



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM

**TITLE V/STATE OPERATING PERMIT**

Issue Date: June 19, 2019

Effective Date: June 19, 2019

Expiration Date: June 19, 2024

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: 26-00495**

Federal Tax Id - Plant Code: 81-5288606

**Owner Information**

Name: GANS ENERGY LLC  
Mailing Address: PO BOX 166  
198 BUTLER ST  
SPRINGDALE, PA 15144-0166

**Plant Information**

Plant: GANS ENERGY LLC/GANS POWER STA  
Location: 26 Fayette County 26937 Springhill Township  
SIC Code: 4911 Trans. & Utilities - Electric Services

**Responsible Official**

Name: SEAN RILEY  
Title: PLANT MGR  
Phone: (724) 274 - 3692

**Permit Contact Person**

Name: ANTHONY MILES  
Title: EHS MGR  
Phone: (724) 274 - 3682

[Signature] \_\_\_\_\_  
MARK R. GOROG, P.E., ENVIRONMENTAL PROGRAM MANAGER, SOUTHWEST REGION

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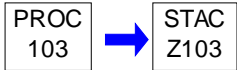
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Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	COMB. GAS TURBINE UNIT 8(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)		
102	COMB. GAS TURBINE UNIT 9(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)		
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**PERMIT MAPS**

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

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

**#002 [25 Pa. Code § 121.7]****Prohibition of Air Pollution**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**#010 [25 Pa. Code §§ 127.411(d) & 127.512(c)(5)]****Duty to Provide Information**

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

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to determine compliance with the permit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

R3\_Air\_Apps\_and\_Notices@epa.gov

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

**#014 [25 Pa. Code § 127.541]****Significant Operating Permit Modifications**

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

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25 Pa. Code § 127.541. Notifications to EPA, pursuant to 25 PA Code §127.522(a), if required, shall be submitted, to the following EPA e-mail box:

R3\_Air\_Apps\_and\_Notices@epa.gov

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

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

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

R3\_Air\_Apps\_and\_Notices@epa.gov

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

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

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

R3\_Air\_Apps\_and\_Notices@epa.gov

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

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

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

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

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

(a) The permittee shall pay fees to the Department in accordance with the applicable fee schedules in 25 Pa. Code Chapter 127, Subchapter I (relating to plan approval and operating permit fees).

(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).



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(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).

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

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

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

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

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

- (1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.
- (2) One ton of NO<sub>x</sub> from a single source during the term of the permit and 5 tons of NO<sub>x</sub> 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 PM<sub>10</sub> from a single source during the term of the permit and 3.0 tons of PM<sub>10</sub> 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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the device or technique may be used for control of malodors.

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

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

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

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The compliance certification shall be postmarked or hand-delivered no later than thirty days after each anniversary of the date of issuance of this Title V Operating Permit, or on the submittal date specified elsewhere in the permit, to the Department and EPA in accordance with the submission requirements specified in condition #022 of this section.

**#027 [25 Pa. Code § 127.3]****Operational Flexibility**

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

- (1) Section 127.14 (relating to exemptions)

**SECTION B. General Title V Requirements**

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

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

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

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

(1) The permittee shall submit the first RMP to a central point specified by EPA no later than the latest of the following:

- (i) Three years after the date on which a regulated substance is first listed under § 68.130; or,
- (ii) The date on which a regulated substance is first present above a threshold quantity in a process.

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

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

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

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

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

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

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

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

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

**SECTION B. General Title V Requirements**

(2) The permittee fails to submit a compliance schedule or include a statement in the compliance certification required under Condition #26 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).

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

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

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

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

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

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

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

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

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

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

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

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

**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) – (8) N/A.
- (9) Sources and classes of sources other than those identified in paragraphs (1)-(5), 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) N/A.
- (c) Contained under WORK PRACTICE REQUIREMENTS in this section of the permit.
- (d) N/A.

**# 003 [25 Pa. Code §123.13]****Processes**

Particulate matter emissions into the outdoor atmosphere from any process shall not exceed 0.04 gr/dscf as specified in 25 Pa. Code § 123.13(c)(1)(i).

