit, to the Department and EPA in accordance with the submission requirements specified in condition #020 of this section.

#025 [25 Pa. Code § 127.3]**Operational Flexibility**

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

SECTION B. General Title V Requirements

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

(b) Unless precluded by the Clean Air Act or the regulations adopted thereunder, the permit shield authorized under 25 Pa. Code § 127.516 shall extend to operational flexibility changes made at this Title V facility pursuant to this permit condition and other applicable operational flexibility terms and conditions of this permit.

#026 [25 Pa. Code §§ 127.441(d), 127.512(i) and 40 CFR Part 68]**Risk Management**

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

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

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

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

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

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

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

(1) Submit a compliance schedule for satisfying the requirements of 40 CFR Part 68 by the date specified in 40 CFR § 68.10(a); or,

(2) Certify that the Title V facility is in compliance with all requirements of 40 CFR Part 68 including the registration and submission of the RMP.

(e) If the Title V facility is subject to 40 CFR Part 68, the permittee shall maintain records supporting the implementation

SECTION B. General Title V Requirements

of an accidental release program for five (5) years in accordance with 40 CFR § 68.200.

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

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

(2) The permittee fails to submit a compliance schedule or include a statement in the compliance certification required under Condition #24 of Section B of this Title V permit that the Title V facility is in compliance with the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68, and 25 Pa. Code § 127.512(i).

#027 [25 Pa. Code § 127.512(e)]**Approved Economic Incentives and Emission Trading Programs**

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

#028 [25 Pa. Code §§ 127.516, 127.450(d), 127.449(f) & 127.462(g)]**Permit Shield**

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

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

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

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

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

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

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

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

(c) Unless precluded by the Clean Air Act or regulations thereunder, final action by the Department on minor or significant permit modifications, and operational flexibility changes shall be covered by the permit shield. Upon taking final action granting a request for an administrative permit amendment, the Department will allow coverage of the amendment by the permit shield in § 127.516 for administrative amendments which meet the relevant requirements of 25 Pa. Code Article III.

(d) The permit shield authorized under § 127.516 is in effect for the permit terms and conditions in this Title V permit, including administrative operating permit amendments and minor operating permit modifications.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §121.7]****Prohibition of air pollution.**

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

002 [25 Pa. Code §123.1]**Prohibition of certain fugitive emissions**

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

- (1) Construction or demolition of buildings or structures.
- (2) Grading, paving and maintenance of roads and streets.
- (3) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.
- (4) Clearing of land.
- (5) Stockpiling of materials.
- (6) Open burning operations.
- (7) N/A
- (8) N/A

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

- (i) the emissions are of minor significance with respect to causing air pollution; and
- (ii) the emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

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

(c) (See Work Practice Standards)

(d) The requirements contained in subsection (a) and § 123.2 do not apply to fugitive emissions arising from the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

003 [25 Pa. Code §123.2]**Fugitive particulate matter**

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

004 [25 Pa. Code §123.31]**Limitations**

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

005 [25 Pa. Code §123.41]**Limitations**

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

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

**SECTION C. Site Level Requirements****# 006 [25 Pa. Code §123.42]****Exceptions**

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

- (1) when the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).

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

- (a) All material handling conveyors shall be covered to prevent fugitive dust emissions.
- (b) A water tank truck, dedicated to the facility, shall be used on the plant roads to prevent fugitive dust and be available at all times.
- (c) A distance of 250 feet in each direction from the plant's main entrance shall be maintained as to prevent the generation of fugitive emissions.
- (d) Vehicle speed shall be limited to 15 miles per hour through the posting of speed limit signs sufficient to notify vehicles of this restriction.

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

The owner/operator shall maintain and operate all the sources at this facility in accordance with manufacturer specifications and good air pollution control practices.

009 [25 Pa. Code §127.531]**Special conditions related to acid rain.**

- (a) This section describes the permit program for acid deposition control in accordance with Titles IV and V of the Clean Air Act (42 U.S.C.A. 7641 and 7642 and 7661--7661f). The provisions of this section shall be interpreted in a manner consistent with the Clean Air Act and the regulations there under.
- (b) The owner or operator or the designated representative of each affected source under section 405 of the Clean Air Act (42 U.S.C.A. 7651d) shall submit a permit application and compliance plan for the affected source to the Department within 120 days from notice by the Department to submit an application but no later than January 1, 1996, for sulfur dioxide, and no later than January 1, 1998, for NO_x, that meets the requirements of this chapter, the Clean Air Act and the regulations there under.
- (c) In the case of affected sources for which an application and plan are timely received, the permit application and the compliance plan, including amendments thereto, shall be binding on the owner or operator or the designated representative of the owner or operator and shall be enforceable as a permit for purposes of this section until a permit is issued by the Department.
- (d) A permit issued under this section shall require the source to achieve compliance as soon as possible but no later than the date required by the Clean Air Act or the regulations there under for the source.
- (e) At any time after the submission of a permit application and compliance plan, the applicant may submit a revised application and compliance plan. In considering a permit application and compliance plan under this section, the Department will coordinate with the Pennsylvania Public Utility Commission consistent with the requirements established by the EPA.
- (f) In addition to the other requirements of this chapter, permits issued under this section shall prohibit the following:

**SECTION C. Site Level Requirements**

(1) Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide that the owner or operator or designated representative holds for the source.

(2) Exceeding applicable emission rates or standards, including ambient air quality standards.

(3) The use of an allowance prior to the year for which it is allocated.

(4) Contravention of other provisions of the permit.

(g) Each permit issued to a source under Title IV of the Clean Air Act shall contain a condition prohibiting emissions exceeding any allowances that the source lawfully holds under Title IV of the Clean Air Act or the regulations there under.

(1) A permit revision will not be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, if the increases do not require a permit revision under another applicable requirement.

(2) A limit will not be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with another applicable requirement.

(3) An allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

010 [25 Pa. Code §129.14]**Open burning operations**

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

(b) Outside of air basins. No person may permit the open burning of material in an area outside of air basins in a manner that:

(1) The emissions are visible, at any time, at the point such emissions pass outside the property of the person on whose land the open burning is being conducted.

(2) Malodorous air contaminants from the open burning are detectable outside the property of the person on whose land the open burning is being conducted.

(3) The emissions interfere with the reasonable enjoyment of life or property.

(4) The emissions cause damage to vegetation or property.

(5) The emissions are or may be deleterious to human or animal health.

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

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

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

(3) A fire set for the prevention and control of disease or pests, when approved by the Department.

(4) A fire set in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

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

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

(7) A fire set solely for cooking food.

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

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

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

Clearing and grubbing wastes -- Trees, shrubs, and other native vegetation which are cleared from land during or prior to



SECTION C. Site Level Requirements

the process of construction. The term does not include demolition wastes and dirt laden roots.

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

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

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

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

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

(3) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:

(i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b) of this section.

(ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

011 [25 Pa. Code §127.441]

Operating permit terms and conditions.

[Additional authority for this permit condition is derived from 25 Pa. Code Section 127.511]

(a) The permittee shall conduct a daily inspection during daylight hours of sources covered by this permit that are operating at the facility to determine:

- (1) the presence of visible stack emissions.
- (2) the presence of visible fugitive emissions.
- (3) the presence of malodors beyond the boundaries of the facility.

(b) All detected visible stack emissions, visible fugitive emissions or malodors that have the potential to exceed applicable limits shall be reported to the manager of the facility.

IV. RECORDKEEPING REQUIREMENTS.

012 [25 Pa. Code §127.441]

Operating permit terms and conditions.

[Additional authority for this permit condition is derived from 25 Pa. Code Section 127.511]

(a) The permittee shall keep records of the daily facility inspections. Records shall include the name of the person conducting the inspections, the date and time of the inspection, and the results of each inspection. If instances of unpermitted visible emissions, visible fugitive emissions and malodorous air emissions are observed, records shall be kept of the corrective action taken to abate same and/or to prevent future occurrences.

**SECTION C. Site Level Requirements**

(b) These records shall be maintained in a logbook or equivalent recordkeeping approach, shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

013 [25 Pa. Code §135.21]**Emission statements**

(a) The permittee shall provide the Department with a statement of each stationary source in a form as prescribed by the Department, showing the actual emissions of oxides of nitrogen and volatile organic compounds (VOCs) from the permitted facility for each reporting period, a description of the method used to calculate the emissions and the time period over which the calculation is based.

(b) The annual emission statements are due by March 1 for the preceding calendar year and shall contain a certification by a company officer or the plant manager that the information contained in the statement is accurate. The Emission Statement shall provide data consistent with requirements and guidance developed by the EPA.

(c) The Department may require more frequent submittals if the Department determines that one or more of the following applies:

(1) A more frequent submission is required by the EPA.

(2) Analysis of the data on a more frequent basis is necessary to implement the requirements of the Air Pollution Control Act.

014 [25 Pa. Code §135.5]**Recordkeeping**

The permittee shall maintain and make available upon request by the Department records including computerized records that may be necessary to comply with 135.3 and 135.21 (relating to reporting; and emissions statements). These may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions.

V. REPORTING REQUIREMENTS.**# 015 [25 Pa. Code §127.442]****Reporting requirements.**

(a) The owner or operator shall report each malfunction that occurs at this facility that poses an imminent and substantial danger to the public health and safety or the environment or which it should reasonably believe may result in citizen complaints to the Department. For purpose of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions that may result in citizen complaints include but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property of the person on whose land the source is being operated.

(b) When the malfunction poses an imminent and substantial danger to the public health and safety or the environment, the notification shall be submitted to the Department no later than one hour after the incident. All other malfunctions that must be reported under subsection (a) shall be reported to the Department no later than the next business day.

(c) The report shall describe the:

- (i) name and location of the facility;
- (ii) nature and cause of the malfunction or breakdown;
- (iii) time when the malfunction or breakdown was first observed;
- (iv) expected duration of excess emissions; and
- (v) estimated rate of emissions.

(d) The owner or operator shall notify the Department immediately when corrective measures have been accomplished.

(e) Subsequent to the malfunction, the owner/operator shall submit a full written report to the Department including the items identified in (c) and corrective measures taken on the malfunction within 15 days, if requested.

SECTION C. Site Level Requirements

(f) The owner/operator shall submit reports on the operation and maintenance of the source to the Regional Air Program Manager at such intervals and in such form and detail as may be required by the Department. Information required in the reports may include, but is not limited to, process weight rates, firing rates, hours of operation, and maintenance schedules.

(g) Malfunctions shall be reported to the Department at the following address:

PADEP
Office of Air Quality
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412-442-4000

016 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

With respect to reporting, the permit shall incorporate the applicable reporting requirements and require the following:

(1) Submittal of reports of required monitoring at least every 6 months. Instances of deviations from permit requirements shall be clearly identified in the reports. Required reports shall be certified by a responsible official.

(2) Reporting of deviations from permit requirements within the time required by the terms and conditions of the permit including those attributable to upset conditions as defined in the permit, the probable cause of the deviations and corrective actions or preventive measures taken, except that sources with continuous emission monitoring systems shall report according to the protocol established and approved by the Department for the source.