**# 004 [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.

**# 005 [25 Pa. Code §123.31]****Limitations**

(a) Limitations are as follows:

- (1) - (2) N/A.
- (b) A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any

**SECTION C. Site Level Requirements**

source in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

(c) N/A.

**# 006 [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.

**# 007 [25 Pa. Code §129.14]****Open burning operations**

(a) AIR BASINS. N/A.

(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) Any 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 the 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:



**SECTION C. Site Level Requirements**

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

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

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

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

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

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

(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).

(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 that chapter.

[The Gans Power Station is not located in an air basin.]

**II. TESTING REQUIREMENTS.****# 008 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this Permit may be in excess of the limitations specified in, or established pursuant to the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Such testing shall be conducted in accordance with Title 25 PA Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required.

**# 009 [25 Pa. Code §139.51]****Purpose.**

(a) Pursuant to 25 Pa. Code § 139.3, at least 90 calendar days prior to commencing an emissions testing program, a test protocol shall be submitted to the Department for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(b) Pursuant to 25 Pa. Code § 139.3, at least 15 calendar days prior to commencing an emission testing program,

**SECTION C. Site Level Requirements**

notification as to the date and time of testing shall be given to the SW Regional Office. For EPA Method test programs, notification shall also be sent to the Division of Source Testing and Monitoring. For testing utilizing portable analyzers, and no EPA Test Methods, when the complete operating procedure including calibration, QA/QC and emissions calculation methods have been previously submitted to the Department, notification of testing shall only be submitted to the SW Regional Office. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department. Later EPA Method Stack Tests and portable monitoring programs that adhere to the procedures of a test protocol, previously approved and performed, may utilize the protocol, subject to updates in the Department's source test manual, referencing it in the notification.

(c) Pursuant to 25 Pa. Code Section 139.53(a)(3), within 15 calendar days after completion of the on-site testing portion of an EPA Method emission test program, if a complete test report has not yet been submitted, an electronic mail notification, indicating the completion date of the on-site testing, shall be sent to the Department's Division of Source Testing and Monitoring.

(d) Pursuant to 40 CFR Part 60.8(a), 40 CFR Part 61.13(f), and 40 CFR Part 63.7(g), two copies of the complete test report shall be submitted to the Department at the SWRO, no later than 60 calendar days after completion of the on-site testing portion of an emission test program.

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

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

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

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

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

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

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

(h) Pursuant to 25 Pa. Code Section 139.53(a)(1) and 139.53(a)(3), all submittals, besides notifications, shall be accomplished through PSIMS\*Online available through <https://www.depgreenport.state.pa.us/ecomm/Login.jsp>. If internet submittal cannot be accomplished, three copies of the submittal shall be sent to the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, Division of Source Testing and Monitoring, 400 Market Street, 12th Floor Rachael Carson State Office Building, Harrisburg, PA 17105-8468 with deadlines verified through document postmarks.

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

**III. MONITORING REQUIREMENTS.****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

A facility-wide inspection shall be conducted at a minimum of once each day that the Station is visited by the Owner/Operator and any emission sources are operating. The facility-wide inspection shall be conducted for the presence of the following:

**SECTION C. Site Level Requirements**

- a. Visible stack emissions;
- b. Fugitive emissions; and
- c. Potentially objectionable odors at the property line.

These observations are to ensure continued compliance with source-specific visible emission limitations, fugitive emissions prohibited under 25 Pa. Code §§123.1 or 123.2, and malodors prohibited under 25 Pa. Code §123.31. In any case, inspections shall take place at a minimum of once per week, during weeks when sources at the facility have operated. This observation does not require that it be performed by a person certified as a qualified observer for EPA Method 9 for Visual Determination of the Opacity of Emissions from Stationary Sources. Observations for visible stack emissions shall be conducted during daylight hours and all observations shall be conducted while sources are in operation. If visible stack emissions, fugitive emissions, or potentially objectionable odors are apparent, the Owner/Operator shall take corrective action.

**IV. RECORDKEEPING REQUIREMENTS.****# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall maintain records of all visible stack emissions, fugitive emissions, and malodor surveys performed, in a log or electronically. At the minimum, the records shall include the date, time, name and title of the observer, whether emissions or malodors were observed, and any corrective action taken as a result.

**# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Owner/Operator shall maintain the following comprehensive and accurate records. These records shall be kept on monthly basis. Total fuel consumption and hours of emission process operation over the previous 12-month period shall be updated monthly:

- a. Total daily fuel consumption by each of Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102), and other permitted equipment.
- b. The total daily hours of operation of each of Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102), and other permitted equipment.
- c. Records including a description of testing methods, results, all operating data collected during tests, and a copy of the calculations performed.
- d. Copies of the manufacturer's recommended maintenance schedule for Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102), and other permitted equipment.
- e. Records of any maintenance conducted on Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102) and other permitted equipment.
- f. Records of all fractional gas analysis performed on the inlet natural gas to Gans within the last five years.
- g. Copies of the report that demonstrates that Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102) were operating at maximum operating conditions and within 10 percent of 100 percent peak load (or the highest achievable load) during emission performance testing.

**# 013 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

All logs and required records shall be maintained for a minimum of five years. These records must be kept on site, or electronically available on the site, for a minimum of two years. They may be stored at an alternative location or electronically available by a method acceptable to the Department, for the remaining time. All records shall be made available to the Department upon request.

**SECTION C. Site Level Requirements****# 014 [25 Pa. Code §135.5]****Recordkeeping**

Source owners or operators shall maintain and make available upon request by the Department records including computerized records that may be necessary to comply with 135.21 (relating to reporting; and emission statements). These may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed informed by indirect means.

**V. REPORTING REQUIREMENTS.****# 015 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Should the owner/operator of the Gans Power Station be required to submit a report of annual greenhouse gas emissions to the federal government because of the requirements of 40 CFR Part 98 - Mandatory Greenhouse Gas Reporting, a copy of this report shall also be submitted to the Department's Southwest Regional Office.

**# 016 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Malfunction reporting shall be conducted as follows:

a. For the purpose of this condition, a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions may include, but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property on whose land the source is being operated.

b. Any malfunction that poses an imminent danger to the public health, safety, or welfare or to the environment shall be reported by telephone to the County Emergency Management Agency (911 Center), and to the 24-hour Emergency Hotline of the appropriate DEP Regional Office (Phone (412)442-4000), no later than one hour after the discovery of an incident. Following the telephone notification, a written notice shall be submitted to the DEP, no later than the next business day.

c. All other malfunctions shall be reported to the Department no later than the next business day.

d. Initial reporting of the malfunction shall identify the following items to the extent known:

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

e. The Owner/Operator shall also notify the Department immediately, by telephone, when corrective measures for malfunctions meeting the criteria in (b) have been accomplished.

f. All malfunctions shall be reported to the Department by email (Addresses will be provided by the Department.), or by regular mail, at the address below:

PA DEP  
Office of Air Quality  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

**SECTION C. Site Level Requirements**

412-442-4000

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

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

The Gans Power Station is a Title V facility. Therefore, Owner/operator shall submit the semi-annual monitoring reports for the Gans Power Station by January 30 and July 30 of each year. The January 30 semi-annual monitoring report shall cover the period from July 1 through December 31. The July 30 semiannual 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 station into compliance with this schedule.

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

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

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

[The Gans Power Station is a Title V facility. Therefore, Owner/operator shall submit a Title V Compliance Certification for the Gans Power Station by January 30 of each year. The Title V Compliance Certification shall cover the previous calendar year, for the period January 1 through December 31. This Certification shall be submitted to both the Director, Air, Toxics, and Radiation of EPA, Region III and the Regional Air Quality Program Manager, PA DEP. The Title V Compliance Certification may be emailed to EPA Region III at R3\_APD\_Permits@epa.gov in lieu of mailing a hard copy. 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 station into compliance with this schedule.]

**# 019 [25 Pa. Code §135.21]****Emission statements**

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

**# 020 [25 Pa. Code §135.3]****Reporting**

(a) A person who owns or operates a source to which this chapter 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) A person who receives initial notification by the Department that a source report is necessary shall submit an initial

**SECTION C. Site Level Requirements**

source report with 60 days after receiving the notification or by March 1 of the year following the year for which the report is required, whichever is later.

(c) N/A.

[The Gans Power Station is a Title V facility. Therefore, the operators of the Gans Power Station are required to submit an annual air emission inventory.

The source report in (a) shall include a statement; in a form as the Department may prescribe; for classes or categories of sources; showing the actual emissions of individual criteria and hazardous air pollutants and greenhouse gas emissions, as well as other air contaminants. (Per the Department's Emissions Inventory Reporting Instructions.) A description of the method used to calculate the emissions and the time period over which the calculation is based, shall be included. The statement shall also contain a certification by a company officer or the plant manager that the information contained in the statement is accurate.

Additional authority for this condition is taken from § 135.21.]

**VI. WORK PRACTICE REQUIREMENTS.****# 021 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

The permittee shall take all reasonable actions to prevent particulate matter from a source identified in 25 PA Code 123.1(a)(1)-(9) from becoming airborne. These actions shall include, but not be limited to, the following:

(c)(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.

**# 022 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

In order to minimize emissions, all units shall be operated and maintained in accordance with good air pollution and engineering practices.

**VII. ADDITIONAL REQUIREMENTS.****# 023 [25 Pa. Code §123.42]****Exceptions**

Limitations of opacity shall not apply to a visible emission in any of the following instances:

(1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.

(2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.

(3) When the emission results from sources specified in § 123.1 (a)(1)-(9) (relating to prohibition of certain fugitive emissions).

(4) N/A.

**SECTION C. Site Level Requirements****# 024 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions may be measured using either of the following:

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

**# 025 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Mass emissions may be determined using engineering calculations based on fuel and raw material purchase records, manufacturers specifications, AP-42 emission factors, source test results, operating records, material balance methods, and/or other applicable methods with written Departmental approval.

**# 026 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Sources at the Gans Power Station are subject to 40 CFR Part 60, Subpart A - General Provisions, Subpart GG - Standards of Performance for Stationary Gas Turbines and 25 Pa. Code Chapters 121-145. (Air Resources)

Owner/operator shall comply with all applicable notification and reporting requirements contained in 40 CFR 60, Subparts A and GG. All submittals shall be sent to both USEPA Region III and PADEP at the following addresses:

Director, Air, Toxics, and Radiation  
Environmental Protection Agency  
Region III  
Office of Air Quality  
1650 Arch Street  
Philadelphia, PA 19103

PA Department of Environmental Protection  
Regional Air Quality Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

This permit contains language from the Code of Federal Regulations (CFR). Should the wording of the federal citations of the conditions in this permit be changed in the CFR, the new wording shall supersede the language of this permit.

**# 027 [25 Pa. Code §135.4]****Report format**

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

**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.

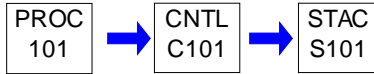
**\*\*\* Permit Shield In Effect \*\*\***

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: COMB. GAS TURBINE UNIT 8(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: SG01  
SG02**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. \*\*\***



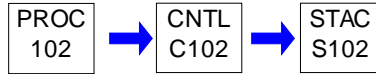
**SECTION D. Source Level Requirements**

Source ID: 102

Source Name: COMB. GAS TURBINE UNIT 9(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)

Source Capacity/Throughput:

Conditions for this source occur in the following groups: SG01  
SG02

**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).

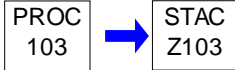
**\*\*\* Permit Shield in Effect. \*\*\***

**SECTION D. Source Level Requirements**

Source ID: 103

Source Name: COOLING TOWERS

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 E. Source Group Restrictions.**

Group Name: SG01

Group Description: Simple Cycle Combustion Gas Turbines

Sources included in this group

ID	Name
101	COMB. GAS TURBINE UNIT 8(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)
102	COMB. GAS TURBINE UNIT 9(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)

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

(a) - (b) N/A.

(c) For processes not listed in subsection (b)(1), ... the following apply:

(i) - (ii) N/A.

(iii) .02 grain (particulate matter) per dry standard cubic foot, when the effluent gas volume is greater than 300,000 dry standard cubic feet per minute.

(d) N/A.

[The rated flow from each of Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102) is 420,130 SCFM. 0.02 grains per SCF at rated flow is equivalent to 72.0 pounds per hour from each unit.]