017 [25 Pa. Code §127.511]**Monitoring and related recordkeeping and reporting requirements.**

Owner/operator shall submit the semi-annual monitoring reports for this facility by January 31 and July 31 of each year. The January 31 semi-annual monitoring report shall cover the period from July 1 through December 31. This semi-annual monitoring report may be included in January 31 Title V Compliance Certification required by Title 25 PA Code § 127.513. The July 31 semi-annual monitoring report shall cover the period from January 1 through June 30. However, in accordance with Title 25 PA Code § 127.511(c), in no case shall the semi-annual monitoring report be submitted less often than every six (6) months. This may require that an interim semi-annual monitoring report (covering a period less than six (6) months) be submitted to bring the facility into compliance with this schedule.

018 [25 Pa. Code §127.513]**Compliance certification.**

Permittee shall submit Compliance Certification Forms sufficient to demonstrate compliance with terms and conditions contained in the permit. Each Compliance Certification shall include the following:

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

Compliance Certifications shall be submitted to the Administrator of the EPA, as well as to the Department. EPA requests that Compliance Certifications be e-mailed to them at the following address: R3_APD_Permits@epa.gov.

019 [25 Pa. Code §127.513]**Compliance certification.**

Owner/operator shall submit a Title V Compliance Certification for this facility by January 31 of each year. The Title V Compliance Certification shall cover the previous calendar year, for the period January 1 through December 31. However, in accordance with Title 25 PA Code § 127.513(5)(i), in no case shall the Title V Compliance Certification be submitted less often than annually. This may require that an interim Title V Compliance Certification (covering a period less than one year) be submitted to bring the facility into compliance with this schedule.

**SECTION C. Site Level Requirements****# 020 [25 Pa. Code §135.3]****Reporting**

(a) The owner/operator of a source to which 25 Pa. Code Chapter 135 applies, and who has previously been advised by the Department to submit a source report, shall submit by March 1 of each year a source report for the preceding calendar year. The report shall include information for all previously reported sources, new sources which were first operated during the preceding calendar year and sources modified during the same period which were not previously reported.

(b) Not applicable.

(c) The owner/operator may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4]**Subpart A - General Provisions****Address.**

Copies of all 40 CFR 60 requests, reports, applications, submittals and other communications shall be submitted to both the Environmental Protection Agency and the Department of Environmental Protection at the addresses shown below unless otherwise noted:

Director, Air Toxics and Radiation
Environmental Protection Agency Region III
1650 Arch Street (3AP10)
Philadelphia, PA 19103-2029

PADEP
Regional Air Quality Manager
Office of Air Quality
400 Waterfront Drive
Pittsburgh, PA 15222-4745

VI. WORK PRACTICE REQUIREMENTS.**# 022 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

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

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

VII. ADDITIONAL REQUIREMENTS.**# 023 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Department, the United States, and other states are currently engaged in litigation in federal court against EME Homer City Generation, L.P. et al, in Commonwealth of Pennsylvania, Department of Environmental Protection, et al., v. EME Homer City Generation, L.P. et al., Docket Nos. 11-4406, 11-4407 and 11-4408, United States Third Circuit Court of Appeals ("Litigation") concerning, among other topics, the applicability of PSD and New Source Review requirements to the Homer City Power Plant based on changes that were made on the units at that station. In light of this pending litigation, the Department reserves its right to establish additional requirements for the Homer City Power Plant based on the application of PSD and/or New Source Review requirements as necessary to reflect the outcome of the Litigation.



SECTION C. Site Level Requirements

This Title V Operating Permit shall not be construed as barring, diminishing, adjudicating or in any way affecting any pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action, or demands that the Department may have against EME Homer City Generation, L.P. et al., including but not limited to any enforcement action authorized by applicable State or federal law. The approval and provisions of this Title V Operating Permit shall not be construed to resolve, adjudicate, limit, waive, or affect in any way any other litigation involving the applicability of Best Available Technology, PSD, New Source Review, or New Source Performance Standards to the Homer City Power Plant.

VIII. COMPLIANCE CERTIFICATION.

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

IX. COMPLIANCE SCHEDULE.

No compliance milestones exist.

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

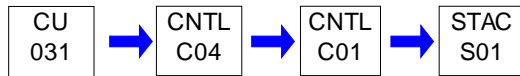
**SECTION D. Source Level Requirements**

Source ID: 031

Source Name: BOILER NO.1 (UNIT 1)

Source Capacity/Throughput: 6,792.000 MMBTU/HR

Conditions for this source occur in the following groups: CAM
GROUP 1 (MAIN BOILERS)

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

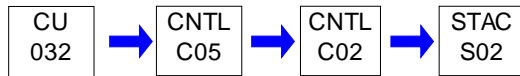
**SECTION D. Source Level Requirements**

Source ID: 032

Source Name: BOILER NO.2 (UNIT 2)

Source Capacity/Throughput: 6,792.000 MMBTU/HR

Conditions for this source occur in the following groups: CAM
GROUP 1 (MAIN BOILERS)

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION D. Source Level Requirements**

Source ID: 033

Source Name: BOILER NO.3 (UNIT 3)

Source Capacity/Throughput: 7,260.000 MMBTU/HR

Conditions for this source occur in the following groups: GROUP 1 (MAIN BOILERS)

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**(a) The emission of sulfur dioxide (as SO₂) from Unit #3 shall not exceed 0.4 lbs/mmBtu based on a 30 day rolling average.(b) The emission of sulfur dioxide (as SO₂) from Unit #3 shall not exceed 12,720 tons in any 12 month consecutive period.[Compliance with this condition ensures compliance with the SO₂ limits found at Pa. Code 25 Section 123.22 and 40 CFR 60.43.]**# 002 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Pursuant to 40 CFR Part 60.13(i) (NSPS alternative monitoring), 25 Pa. Code Chapter 122 (PADEP incorporation of NSPS program), and 25 PA. Code section 123.46(c) (alternative to the Department's continuous opacity monitoring requirements at 25 PA. code section 123.46(b)), the owner/operator will perform quarterly opacity testing on Unit #3 stack using EPA Reference Method 9 and will send the report to the Department within 30 days there after if the results indicate a deviation from the opacity standard at 40 CFR Part 60.42(a)(2), or upon request of the Department.

003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.40]**Subpart D - Standards of Performance for Fossil- Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971****Applicability and designation of affected facility.**

The boiler is subject to subsections (a) (1) and (c) of 40 CFR Section 60.40.

004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.42]**Subpart D - Standards of Performance for Fossil- Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971****Standard for particulate matter.**

Unit #3 is subject to subsection (a)(1) and (a)(2) (pertaining to PM and opacity standards).

005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.43]**Subpart D - Standards of Performance for Fossil- Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971****Standard for sulfur dioxide.**The boiler is subject to subsection (a) (2) of 40 CFR 60.43 (pertaining to the SO₂ standard for the combustion of fossil fuel).**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.44]****Subpart D - Standards of Performance for Fossil- Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971****Standard for nitrogen oxides.**The boiler is subject to subsection (a)(3) of 40 CFR 60.44 (pertaining to the NO_x standard for the combustion of certain solid fossil fuels).

**SECTION D. Source Level Requirements**

007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.46]
Subpart D - Standards of Performance for Fossil- Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971
Test methods and procedures.
 All subsections.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

008 [25 Pa. Code §127.511]
Monitoring and related recordkeeping and reporting requirements.
 [Authority for this condition is also derived from 40 CFR Part 64, relating to Compliance Assurance Monitoring (CAM)]

Homer City Unit 3 CAM Plan

Continuous compliance with the applicable PM emissions limit will be demonstrated by monitoring SO₂ emissions as a surrogate for PM emissions. SO₂ emissions will be monitored continuously using continuous emissions monitoring system (SO₂ CEMS) and verifying compliance with the PM emission limitation by maintaining scrubber process parameters at optimal levels determined during the stack tests. In addition, the existing COMS will be used to measure opacity as a surrogate for PM emissions to ensure proper operations of the ESP.

PERFORMANCE INDICATOR 1- SO₂ EMISSION RATE MONITORING (LB/MMBTU)

Measurement Approach - SO₂ emissions from Unit 3 will be continuously measured using a Part 75 and PADEP certified SO₂ CEMS.

Indicator Range - SO₂ emission from Unit 3 will be limited to the permitted emission rate of 0.4 lb/MMBtu (30-day rolling average), which indicates that the wet FGD is performing as per manufacturer's specifications. Minimum scrubber reagent flow rate of 60 gallons per minute (gpm) and pressure differential across the absorber tower will be limited to 8 inches of water to ensure proper functioning of the wet FGD system.

Performance Criteria - SO₂ CEMS is certified and operated as per the requirements in PA Source Testing requirements under 25 Pa Code Chapter 139 and 40 CFR Part 75.

Data Representativeness - SO₂ emissions data will be collected using certified CEMS, validated, and stored in the facility DAS for at least five years.

Verification of Operational Status - SO₂ emissions data must meet data availability requirements in accordance with 25 Pa Code Chapter 139.

QA/QC Practices/Criteria - SO₂ CEMS QA/QC procedures as per requirements in 25 Pa Chapter 139.

Monitoring Frequency - SO₂ emissions data will be monitoring continuously, excluding periods of startup, shutdown and malfunction, using the certified CEMS as per procedures in 25 Pa Code Chapter 139 and 40 CFR Part 75. Scrubber operational parameters such as reagent flow rate (gpm) and pressure differential across the absorber tower will be monitored continuously, when the scrubber is in operation.

Data Collection Procedures - SO₂ emissions data and scrubber operational parameters will be stored in the facility DAS and retained for at least five years onsite.

**SECTION D. Source Level Requirements**

Averaging Period One-minute average data is collected and stored. Hourly data is calculated and stored from the minute data. Monitor response time is less than 15 minutes as per 25 Pa Code Chapter 139. Reagent flow rate (gpm) and pressure differential across the absorber tower is also monitored continuously to determine hourly averages, when the scrubber is in operation.

PERFORMANCE INDICATOR 2 - CONTINUOUS OPACITY MONITORING (COMS)

Monitoring Approach – For informational and process control purposes, opacity is monitored and recoded using a COMS located between the ESP and the scrubber. One minute average of opacity is measured and displayed in the control room.

Indicator Range - Opacity will be used as a guide to monitor the performance of the ESP. Opacity between the ESP and the scrubber shall be limited to an internal, non-enforceable level of 3-hour block averaged opacity limitation of 20%. An excursion outside this value does not mean that an emission limit violation has occurred; just that the calculated value is outside the established indicator range. In the event of an excursion, a station operator will evaluate the occurrence and determine the procedures necessary to correct the condition.

Performance Criteria - The COMS is installed and operated in compliance with the PADEP Source Monitoring Manual; except no RATA is possible due to the wet FGD flue gas.

Data Representativeness - COMS data will be collected and validated in accordance with the applicable PADEP Continuous Source monitoring manual.

Verification of Operational Status - COMS data availability requirements are necessary for proper operation of the ESP.

QA/QC Practices/Criteria - Applicable PADEP Continuous Source Monitoring Manual will be followed, except for the requirements to perform RATA testing.

Monitoring Frequency - Opacity will be monitored continuously using the COMS; at all times when the unit is in operation.

Data Collection Procedures - The COMS data will be collected and stored in the facility's DAS.

Averaging Period - Minute averaged COMS data will be collected to calculate 3-hour block averages. At least four readings will be collected for every hour.

009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.13]**Subpart A - General Provisions****Monitoring requirements.**

The boiler is subject to the following subsections of 40 CFR 60.13:

Subsections (a), (b), (c)(2) (addressing use of continuous monitors).

Subsection (d)(1) (regarding checks of calibration drifts and related procedures for CEMS (Continuous Emissions Monitoring System)).

Subsection (e)(2) (pertains to minimum frequency of operation requirements for CEMS).

Subsection (f) (regarding installation of CEMS such that representative measurements of emissions or process parameters are obtained).

Subsection (h) (addressing continuous monitor data reduction)
(except as it pertains to COMS(Continuous Opacity Monitoring System), because EME does not use a COMS to monitor opacity for the Unit No. 3 stack.

Subsections (i) and (j) (pertaining to requests for alternative monitoring procedures and the relative accuracy test specified in Performance Specification 2).

**SECTION D. Source Level Requirements****# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.45]
Subpart D - Standards of Performance for Fossil- Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971****Emission and fuel monitoring.**

The boiler is subject to the following subsections of 40 CFR 60.45:

Subsection (a) (addressing the installation, calibration, maintenance, and operation of continuous monitoring systems) except as it pertains to opacity monitoring.

Subsection (b)(3) (pertaining to potential exceptions to the requirement to install a CEMS for NO_x).

Subsections (c)(1), (2), and (3) (regarding performance evaluations and calibration checks of CEMS).

Subsection (e) (pertaining to the procedures to be employed to convert continuous monitoring data into units of the applicable standard for CEMS installed under Subpart D).

Subsections (f)(1), (2), (3) & (4)(ii) (pertaining to the values used in the equations cited in Subsection (e)).

Subsections (f) (5)(i) & (ii) (pertaining to the calculation of an "F factor" (dry basis) using an alternative equation).

Subsections (g) (2) and (3) (pertaining to semiannual excess emissions and monitoring system performance reports for SO₂ and NO_x).

IV. RECORDKEEPING REQUIREMENTS.**# 011 [25 Pa. Code §127.511]
Monitoring and related recordkeeping and reporting requirements.**

(1) The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 CFR 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions). [40 CFR 64.9(b)(1)]

(2) Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious review, and does not conflict with other applicable recordkeeping requirements. [40 CFR 64.9(b)(2)]

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

**# 012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.7]
Subpart A - General Provisions
Notification and record keeping.**

The boiler is subject to following subsections:

Subsections (a) (1), (3), (5) and (6) (pertaining to certain notifications), except that Subsection 60.7(a)(6) (regarding notice of commencement of continuous monitoring system performance demonstration) does not apply to opacity monitoring, because Homer city cannot use a COMS to monitor opacity for the Unit #3 stack.

Subsection (b) (addressing maintenance of records of source startup, shutdown, and malfunction, and periods during which a device is inoperative), except as it pertains to COMS, because Homer City can not use a COMS to monitor opacity for the Unit No. #3 stack.

Subsections (c), (d), (e) and (f) (addressing semiannual excess emissions and monitoring systems performance reports, summary report forms, and frequency of reporting), except as they pertain to opacity monitoring because Homer City cannot use a continuous monitoring system to monitor opacity for the Unit #3 stack.

**SECTION D. Source Level Requirements****V. REPORTING REQUIREMENTS.****# 013 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

(1) [40 CFR 64.9(a)(2)] A report for monitoring under this part shall include, at a minimum, the information required under §70.6(a)(3)(iii) and the following information, as applicable:

- (i) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;
- (ii) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and
- (iii) A description of the actions taken to implement a QIP (Quality Improvement Plans) during the reporting period as specified in §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

(2) [40 CFR 70.6(a)(3)(iii)(A)] Reports of any required monitoring shall be submitted at least every 6 months.

VI. WORK PRACTICE REQUIREMENTS.**# 014 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

The permittee shall comply with the requirements specified in 40 CFR Section 64.7(b) and (d), relating to proper maintenance and response to excursions, respectively.

VII. ADDITIONAL REQUIREMENTS.**# 015 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Additional authority for this permit condition is derived from 40 CFR Section 64.4 (e)]

All correlation testing, installation of additional instrumentation, and any other activities necessary to support and implement this CAM plan must be completed no later than six (6) months after the issuance date of this Title V Operating Permit.

016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.11]**Subpart A - General Provisions****Compliance with standards and maintenance requirements.**

The boiler is subject to following subsections of 40 CFR 60.11:

Subsections (a), (b), (c) and (d) (pertaining to compliance with standards of maintenance and operation in accordance with good air pollution control practice).

Subsections (e) (1), (2), (3), (6),(7) and (8) (pertaining to opacity).

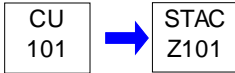
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 101

Source Name: OIL FIRED SPACE HEATERS

Source Capacity/Throughput: 58.000 MMBTU/HR

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The owner/operator shall operate the oil fired space heaters in accordance with the appropriate presumptive technologies set forth in 25 Pa Code Section 129.93 and keep records that clearly demonstrate compliance with this condition. This is RACT OP #32-000-055 condition no.12.

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

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

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

- (a) The permittee shall keep records of the data and calculations used to verify compliance with the sulfur oxides (SO_x) emissions limitations.
- (b) The permittee shall keep records of the tests conducted or certification reports used to verify the sulfur content (percent by weight) of the fuel oil.
- (c) These records shall be retained for a minimum of five years and shall be made available to the Department upon request.

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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



SECTION D. Source Level Requirements

VII. ADDITIONAL REQUIREMENTS.

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

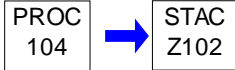
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 104

Source Name: MISCELLANEOUS PLANT FUGITIVES

Source Capacity/Throughput:

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION D. Source Level Requirements**

Source ID: 107

Source Name: THREE ANHYDROUS AMMONIA STORAGE TANKS

Source Capacity/Throughput:

I. RESTRICTIONS.**Emission Restriction(s).****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The owner/operator shall keep a monthly log of all ammonia delivered to this facility. These records shall be maintained on site for a period of two years and made available to the Department upon request.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

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

In accordance with 40 CFR § 68.10(a)(3), the owner/operator shall comply with all applicable requirements of 40 CFR Part 68 and the Risk Management Plan submitted on February, 2009 to both DEP and EPA.

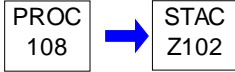
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 108

Source Name: LIMESTONE AND GYPSUM STORAGE & HANDLING SYSTEM

Source Capacity/Throughput:

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

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The visible emissions from the lime receiving structure, the crusher building and all material drop points shall not equal or exceed 5% opacity at any time.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION D. Source Level Requirements**

Source ID: 111

Source Name: EMERGENCY DIESEL GENERATOR (855 BHP)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: GROUP 2

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

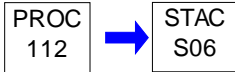
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 112 Source Name: DIESEL FIRE PUMP (330 BHP)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: GROUP 2

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

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The fire pump is subject to the requirements of Reciprocating Internal Combustion Engine (RICE) Maximum Achievable Control Technology (MACT) codified at 40 CFR Part 63 Subpart ZZZZ. The facility shall demonstrate compliance with the requirements of this rule on or before May 3, 2013.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

002 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The source shall comply with the applicable monitoring requirements in §63.6625.

IV. RECORDKEEPING REQUIREMENTS.

003 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The source shall comply with the applicable recordkeeping requirements in §63.6655(f).

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

004 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The source shall comply with the applicable work practice standards in Table 6, Part 9 of the rule. In addition, the source shall comply with the applicable requirements in §63.6640(f).

VII. ADDITIONAL REQUIREMENTS.

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

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

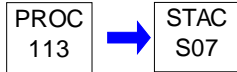
SECTION D. Source Level Requirements

Source ID: 113

Source Name: EMERGENCY DIESEL GENERATOR (800 BHP)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: GROUP 2

**I. RESTRICTIONS.**

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

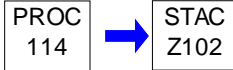
***** Permit Shield in Effect. *****

SECTION D. Source Level Requirements

Source ID: 114

Source Name: UNIT MIX COAL BLENDING YARD

Source Capacity/Throughput:

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

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

In accordance with PA-32-055A Condition #4, the Unit Mix Coal Blending yard is subject to the applicable requirements of the New Source Performance Standard for Coal Preparation Plants found in 40 CFR 60 Subpart Y.

002 [25 Pa. Code §127.441]

Operating permit terms and conditions.

In accordance with PA-32-055A Condition #6, the raw coal stockpile shall be limited to a total of 100,000 tons in place at any time.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.

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

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

**SECTION E. Source Group Restrictions.**

Group Name: CAM

Group Description: CAM Requirements

Sources included in this group

ID	Name
031	BOILER NO.1 (UNIT 1)
032	BOILER NO.2 (UNIT 2)

I. RESTRICTIONS.

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

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.**# 001 [25 Pa. Code §127.511]****Monitoring and related recordkeeping and reporting requirements.**

[Authority for this condition is also derived from 40 CFR Part 64, relating to Compliance Assurance Monitoring (CAM)]

Homer City Units 1 and 2 CAM Plan

Continuous compliance with the applicable PM emission limits will be demonstrated by monitoring opacity as a surrogate for PM emissions. Opacity will be monitored continuously using continuous opacity monitoring system (COMS) and maintained below a specified level which will ensure continuous compliance with the PM emission limitation. In addition, normal operations of the ESP will be ensured by monitoring the ESP power management system.

PERFORMANCE INDICATOR 1 - CONTINUOUS OPACITY MONITOR SYSTEMS (COMS)

Measurement Approach - Opacity data are measured and recorded by a certified opacity monitoring system. The three-hour block average opacity will be maintained below a maximum opacity level of 20%, which was determined during stack tests to demonstrate continuous compliance with the applicable three-hour PM emission limit.

Indicator Range - Three-hour block average opacity will be maintained at less than 20%. Any opacity average less than this value will be considered a reasonable surrogate indicator of compliance with the PM limitation.

Performance Criteria - The COMS meets the performance criteria for installation and operation as specified in 40 CFR Part 75, Appendix B.

Data Representativeness - COMS data will be collected and validated in accordance with 40 CFR Part 75.

Verification of Operational Status - COMS data availability requirements are continuous data availability excluding audit and check periods and malfunctions that are corrected within two hours each day.

QA/QC Practices/Criteria - COMS QA/QC procedures are consistent with the requirements of the applicable 40 CFR Part 75, Appendix B.

Monitoring Frequency - Opacity is measured on a continuous basis with the exception of malfunction or periods when the fans are off and there is no flame in the boiler or during periods of start-up and shutdown.

Data Collection Procedures - Opacity data is collected on a certified data acquisition system and archived for at least five years.

Averaging Period - One-minute average data is collected and stored. Three-hour block averages are calculated and stored based on the minute by minute data for use as a compliance surrogate for Method 5 based PM mass emission limits.

SECTION E. Source Group Restrictions.

PERFORMANCE INDICATOR 2 – ESP POWER MANAGEMENT SYSTEM ALARMS

Measurement Approach – Audible and visible alarms integrated with each electrostatic precipitator (ESP) power management system. Data from each ESP power management system will be used to indicate normal ESP performance.

Monitoring Approach - A range of parameters related to the operation of each ESP are measured on a continuous basis. A combination of these parameters is used to trigger alarms, which require corrective actions. Operators oversee each Unit's operation and will react as appropriate to control system alarms.

Indicator Range - The alarms are set at levels based on a combination of voltage, current, spark rate and others. There are a total of 13 different alarms representing different parameters which could trigger the alarm. A combination of factors could trigger the alarms and range of corrective actions could be taken depending on the measured values of these parameters. Due to the dynamic nature of the power management system, it is difficult to specify a specific range for the variables which could trigger the alarms and therefore, indicator ranges are not specified. The activation of any alarm indicates possible operation of the ESP outside its normal operating conditions.

Performance Criteria - The operation of the power management system is continuously monitored.

Data Representativeness - The alarm points are set to provide the operators with an early warning of potential ESP malfunction.

Verification of Operational Status - Continuous monitoring will detect deviations from normal operating conditions of the power management system.

QA/QC Practices/Criteria - Calibration, maintenance and operation of the power management system in accordance with established specifications.

Monitoring Frequency - The power management system parameters will be monitored and recorded at least four times within each operating hour.

Data Collection Procedures - ESP operational data is collected and archived.

Averaging Period - The power management system alarm settings are integrated with to the power management system OEM guidelines. As these parameters are continuously monitored and adjusted to ensure normal operation of the ESP, no averaging periods are applicable.

IV. RECORDKEEPING REQUIREMENTS.

002 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

(1) [40 CFR 64.9(b)(1)] The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan required pursuant to §64.8 and any activities undertaken to implement a quality improvement plan, and other supporting information required to be maintained under 40 CFR 64 (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions).

(2) [40 CFR 64.9(b)(2)] Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious review, and does not conflict with other applicable recordkeeping requirements.

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

V. REPORTING REQUIREMENTS.

003 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

(1) [40 CFR 64.9(a)(2)] A report for monitoring under this part shall include, at a minimum, the information required under §70.6(a)(3)(iii) and the following information, as applicable:

**SECTION E. Source Group Restrictions.**

(i) Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

(ii) Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

(iii) A description of the actions taken to implement a QIP during the reporting period as specified in §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

(2) [40 CFR 70.6(a)(3)(iii)(A)] Reports of any required monitoring shall be submitted at least every 6 months.

VI. WORK PRACTICE REQUIREMENTS.

004 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

The permittee shall comply with the requirements specified in 40 CFR Section 64.7(b) and (d), relating to proper maintenance and response to excursions, respectively.

VII. ADDITIONAL REQUIREMENTS.

005 [25 Pa. Code §127.511]

Monitoring and related recordkeeping and reporting requirements.

[Additional authority for this permit condition is derived from 40 CFR Section 64.4 (e)]

All correlation testing, installation of additional instrumentation, and any other activities necessary to support and implement this CAM plan must be completed no later than six (6) months after the issuance date of this Title V Operating Permit.

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

**SECTION E. Source Group Restrictions.**

Group Name: GROUP 1 (MAIN BOILERS)

Group Description: Main Combustion Units

Sources included in this group

ID	Name
031	BOILER NO.1 (UNIT 1)
032	BOILER NO.2 (UNIT 2)
033	BOILER NO.3 (UNIT 3)

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

A person may not permit the emission into the outdoor atmosphere of particulate matter from a combustion unit in excess of the rate of 0.1 pounds per million Btu of heat input.

002 [25 Pa. Code §123.22]**Combustion units**

(a)(2) Commercial fuel oil. No person may offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in nonair basin areas which contains sulfur in excess of the applicable percentage by weight set forth in the following table:

Grades Commercial Fuel Oil	% Sulfur
No. 2 and Lighter (viscosity less than or equal to 5.820cSt)	0.5
No. 4, No. 5, No. 6, and heavier (viscosity greater than 5.82cSt)	2.8

(a)(4)(iii) No person may permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO₂ from a combustion unit in excess of the rates set forth in the following table:

	Allowable Pounds SO ₂ Per 10 ⁶ Btu Heat Input
Thirty-day running average not to be exceeded at any time	3.7
Daily average not to be exceeded more than 2 days in any running 30-day period	4.0
Daily average maximum not to be exceeded at any time	4.8

003 [25 Pa. Code §123.25]**Monitoring requirements**

(a) This section applies to the following:

- (1) Combustions units specified in 123.22(a)(4), (b)(4), (c)(4) or (e)(5) (relating to combustion units).
- (2) Fossil fuel -- fired steam generators of greater than 250 million Btus per hour of heat input which has installed sulfur dioxide pollutant control equipment.
- (3) Sulfuric acid plants of greater than 300 tons per day production capacity, the production being expressed as 100% acid.

**SECTION E. Source Group Restrictions.**

(b) A source subject to this section shall install, operate and maintain continuous SO₂ monitoring systems in compliance with Chapter 139 Subchapter C (relating to requirements of continuous in-stack monitoring for stationary sources). Results of emission monitoring shall be submitted to the Department on a regular basis in compliance with Chapter 139, Subchapter C.

(c) Continuous SO₂ monitoring systems installed under this section shall meet the minimum data availability requirements in Chapter 139, Subchapter C.

(d) N/A

(e) The Department may use the data from the SO₂ monitoring devices or from the alternative monitoring systems required by this section to enforce the emission limitations for SO₂ defined in this article.

(f) Compliance with this section shall be obtained no later than 18 months after the effective date of the listing of any source identified in subsection (a). The Department may grant orders providing reasonable extension of time for sources that have made good faith efforts to install, operate and maintain continuous monitoring devices, but that have been unable to complete the operations within the time period provided.

(g) The Department may use the data from the SO₂ monitoring systems or from the alternative monitoring systems required by this section to determine compliance with the applicable emission limitations for SO₂ established in this article.

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

NO_x (nitrogen oxides as NO₂) emissions from Unit 1, Unit 2 and Unit 3, shall not exceed 0.5 lb/MMBtu based on a 30 day rolling average as stated in special condition #4 in permit number 32-000-055.

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

Units #1, #2 and #3 are subject to the requirements of subsections of 40 CFR Part 75.57, 75.58, and 75.59.

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

In accordance with Plan Approval PA-32-00055C, it is not an enforceable requirement that the SCR units operate at any given time.

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

For the purposes of establishing Potential To Emit (PTE) for VOCs only, the following shall apply to sources at the facility. These emissions are based on 12 month rolling average.

Source	Tons Per Year
Unit # 1	60
Unit # 2	60
Unit # 3	32

These restrictions come from special condition # 14 Plan Approval PA-32-000-055.

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

For the purposes of establishing Potential To Emit (PTE) for NO_x (nitrogen oxides as NO₂), the following shall apply to sources at the facility. These emissions are based on a 12 month rolling average.

Sources	Tons Per Year
Unit # 1	13,076

**SECTION E. Source Group Restrictions.**

Unit # 2	12,825
Unit # 3	13,753

These requirements come from condition # 5 of Plan Approval PA-32-000-055.

009 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The emission of ammonia from the boilers shall not exceed 5 ppmv in accordance with Plan Approval PA-32-00055C.

010 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

VOC RACT for these sources shall be operation and maintenance with manufacturers' specifications and good air pollution control practices. This condition is derived from special condition number 13 of Plan Approval PA-32-000-055.

011 [40 CFR Part 72 Regulations on Permits §40 CFR 72.32]**Subpart C--Acid Rain Permit Application****Permit application shield and binding effect of permit application.**

All subsections except (d).

012 [40 CFR Part 72 Regulations on Permits §40 CFR 72.51]**Subpart E--Acid Rain Permit Contents****Permit shield.**

All subsections.

013 [40 CFR Part 72 Regulations on Permits §40 CFR 72.6]**Subpart A--Acid Rain Program General Provisions****Applicability.**

Subsection (a) (2).

014 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.10]**Subpart B--Monitoring Provisions****General operating requirements.**

All subsections.

015 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.12]**Subpart B--Monitoring Provisions****Specific provisions for monitoring NOx emissions (NOx and diluent gas monitors).**

Subsections (a) and (b).

016 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.13]**Subpart B--Monitoring Provisions****Specific provisions for monitoring CO2 emissions.**

Subsection (a).

017 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.14]**Subpart B--Monitoring Provisions****Specific provisions for monitoring opacity.**

Subsections (a) and (b).

018 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.2]**Subpart A--General****Applicability.**

All subsections.

**SECTION E. Source Group Restrictions.**

<p># 019 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.20] Subpart C--Operation and Maintenance Requirements Certification and recertification procedures. All subsections except (e), (f), and (g).</p>
<p># 020 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.21] Subpart C--Operation and Maintenance Requirements Quality assurance and quality control requirements. Subsections (a) (1), (2) and (3).</p>
<p># 021 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.22] Subpart C--Operation and Maintenance Requirements Reference test methods. All subsections.</p>
<p># 022 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.24] Subpart C--Operation and Maintenance Requirements Out-of-control periods. All subsections.</p>
<p># 023 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.30] Subpart D--Missing Data Substitution Procedures General provisions. All subsections.</p>
<p># 024 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.4] Subpart A--General Compliance dates. Subsection (a) (3).</p>
<p># 025 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.53] Subpart F--Recordkeeping Requirements Monitoring plan. All subsections.</p>
<p># 026 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.60] Subpart G--Reporting Requirements General provisions. All subsections.</p>
<p># 027 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.61] Subpart G--Reporting Requirements Notifications All subsections.</p>
<p># 028 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.62] Subpart G--Reporting Requirements Monitoring plan. All subsections.</p>
<p># 029 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.63] Subpart G--Reporting Requirements Initial certification or recertification application. All subsections.</p>

**SECTION E. Source Group Restrictions.****# 030 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.64]****Subpart G--Reporting Requirements****Quarterly reports.**

All subsections.

031 [40 CFR Part 75 Continuous Emission Monitoring §40 CFR 75.65]**Subpart G--Reporting Requirements****Opacity reports.**

All subsections.

II. TESTING REQUIREMENTS.**# 032 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Performance testing shall be conducted as follows:

(1) The Owner/Operator shall submit three copies of a pre-test protocol to the Department for review at least 60 days prior to the performance of any EPA reference method stack test. All proposed performance test methods shall be identified in the pre-test protocol and approved by the Department prior to testing.

(2) The Owner/Operator shall notify the Regional Air Quality Manager at least 15 days prior to any performance test so that an observer may be present at the time of the test. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(3) All testing shall be conducted in accordance with any applicable federal regulations (such as New Source Performance Standards (NSPS), Subparts Da, Db, Dc, Ea, Eb, and Ec); 25 Pa. Code, Chapter 139 (relating to sampling and testing); and Revision 3.3 of the Source Testing Manual of the Department. The following federal reference methods, or other test methods approved by the Department prior to testing, shall be used.

(a) 40 CFR 60, Appendix A, Methods 1-4 shall be used to determine the volumetric flow rate.

(b) 40 CFR 60, Appendix A, Method 5 shall be used to determine the filterable particulate matter (FPM) emission concentration (grains/dscf) and filterable particulate emission rate (lbs/hour and lbs/MMBTU).

(c) 40 CFR 60, Appendix A, Method 19 shall be used to determine the particulate matter emission rate in lbs/MMBTU.

(4) All testing shall be performed while Ssource(s) are operating at no less than 90% of the maximum rated heat input, or under such other conditions, within the capacity of the equipment, as may be requested by the Department. Soot blowing and ash removal in the boiler must be conducted at normal intervals and testing may not be scheduled to avoid such periods as they are considered to be normal operations.

(5) The following process parameters shall be recorded at 15-minute intervals during each test run (if possible). This data (including the units) and a summary thereof, averaged over each test run, must be included in the test report. Any exceptions to this recordkeeping requirement shall receive prior approval from the Department.

(a) Heat input rate of coal [MMBTU/hour]

(b) Coal feed rate to the boiler [tons/hour]

(c) Steam flow [lbs/hour]

(d) Steam temperature [°F]

(e) Steam pressure [psig]

(f) Soot blowing and/or ash removal (Yes/No)

(g) Oxygen level at the economizer [%]

(h) ESP - Secondary voltage of individual buss sections [Volts]

(i) ESP - Secondary current of individual buss sections [milliamps]

(j) ESP - Spark rate of individual buss sections [sparks/second]

(k) Scrubber liquor flow rate [gpm]

(l) Speed of draft fans [rpm]

(m) Output of powered electrical generator [mw]

**SECTION E. Source Group Restrictions.**

(6) Within fifteen (15) calendar days after completion of the on-site testing portion of an emission test program, an electronic mail notification shall be sent to the PA DEP, Bureau of Air Quality, Division of Source Testing and Monitoring at RA-epstacktesting@state.pa.us and the appropriate Regional Office indicating the completion date of the on-site testing.

(7) A complete test report shall be submitted to the Department no later than sixty (60) calendar days after completion of the on-site testing portion of an emission test program.

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

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

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

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

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

(9) All submittals shall meet all applicable requirements specified in Revision 3.3, or successor volume, of the Source Testing Manual of the Department.

(10) All submittals, besides notifications, shall be accomplished through PSIMS*Online available through <https://www.depgreenport.state.pa.us/ecommm/Login.jsp> when it becomes available. If internet submittal cannot be accomplished, one copy of the submittal shall be sent to the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, Division of Source Testing and Monitoring, with deadlines verified through document postmarks. In a like manner, one copy of the submittal shall be sent to the appropriate Regional Office.

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

(12) Alternative methodology may also be used, subject to Department approval.

033 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The owner/operator shall perform EPA Reference Method stack testing for PM, PM10 and PM2.5, emissions from Units #1 and #2 within 60 days of completion of optimization of each NID system as verified by the EPC contractor or another schedule as may be approved in Plan Approval PA-32-00055H. Testing shall be repeated no less frequently than once every two years thereafter.

To demonstrate compliance with the particulate emission limit established in 40 CFR § 60.42, the owner/operator shall perform EPA Reference Method 5 stack testing for emissions of filterable PM from Unit #3 within two (2) years of issuance of this TVOP. Testing shall be repeated no less frequently than once every two years thereafter.

Additionally, the owner/operator shall conduct testing for filterable PM10, filterable PM2.5 and condensable PM from Unit #3 within two (2) years of issuance of this TVOP and no less frequently than once every two (2) years thereafter. Testing shall be conducted using EPA Method 201A and Method 202, or agency approved equivalent. The testing for filterable PM10, filterable PM2.5, and condensable particulate from Unit #3 is for informational purposes only and will not be used for determination of compliance with 40 CFR § 60.42.

034 [25 Pa. Code §139.102]**References.**

The following are references of this subchapter:

(1) "Standards of Performance for New Stationary Sources," 40 CFR Chapter I, Subchapter C, Part 60, Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9328.

(2) "Minimum Emission Monitoring Requirements," 40 CFR Subchapter C, Part 51, Appendix P, Superintendent of

SECTION E. Source Group Restrictions.

Documents, U. S. Government Printing Office, Washington, D.C. 20402-9328.

(3) "Continuous Source Monitoring Manual," Commonwealth of Pennsylvania, Department of Environmental Resources, Bureau of Air Quality Control, Post Office Box 8468, Harrisburg, Pennsylvania 17105-8468.

III. MONITORING REQUIREMENTS.**# 035 [25 Pa. Code §123.46]****Monitoring requirements**

(a) The following sources are subject to this section:

(1) Fossil fuel-fired steam generators with an annual average capacity factor of greater than 30%, as demonstrated to the Department by the owner or operator, and of greater than 250 million Btu per hour heat input except where:

(i) Natural gas is the only fuel burned.

(ii) Oil or a mixture of gas and oil are the fuels burned and the source is able to comply with the applicable particulate matter and opacity regulations without utilization of particulate matter collection equipment and the source has not been found, within the 5 years previous to the applicability of this section, through any administrative or judicial proceedings, to be in violation of any visible emissions standard.

(b) All sources subject to the provisions of this section shall install, operate, and maintain continuous opacity monitoring devices in compliance with Chapter 139, Subchapter C (relating to requirements for continuous in-stack monitoring for stationary sources). Results of opacity monitoring shall be submitted to the Department on a regular basis in compliance with the requirements of Chapter 139, Subchapter C.

(c) The Department may exempt a source from the requirements of subsection (b) if the Department determines that the installation of a continuous emission monitoring system would not provide accurate determination of emissions or that installation of a continuous emission monitoring system may not be implemented by a source due to physical plant limitations or to extreme economic reasons. The Department will require such an exempted source to fulfill alternative emission monitoring and reporting requirements.

(d) The Department may use the data from the monitoring devices or from the alternative monitoring systems required by this section to enforce the visible emission limitations defined in this article.

(e) Compliance with this section shall be obtained no later than 18 months after the effective date of the listing of any source identified in subsection (a). The Department may grant orders providing reasonable extension of time for sources that have made good faith efforts to install, operate and maintain continuous monitoring devices but have been unable to complete such operations within the time period provided.

036 [25 Pa. Code §123.51]**Monitoring requirements**

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

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

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

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

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

**SECTION E. Source Group Restrictions.**

which provide oxides emission data that is representative of actual emissions of the source.

(f) Sources subject to this section shall comply by October 20, 1993, unless the source becomes subject to the requirements later than October 20, 1990. For sources which become subject to the requirements after October 20, 1990, the source has 36 months from the date the source becomes subject to this section. The Department may issue orders providing a reasonable extension of time for sources that have made good faith efforts to install, operate and maintain continuous monitoring devices, but that have been unable to complete the operations within the time period provided.

037 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

Compliance with the NOx emission limits in Special Condition #4 of the RACT permit shall be established based on emission data obtained from CEMs approved by the Department. This is special condition # 8 of Permit #32-000-055.

IV. RECORDKEEPING REQUIREMENTS.

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

V. REPORTING REQUIREMENTS.

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

VI. WORK PRACTICE REQUIREMENTS.

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

VII. ADDITIONAL REQUIREMENTS.**# 038 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Emission reductions of the targeted contaminants (NOx and VOC) below the level specified in the approval which are achieved by optimizing the effectiveness of equipment installed pursuant to Plan Approvals are not surplus emission reduction and shall not be used to generate Emission Reduction Credits. In order for emission reductions to be creditable, the emission reductions must satisfy the requirements of 25 PA Code Chapter 127, Subchapter E. This is special condition #7 of permit # 32-000-055.

039 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The EGUs at Homer City are affected facilities for purposes of 40 CFR Part 63, Subpart UUUUU, National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units (EGUs) (as defined in § 63.10042). Units #1, #2, and #3 shall comply with all applicable requirements of 40 CFR §§ 63.9980 through 63.10042, including Tables and Appendices by April 16, 2015, unless the compliance deadline is extended under §112 of the Clean Air Act or otherwise.

040 [25 Pa. Code §145.204.]**Incorporation of Federal regulations by reference.**

(a) Except as otherwise specified in this subchapter, the provisions of the CAIR NOx Annual Trading Program, found in 40 CFR Part 96 (relating to NOx budget trading program and CAIR NOx and SO2 trading programs for State implementation Plans), including all appendices, future amendments and supplements thereto, are incorporated by reference.

(b) Except as otherwise specified in this subchapter, the provisions of the CAIR SO2 Trading Program, found in 40 CFR Part 96, including all appendices, future amendments and supplements thereto, are incorporated by reference.

(c) Except as otherwise specified in this subchapter, the provisions of the CAIR NOx Ozone Season Trading Program, found in 40 CFR Part 96, including all appendices, future amendments and supplements thereto, are incorporated by reference.

(d) In the event of a conflict between Federal regulatory provisions incorporated by reference in this subchapter and Pennsylvania regulatory provisions, the provision expressly set out in this subchapter shall be followed unless the Federal

**SECTION E. Source Group Restrictions.**

provision is more stringent. Federal regulations that are cited in this subchapter or that are cross-referenced in the Federal regulations incorporated by reference include any Pennsylvania modifications made to those Federal regulations.

041 [25 Pa. Code §145.205.]**Emission reduction credit provisions.**

The following conditions shall be satisfied in order for the Department to issue a permit or plan approval to the owner or operator of a unit not subject to this subchapter that is relying on emission reduction credits (ERCs) or creditable emission reductions in an applicability determination under Chapter 127, Subchapter E (relating to new source review), or is seeking to enter into an emissions trade authorized under Chapter 127 (relating to construction, modification, reactivation and operation of sources), if the ERCs or creditable emission reductions were, or will be, generated by a unit subject to this subchapter.

(1) Prior to issuing the permit or plan approval, the Department will permanently reduce the Commonwealth's CAIR NO_x trading budget or CAIR NO_x Ozone Season trading budget, or both, as applicable, beginning with the sixth control period following the date the plan approval or permit to commence operations or increase emissions is issued. The Department will permanently reduce the applicable CAIR NO_x budgets by an amount of allowances equal to the ERCs or creditable emission reductions relied upon in the applicability determination for the non-CAIR unit subject to Chapter 127, Subchapter E or in the amount equal to the emissions trade authorized under Chapter 127, as if these emissions had already been emitted.

(2) The permit or plan approval must prohibit the owner or operator from commencing operation or increasing emissions until the owner or operator of the CAIR unit generating the ERC or creditable emission reduction surrenders to the Department an amount of allowances equal to the ERCs or emission reduction credits relied upon in the applicability determination for the non-CAIR unit under Chapter 127, Subchapter E or the amount equal to the ERC trade authorized under Chapter 127, for each of the five consecutive control periods following the date the non-CAIR unit commences operation or increases emissions. The allowances surrendered must be of present or past vintage years.

042 [25 Pa. Code §145.212.]**CAIR NO_x allowance allocations.**

(a) Provisions not incorporated by reference. The requirements of 40 CFR 96.142 (relating to CAIR NO_x allowance allocations) are not incorporated by reference. Instead of 40 CFR 96.142, the requirements set forth in this section apply.

(b) Baseline heat input. Baseline heat input for each CAIR NO_x unit will be converted as follows:

(1) A unit's control period heat input and a unit's status as coal-fired or oil-fired for a calendar year under this paragraph will be determined in one of the following two ways:

(i) In accordance with 40 CFR Part 75 (relating to continuous emission monitoring), to the extent that the unit was otherwise subject to 40 CFR Part 75 for the year.

(ii) Based on the best available data reported to the Department for the unit, to the extent the unit was not otherwise subject to the requirements of 40 CFR Part 75 for the year.

(2) Except as provided in subparagraphs (iv) and (v), a unit's converted control period heat input for a calendar year shall be determined as follows:

(i) The control period gross electrical output of the generators served by the unit multiplied by 7,900 Btu/kWh if the unit is coal-fired for the year, and divided by 1,000,000 Btu/mmBtu.

(ii) The control period gross electrical output of the generators served by the unit multiplied by 6,675 Btu/kWh if the unit is not coal-fired for the year, and divided by 1,000,000 Btu/mmBtu.

(iii) If a generator is served by two or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the share of the total control period heat input from each of the units for the year.

(iv) For a unit that is a boiler and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the total heat energy (in Btus) of the steam produced by the boiler during the annual control period, divided by 0.8 and by 1,000,000 Btu/mmBtu.

(v) For a unit that is a combustion turbine and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the annual control period gross electrical output of the enclosed device comprising the compressor, combustor and turbine multiplied by 3,413 Btu/kWh, plus the total heat energy (in Btu) of the steam produced by any associated heat recovery steam generator during the annual control period divided by 0.8, and with the sum divided by 1,000,000 Btu/mmBtu.

**SECTION E. Source Group Restrictions.**

(vi) Calculations will be based on the best output data available on or before January 31 of the year the allocations are published. If unit level electrical or steam output data are not available from EIA, or submitted by this date by the owner or operator of the CAIR NOx unit, then heat input data for the period multiplied by 0.25 and converted to MWh will be used to determine total output.

(c) Existing unit, new unit and subsection (f)(1) qualifying resource allocation baseline. For each control period beginning with January 1, 2010, and each year thereafter, the Department will allocate to qualifying resources and CAIR NOx units, including CAIR NOx units issued allowances under subsection (e), a total amount of CAIR NOx allowances equal to the number of CAIR NOx allowances remaining in the Commonwealth's CAIR NOx trading budget under 40 CFR 96.140 (relating to State trading budgets) for those control periods using summed baseline heat input data as determined under subsections (b) and (f)(1) from a baseline year that is 6 calendar years before the control period.

(d) Proration of allowance allocations. The Department will allocate CAIR NOx allowances to each existing CAIR NOx unit and qualifying resource in an amount determined by multiplying the amount of CAIR NOx allowances in the Commonwealth's CAIR NOx trading budget available for allocation under subsection (c) by the ratio of the baseline heat input of the existing CAIR NOx unit or qualifying resource to the sum of the baseline heat input of existing CAIR NOx units and of the qualifying resources, rounding to the nearest whole allowance as appropriate.

(e) Allocations to new CAIR NOx units. By March 31, 2011, and March 31 each year thereafter, the Department will allocate CAIR NOx allowances under § 145.211(c) (relating to timing requirements for CAIR NOx allowance allocations) to CAIR NOx units equal to the previous year's emissions at each unit, unless the unit has been issued allowances of the previous year's vintage in a regular allocation under § 145.211(b). The Department will allocate CAIR NOx allowances under this subsection of a vintage year that is 5 years later than the year in which the emissions were generated. The number of CAIR NOx allowances allocated may not exceed the actual emission of the year preceding the year in which the Department makes the allocation. The allocation of these allowances to the new unit will not reduce the number of allowances the unit is entitled to receive under another provision of this subchapter.

(f) Allocations to qualifying resources and units exempted by Section 405(g)(6)(a) of the Clean Air Act. For each control period beginning with 2010 and thereafter, the Department will allocate CAIR NOx allowances to qualifying resources under paragraph (1) in this Commonwealth that are not also allocated CAIR NOx allowances under another provision of this subchapter and to existing units under paragraph (2) that were exempted at any time under Section 405(g)(6)(a) of the Clean Air Act (42 U.S.C.A. § 7651d(g)(6)(A)), regarding phase II SO2 requirements, and that commenced operation prior to January 1, 2000, but did not receive an allocation of SO2 allowances under the EPA's Acid Rain Program, as follows:

(1) The Department will allocate CAIR NOx allowances to a renewable energy qualifying resource or demand side management energy efficiency qualifying resource in accordance with subsections (c) and (d) upon receipt by the Department of an application, in writing, on or before June 30 of the year following the control period, except for vintage year 2011 and 2012 NOx allowance allocations whose application deadline will be prescribed by the Department, meeting the requirements of this paragraph. The number of allowances allocated to the qualifying resource will be determined by converting the certified quantity of electric energy production, useful thermal energy, and energy equivalent value of the measures approved under the Pennsylvania Alternative Energy Portfolio Standard to equivalent thermal energy. Equivalent thermal energy is a unit's baseline heat input for allocation purposes. The conversion rate for converting electrical energy to equivalent thermal energy is 3,413 Btu/kWh. To receive allowances under this subsection, the qualifying resource must have commenced operation after January 1, 2005, must be located in this Commonwealth and may not be a CAIR NOx unit. The following procedures apply:

(i) The owner of a qualifying renewable energy resource shall appoint a CAIR-authorized account representative and file a certificate of representation with the EPA and the Department.

(ii) The Department will transfer the allowances into an account designated by the owner's CAIR-authorized account representative of the qualifying resource, or into an account designated by an aggregator approved by the Pennsylvania Public Utility Commission or its designee.

(iii) The applicant shall provide the Department with the corresponding renewable energy certificate serial numbers.

(iv) At least one whole allowance must be generated per owner, operator or aggregator for an allowance to be issued.

(2) The Department will allocate CAIR NOx allowances to the owner or operator of a CAIR SO2 unit that commenced operation prior to January 1, 2000, that has not received an SO2 allocation for that compliance period, as follows:

(i) By January 31, 2011, and each year thereafter, the owner or operator of a unit may apply, in writing, to the

SECTION E. Source Group Restrictions.

Department under this subsection to receive extra CAIR NOx allowances.

(ii) The owner or operator may request under this subparagraph one CAIR NOx allowance for every 8 tons of SO₂ emitted from a qualifying unit during the preceding control period. An owner or operator of a unit covered under this subparagraph that has opted into the Acid Rain Program may request one CAIR NOx allowance for every 8 tons of SO₂ emissions that have not been covered by the SO₂ allowances received as a result of opting into the Acid Rain Program.

(iii) If the original CAIR NOx allowance allocation for the unit for the control period exceeded the unit's actual emissions of NOx for the control period, the owner or operator shall also deduct the excess CAIR NOx allowances from the unit's request under subparagraph (ii). This amount is the unit's adjusted allocation and will be allocated unless the proration described in subparagraph (iv) applies.

(iv) The Department will make any necessary corrections and then sum the requests. If the total number of NOx allowances requested by all qualified units under this paragraph, as adjusted by subparagraph (iii), is less than 1.3% of the Commonwealth's CAIR NOx Trading Budget, the Department will allocate the corrected amounts. If the total number of NOx allowances requested by all qualified units under this paragraph exceeds 1.3% of the Commonwealth's CAIR NOx Trading Budget, the Department will prorate the allocations based upon the following equation:

$$AA = [EA * X (0.013 * BNA)] / TRA$$

where,

AA is the unit's prorated allocation,

EA is the adjusted allocation the unit may request under subparagraph (iii),

BNA is the total number of CAIR NOx allowances in the Commonwealth's CAIR NOx trading budget,

TRA is the total number of CAIR NOx allowances requested by all units requesting allowances under this paragraph.

(3) The Department will review each CAIR NOx allowance allocation request under this subsection and will allocate CAIR NOx allowances for each control period under a request as follows:

(i) The Department will accept an allowance allocation request only if the request meets, or is adjusted by the Department as necessary to meet, the requirements of this section.

(ii) On or after January 1 of the year of allocation, the Department will determine the sum of the CAIR NOx allowances requested.

(4) Up to 1.3% of the Commonwealth's CAIR NOx trading budget is available for allocation in each allocation cycle from 2011-2016 to allocate 2010-2015 allowances for the purpose of offsetting SO₂ emissions from units described in paragraph (2). Beginning January 1, 2017, and for each allocation cycle thereafter, the units will no longer be allocated CAIR NOx allowances under paragraph (2). Any allowances remaining after this allocation will be allocated to units under subsection (c) during the next allocation cycle.

(5) Notwithstanding the provisions of paragraphs (2)-(4), the Department may extend, terminate or otherwise modify the allocation of NOx allowances made available under this subsection for units exempted under section 405(g)(6)(a) of the Clean Air Act after providing notice in the Pennsylvania Bulletin and at least a 30-day public comment period.

(g) The Department will correct any errors in allocations made by the Department and discovered after final allocations are made but before the next allocation cycle, in the subsequent allocation cycle using future allowances that have not yet been allocated.

043 [25 Pa. Code §145.213.]**Supplemental monitoring, recordkeeping and reporting requirements for gross electrical output and useful thermal energy for units subject to 40 CFR 96.170--96.175.**

(a) By January 1, 2009, or by the date of commencing commercial operation, whichever is later, the owner or operator of the CAIR NOx unit shall install, calibrate, maintain and operate a wattmeter, measure gross electrical output in megawatt-hours on a continuous basis and record the output of the wattmeter. If a generator is served by two or more units, the information to determine the heat input of each unit for that control period shall also be recorded, so as to allow each unit's share of the gross electrical output to be determined. If heat input data are used, the owner or operator shall comply with the applicable provisions of 40 CFR Part 75 (relating to continuous emission monitoring).

(b) By September 1, 2008, for a CAIR NOx unit that is a cogeneration unit, and for a CAIR NOx unit with cogeneration capabilities, the owner or operator shall install, calibrate, maintain and operate meters for steam flow in lbs/hr, temperature in degrees Fahrenheit, and pressure in PSI, to measure and record the useful thermal energy that is produced, in

**SECTION E. Source Group Restrictions.**

mmBtu/hr, on a continuous basis. The owner or operator of a CAIR NOx unit that produces useful thermal energy but uses an energy transfer medium other than steam, such as hot water or glycol, shall install, calibrate, maintain and operate the necessary meters to measure and record the data necessary to express the useful thermal energy produced, in mmBtu/hr, on a continuous basis. If the unit ceases to produce useful thermal energy, the owner or operator may cease operation of the meters, but operation of the meters shall be resumed if the unit resumes production of useful thermal energy.

(c) Beginning with 2009, the designated representative of the unit shall submit to the Department an annual report showing monthly gross electrical output and monthly useful thermal energy from the unit. The report is due by January 31 for the preceding calendar year.

(d) The owner or operator of a CAIR NOx unit shall maintain onsite the monitoring plan detailing the monitoring system and maintenance of the monitoring system, including quality assurance activities. The owner or operator of a CAIR NOx unit shall retain the monitoring plan for at least 5 years from the date that it is replaced by a new or revised monitoring plan. The owner or operator of a CAIR NOx unit shall provide the Department with a written copy of the monitoring plan by January 1, 2009, and thereafter within 3 calendar months of making updates to the plan.

(e) The owner or operator of a CAIR NOx unit shall retain records for at least 5 years from the date the record is created or the data collected as required by subsections (a) and (b), and the reports submitted to the Department and the EPA in accordance with subsections (c) and (d).

044 [25 Pa. Code §145.222.]**CAIR NOx Ozone Season allowance allocations.**

(a) Provisions not incorporated by reference. The requirements of 40 CFR 96.342 (relating to CAIR NOx Ozone Season allowance allocations) are not incorporated by reference. Instead of 40 CFR 96.342, the requirements in this section apply.

(b) Baseline heat input. Baseline heat input for each CAIR NOx Ozone Season unit will be converted as follows:

(1) A unit's control period heat input and a unit's status as coal-fired or oil-fired for the ozone season portion of a calendar year under this paragraph will be determined in one of the following two ways:

(i) In accordance with 40 CFR Part 75 (relating to continuous emission monitoring), to the extent that the unit was otherwise subject to the requirements of 40 CFR Part 75 for the control period.

(ii) Based on the best available data reported to the Department for the unit, to the extent the unit was not otherwise subject to the requirements of 40 CFR Part 75 for the year.

(2) Except as provided in subparagraphs (iv) and (v), a unit's converted control period heat input for the ozone season portion of a calendar year shall be determined as follows:

(i) The control period gross electrical output of the generators served by the unit multiplied by 7,900 Btu/kWh if the unit is coal-fired for the ozone season control period, and divided by 1,000,000 Btu/mmBtu.

(ii) The control period gross electrical output of the generators served by the unit multiplied by 6,675 Btu/kWh if the unit is not coal-fired for the ozone season control period, and divided by 1,000,000 Btu/mmBtu.

(iii) If a generator is served by 2 or more units, the gross electrical output of the generator will be attributed to each unit in proportion to the share of the total control period heat input from each of the units for the ozone season control period.

(iv) For a unit that is a boiler and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the total heat energy (in Btus) of the steam produced by the boiler during the ozone season control period, divided by 0.8 and by 1,000,000 Btu/mmBtu.

(v) For a unit that is a combustion turbine and has equipment used to produce electricity and useful thermal energy for industrial, commercial, heating or cooling purposes through the sequential use of energy, the control period gross electrical output of the enclosed device comprising the compressor, combustor and turbine multiplied by 3,413 Btu/kWh, plus the total heat energy (in Btu) of the steam produced by any associated heat recovery steam generator during the ozone season control period divided by 0.8, and with the sum divided by 1,000,000 Btu/mmBtu.

(vi) Calculations will be based on the best output data available on or before January 31 of the year the allocations are published. If unit level electrical or steam output data are not available from EIA, or submitted by this date by the owner or operator of the CAIR NOx Ozone Season unit, then heat input data for the period multiplied by 0.25 and converted to MWh will be used to determine total output.

(c) Existing unit, new unit and subsection (f)(1) qualifying resource allocation baseline. For each control period beginning with the 2010 control period and thereafter, the Department will allocate to qualifying resources and CAIR NOx Ozone

**SECTION E. Source Group Restrictions.**

Season units, including CAIR NOx Ozone Season units issued allowances under subsection (e), a total amount of CAIR NOx Ozone Season allowances equal to the number of CAIR NOx Ozone Season allowances remaining in the Commonwealth's CAIR NOx Ozone Season trading budget under 40 CFR 96.140 (relating to State trading budgets) for those control periods using summed baseline heat input data as determined under subsections (b) and (f)(1) from an ozone season control period in a baseline year that is 6 calendar years before the control period.

(d) Proration of allowance allocations. The Department will allocate CAIR NOx Ozone Season allowances to each existing CAIR NOx Ozone Season unit and qualifying resource in an amount determined by multiplying the amount of CAIR NOx Ozone Season allowances in the Commonwealth's CAIR NOx Ozone Season trading budget available for allocation under subsection (c) by the ratio of the baseline heat input of the existing CAIR NOx Ozone Season unit or qualifying resource to the sums of the baseline heat input of existing CAIR NOx Ozone Season units and of the qualifying resources, rounding to the nearest whole allowance as appropriate.

(e) Allocations to new CAIR NOx Ozone Season units. By March 31, 2011, and March 31 each year thereafter, the Department will allocate CAIR NOx Ozone Season allowances under § 145.221(c) (relating to timing requirements for CAIR NOx Ozone Season allowance allocations) to CAIR NOx Ozone Season units equal to the previous year's emissions at each unit, unless the unit has been issued allowances of the previous year's vintage in a regular allocation under § 145.221(b). The Department will allocate CAIR NOx allowances under this subsection of a vintage year that is 5 years later than the year in which the emissions were generated. The number of CAIR NOx Ozone Season allowances allocated shall not exceed the actual emission of the year preceding the year in which the Department makes the allocation. The allocation of these allowances to the new unit will not reduce the number of allowances the unit is entitled to receive under another provision of this subchapter.

(f) Allocations to qualifying resources. For each control period beginning with the 2010 control period, and thereafter, the Department will allocate CAIR NOx Ozone Season allowances to qualifying resources in this Commonwealth that are not also allocated CAIR NOx Ozone Season allowances under another provision of this subchapter, as follows:

(1) The Department will allocate CAIR NOx Ozone Season allowances to a renewable energy qualifying resource or demand side management energy efficiency qualifying resource in accordance with subsections (c) and (d) upon receipt by the Department of an application, in writing, on or before June 30 of the year following the control period, except for vintage year 2011 and 2012 NOx Ozone Season allowance allocations whose application deadline will be prescribed by the Department, meeting the requirements of this paragraph. The number of allowances allocated to the qualifying resource will be determined by converting the certified quantity of electric energy production, useful thermal energy, and energy equivalent value of the measures approved under the Pennsylvania Alternative Energy Portfolio Standard to equivalent thermal energy. Equivalent thermal energy is a unit's baseline heat input for allocation purposes. The conversion rate for converting electrical energy to equivalent thermal energy is 3,413 Btu/kWh. To receive allowances under this subsection, the qualifying resource must have commenced operation after January 1, 2005, must be located in this Commonwealth and may not be a CAIR NOx Ozone Season unit. The following procedures apply:

- (i) The owner of a qualifying renewable energy resource shall appoint a CAIR-authorized account representative and file a certificate of representation with the EPA and the Department.
- (ii) The Department will transfer the allowances into an account designated by the owner's CAIR-authorized account representative of the qualifying resource, or into an account designated by an aggregator approved by the Pennsylvania Public Utility Commission or its designee.
- (iii) The applicant shall provide the Department with the corresponding renewable energy certificate serial numbers.
- (iv) At least one whole allowance must be generated per owner, operator or aggregator for an allowance to be issued.

(g) The Department will correct any errors in allocations made by the Department and discovered after final allocations are made but before the next allocation cycle, in the subsequent allocation cycle using future allowances that have not yet been allocated.

045 [25 Pa. Code §145.223.]**Supplemental monitoring, recordkeeping and reporting requirements for gross electrical output and useful thermal energy for units subject to 40 CFR 96.370--96.375.**

(a) By January 1, 2009, or by the date of commencing commercial operation, whichever is later, the owner or operator of the CAIR NOx Ozone Season unit shall install, calibrate, maintain and operate a wattmeter, measure gross electrical output in megawatt-hours on a continuous basis and record the output of the wattmeter. If a generator is served by two or more units, the information to determine the heat input of each unit for that control period shall also be recorded, so as to allow each

**SECTION E. Source Group Restrictions.**

unit's share of the gross electrical output to be determined. If heat input data are used, the owner or operator shall comply with the applicable provisions of 40 CFR Part 75 (relating to continuous emission monitoring).

(b) By September 1, 2008, for a CAIR NOx Ozone Season unit that is a cogeneration unit, and for a CAIR NOx Ozone Season unit with cogeneration capabilities, the owner or operator shall install, calibrate, maintain and operate meters for steam flow in lbs/hr, temperature in degrees Fahrenheit and pressure in PSI, to measure and record the useful thermal energy that is produced, in mmBtu/hr, on a continuous basis. The owner or operator of a CAIR NOx Ozone Season unit that produces useful thermal energy but uses an energy transfer medium other than steam, such as hot water or glycol, shall install, calibrate, maintain and operate the necessary meters to measure and record the data necessary to express the useful thermal energy produced, in mmBtu/hr, on a continuous basis. If the unit ceases to produce useful thermal energy, the owner or operator may cease operation of the meters, but operation of the meters shall be resumed if the unit resumes production of useful thermal energy.

(c) Beginning with 2009, the designated representative of the unit shall submit to the Department an annual report showing monthly gross electrical output and monthly useful thermal energy from the unit. The report is due by January 31 for the preceding calendar year.

(d) The owner or operator of a CAIR NOx Ozone Season unit shall maintain onsite the monitoring plan detailing the monitoring system and maintenance of the monitoring system, including quality assurance activities. The owner or operator of a CAIR NOx Ozone Season unit shall retain the monitoring plan for at least 5 years from the date that it is replaced by a new or revised monitoring plan. The owner or operator of a CAIR NOx Ozone Season unit shall provide the Department with a written copy of the monitoring plan by January 1, 2009, and thereafter within 3 calendar months of making updates to the plan.

(e) The owner or operator of a CAIR NOx Ozone Season unit shall retain records for at least 5 years from the date the record is created or the data collected as required by subsections (a) and (b), and the reports submitted to the Department and the EPA in accordance with subsections (c) and (d).

046 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.106]

Subpart AA - CAIR NOx Annual Trading Program General Provisions

Standard requirements.

(a) Permit requirements

(1) The CAIR designated representative of each CAIR NOx source required to have a Title V operating permit and each CAIR NOx unit required to have a Title V operating permit at the source shall:

(i) Submit to the permitting authority a complete CAIR permit application under §97.122 in accordance with the deadlines specified in §97.121; and

(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NOx source required to have a Title V operating permit and each CAIR NOx unit required to have a Title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CC of this part for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in subpart II of this part, the owners and operators of a CAIR NOx source that is not otherwise required to have a Title V operating permit and each CAIR NOx unit that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CC of this part for such CAIR NOx source and such CAIR NOx unit.

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NOx source and each CAIR NOx unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subpart HH of this part.

(2) The emissions measurements recorded and reported in accordance with subpart HH of this part shall be used to determine compliance by each CAIR NOx source with the CAIR NOx emissions limitation under paragraph (c) of this section.

**SECTION E. Source Group Restrictions.****(c) Nitrogen oxides emission requirements.**

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x allowances available for compliance deductions for the control period under §97.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with subpart HH of this part.

(2) A CAIR NO_x unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §97.170(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.

(4) CAIR NO_x allowances shall be held in, deducted from, or transferred into or among CAIR NO_x allowance Tracking System accounts in accordance with subparts EE, FF, GG, and II of this part.

(5) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §97.105 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(6) A CAIR NO_x allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or II of this part, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Excess emissions requirements. If a CAIR NO_x source emits nitrogen oxides during any control period in excess of the CAIR NO_x emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO_x unit at the source shall surrender the CAIR NO_x allowances required for deduction under §97.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

(e) Recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NO_x source and each CAIR NO_x 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 before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §97.113 for the CAIR designated representative for the source and each CAIR NO_x 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 documents are superseded because of the submission of a new certificate of representation under §97.113 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subpart HH of this part, provided that to the extent that subpart HH of this part 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 CAIR NO_x Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program.

**SECTION E. Source Group Restrictions.**

(2) The CAIR designated representative of a CAIR NOx source and each CAIR NOx unit at the source shall submit the reports required under the CAIR NOx Annual Trading Program, including those under subpart HH of this part.

(f) Liability.

(1) Each CAIR NOx source and each CAIR NOx unit shall meet the requirements of the CAIR NOx Annual Trading Program.

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

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

(g) Effect on other authorities. No provision of the CAIR NOx Annual Trading Program, a CAIR permit application, a CAIR permit, or an exemption under §97.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NOx source or CAIR NOx unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

**# 047 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.206]
Subpart AAA - CAIR SO2 Trading Program General Provisions
Standard requirements.**

(a) Permit requirements.

(1) The CAIR designated representative of each CAIR SO2 source required to have a Title V operating permit and each CAIR SO2 unit required to have a Title V operating permit at the source shall:

(i) Submit to the permitting authority a complete CAIR permit application under §97.222 in accordance with the deadlines specified in §97.221; and

(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR SO2 source required to have a Title V operating permit and each CAIR SO2 unit required to have a Title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CCC of this part for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in subpart III of this part, the owners and operators of a CAIR SO2 source that is not otherwise required to have a Title V operating permit and each CAIR SO2 unit that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CCC of this part for such CAIR SO2 source and such CAIR SO2 unit.

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR SO2 source and each CAIR SO2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subpart HHH of this part.

(2) The emissions measurements recorded and reported in accordance with subpart HHH of this part shall be used to determine compliance by each CAIR SO2 source with the CAIR SO2 emissions limitation under paragraph (c) of this section.

(c) Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO2 source and each CAIR SO2 unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period, as determined in accordance with §97.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO2 units at the source, as determined in accordance with subpart HHH of this part.

**SECTION E. Source Group Restrictions.**

(2) A CAIR SO₂ unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit(s) monitor certification requirements under §97.270(b)(1),(2), or (5) and for each control period thereafter.

(3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of this part.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §97.205 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(6) A CAIR SO₂ allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of this part, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Excess emissions requirements. If a CAIR SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under §97.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

(e) Recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ 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 before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §97.213 for the CAIR designated representative for the source and each CAIR SO₂ 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 documents are superseded because of the submission of a new certificate of representation under §97.213 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subpart HHH of this part, provided that to the extent that subpart HHH of this part 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 CAIR SO₂ Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.

(2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR SO₂ Trading Program, including those under subpart HHH of this part.

(f) Liability.

(1) Each CAIR SO₂ source and each CAIR SO₂ unit shall meet the requirements of the CAIR SO₂ Trading Program.

(2) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source or the CAIR designated

**SECTION E. Source Group Restrictions.**

representative of a CAIR SO₂ source shall also apply to the owners and operators of such source and of the CAIR SO₂ units at the source.

(3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit or the CAIR designated representative of a CAIR SO₂ unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities. No provision of the CAIR SO₂ Trading Program, a CAIR permit application, a CAIR permit, or an exemption under §97.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO₂ source or CAIR SO₂ unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

**# 048 [40 CFR Part 97 NO_x Budget Trading Program and CAIR NO_x and SO₂ Trading Programs §40 CFR 97.306]
Subpart AAAA - CAIR NO_x Ozone Season Trading Program General Provisions
Standard requirements.**

(a) Permit requirements.

(1) The CAIR designated representative of each CAIR NO_x Ozone Season source required to have a Title V operating permit and each CAIR NO_x Ozone Season unit required to have a Title V operating permit at the source shall:

(i) Submit to the permitting authority a complete CAIR permit application under §97.322 in accordance with the deadlines specified in §97.321; and

(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NO_x Ozone Season source required to have a Title V operating permit and each CAIR NO_x Ozone Season unit required to have a Title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CCCC of this part for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in subpart IIII of this part, the owners and operators of a CAIR NO_x Ozone Season source that is not otherwise required to have a Title V operating permit and each CAIR NO_x Ozone Season unit that is not otherwise required to have a Title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CCCC of this part for such CAIR NO_x Ozone Season source and such CAIR NO_x Ozone Season unit.

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subpart HHHH of this part.

(2) The emissions measurements recorded and reported in accordance with subpart HHHH of this part shall be used to determine compliance by each CAIR NO_x Ozone Season source with the CAIR NO_x Ozone Season emissions limitation under paragraph (c) of this section.

(c) Nitrogen oxides ozone season emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under §97.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with subpart HHHH of this part.

(2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §97.370(b)(1), (2), (3), or (7) and for each control period thereafter.

(3) A CAIR NO_x Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance

**SECTION E. Source Group Restrictions.**

was allocated.

(4) CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with subparts EEEE, FFFF, GGGG, and IIII of this part.

(5) A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §97.305 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(6) A CAIR NOx Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or IIII of this part, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

(d) Excess emissions requirements. If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

(1) The owners and operators of the source and each CAIR NOx Ozone Season unit at the source shall surrender the CAIR NOx Ozone Season allowances required for deduction under §97.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

(e) Recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source and each CAIR NOx Ozone Season 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 before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §97.313 for the CAIR designated representative for the source and each CAIR NOx 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 documents are superseded because of the submission of a new certificate of representation under §97.313 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subpart HHHH of this part, provided that to the extent that subpart HHHH of this part 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 CAIR NOx Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Ozone Season Trading Program.

(2) The CAIR designated representative of a CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall submit the reports required under the CAIR NOx Ozone Season Trading Program, including those under subpart HHHH of this part.

(f) Liability.

(1) Each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit shall meet the requirements of the CAIR NOx Ozone Season Trading Program.

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

**SECTION E. Source Group Restrictions.**

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

(g) Effect on other authorities. No provision of the CAIR NOx Ozone Season Trading Program, a CAIR permit application, a CAIR permit, or an exemption under §97.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NOx Ozone Season source or CAIR NOx 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.

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

SECTION E. Source Group Restrictions.

Group Name: GROUP 2
 Group Description: Diesel engines
 Sources included in this group

ID	Name
111	EMERGENCY DIESEL GENERATOR (855 BHP)
112	DIESEL FIRE PUMP (330 BHP)
113	EMERGENCY DIESEL GENERATOR (800 BHP)

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

No person may permit the emission into the outdoor atmosphere of particulate matter from any process in a manner that the concentration of particulate matter in the effluent gas exceeds .04 grain per dry standard cubic foot, when the effluent gas volume is less than 150,000 dry standard cubic feet per minute.

002 [25 Pa. Code §123.21]**General**

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

003 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

RACT for the emergency diesels and diesel fire pump shall be operation and maintenance in accordance with manufacturer specifications. These units shall be operated less than 500 hours in any consecutive 12 month period.

II. TESTING REQUIREMENTS.

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

III. MONITORING REQUIREMENTS.

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

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

- (a) The permittee shall keep records of the data and calculations used to verify compliance with the particulate matter and sulfur oxides (SO_x) emissions limitations.
- (b) The permittee shall keep records of the tests conducted or certification reports used to verify the sulfur content (percent by weight) of the fuel oil.
- (c) The permittee shall keep records of the engine's hours of operation taken from the non-resettable hour meter and 12-consecutive month hours of operation on a monthly basis to verify compliance with the operational limitation.
- (d) These records shall be retained for a minimum of five years and shall be made available to the Department upon request.

V. REPORTING REQUIREMENTS.

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

**SECTION E. Source Group Restrictions.****VI. WORK PRACTICE REQUIREMENTS.**

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

VII. ADDITIONAL REQUIREMENTS.**# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The RICE at this site are affected facilities for purposes of 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE) located at major and area sources of HAP emissions (as defined in § 63.6585). Owner/Operator shall comply with all applicable requirements of 40 CFR §§ 63.6580 through 63.6675, including Tables and Appendices.

006 [40 CFR Part 63 NESHAPS for Source Categories §40 CFR 63.6590]**Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines****What parts of my plant does this subpart cover?**

This subpart applies to each affected source.

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

(1) Existing stationary RICE.

(i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.

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

(iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.

(iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.

(2) New stationary RICE.

(i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.

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

(iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.

(3) N/A

(b) Stationary RICE subject to limited requirements.

(1) N/A

(2) N/A

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

(i) N/A

(ii) N/A

(iii) Existing emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.

*** Permit Shield in Effect. ***



SECTION F. Alternative Operation Requirements.

No Alternative Operations exist for this Title V facility.



SECTION G. Emission Restriction Summary.

No emission restrictions listed in this section of the permit.

**SECTION H. Miscellaneous.**

1) Heat input capacities listed in Section a. (Site Inventory) and Section D. (Source Level Requirements) are for informational purposes only and are not enforceable limits.

2) The following sources are designated as "Plant fugitive Emissions

Sources - Source ID #104" as identified in the submitted application:

F01 Plant Haul Roads
F02 Coal Handling Units 1 and 2
F03 Coal Handling Unit 3
F04 Ash Handling/Disposal
F05 Coal Cleaning/Disposal
F06 Cooling Towers

3) The following have been identified as insignificant sources/activities at this facility:

No. 2 Oil Storage Tanks
Gasoline Storage Tanks
Cold Cleaning Solvent Degreasers (6)
Coal Cleaning Plant Frothier Tanks
Diesel Storage Tanks
Kerosene Storage Tanks
Used Oil Storage Tank

4) Any gallon/hr. listing for the oil-fired space heaters is not an enforceable limit and is provided only for informational purposes.

5) Any process flow diagrams are for informational purposes only and are not operational limitations or permit terms or conditions.



***** End of Report *****