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

In accordance with Plan Approval PA-26-00495A, Condition #7, NO<sub>x</sub> emissions from each of the Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102), during normal operation, shall be limited to a maximum of 25 ppm, corrected to 15% oxygen on a dry gas basis.

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

In accordance with Plan Approval PA-26-00495A, Condition #8, emissions from the sum of Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102), during normal operation, shall not exceed any of the following:

- 41.0 pounds of oxides of nitrogen\* per hour
- 56.0 pounds of CO per hour
- 2.5 pounds of oxides of sulfur\*\* per hour
- 5.0 pounds of non-methane, non-ethane, volatile organic compounds\*\*\* per hour
- 3.0 pounds of PM10\*\*\*\* per hour.

Also, emissions from the sum of Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102), during any operation, shall not exceed any of the following, during any consecutive 12-month period:

- 99.9 tons of oxides of nitrogen\*
- 136.5 tons of CO
- 6.1 tons of oxides of sulfur\*\*
- 12.2 tons of non-methane, non-ethane, volatile organic compounds\*\*\*
- 9.9 tons of PM10\*\*\*\*

[\*Expressed as NO<sub>2</sub>.

**SECTION E. Source Group Restrictions.**

\*\*Expressed as SO<sub>2</sub>

\*\*\*Based on U.S. EPA Method 25A (insensitive to formaldehyde), on an as-propane basis, corrected for non-volatile organic compounds, and/or either of Methods 18 or 320, or Agency approved equivalent, corrected to the basis of Method 25A as shown in §60.4244(g).

\*\*\*\*PM<sub>10</sub> includes both filterable and condensable fractions,

Compliance with the hourly NO<sub>x</sub> emission rate shall be based on a four-hour rolling average, updated hourly. Compliance with the annual rates, shall be based on a 12-consecutive month rolling average, updated monthly.

Normal operation is defined as all periods when the combustion turbine is operating, excluding periods of startup, shutdown, when ambient air temperature is low, and periods of turbine tuning. In accordance with Plan Approval PA-26-00495A, Condition #12, the above hourly emission rates do not apply during periods of startup and shutdown. Startup is the period from the beginning of combustion turbine operation until normal conditions are reached. Shutdown is the period from normal operation until combustion turbine rotation ceases. Startup periods shall not exceed 30-minutes and shutdown shall not exceed 30-minutes duration. The ambient air temperature is low when it is less than 0 Degrees F.

These limits on emissions for each of the combustion turbines (Source IDs 101 & 102) were established in PA-26-00495A and are based on vendor information assuming 20 Degrees F ambient temperature and 1100 feet elevation. The annual limits are based on the hourly limits in this condition, for one combustion turbine operated for 4,875 hours.]

**Operation Hours Restriction(s).**

**# 004 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

In accordance with Plan Approval PA-26-00495A, Conditions #4, the hours of operation each of Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102) shall not exceed 4,875 hours during any consecutive 12-month period, updated monthly.

**Throughput Restriction(s).**

**# 005 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

In accordance with Plan Approval PA-26-00495A, Condition #4, total consumption of natural gas by the sum of these sources (Source IDs 101 & 102) shall not exceed 2,190,000,000 cubic feet, per consecutive 12-month period, updated monthly.

**II. TESTING REQUIREMENTS.**

**# 006 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

Compliance with the turbine emission limitations for CO shall be demonstrated through stack emission testing on each turbine. Compliance with SO<sub>2</sub> emission limits shall be demonstrated using results of natural gas analysis or purchase specifications. Compliance with non-methane, non-ethane, volatile organic compounds and PM<sub>10</sub> emission limits shall be demonstrated using emission factors, from sources such as EPA AP-42 or EPA FIRE.

A. All stack testing shall be performed in accordance with 40 CFR §§ 60.8 and 60.335, Title 25 Pa. Code Chapter 139 regulations, and the most recent version of the Department's current Source Testing Manual. Stack testing for PM<sub>10</sub> shall be conducted by EPA Test Method 201A for the filterable portion and EPA Test Method 202 for condensable particulate matter or Agency approved equivalents. Since almost all of the filterable particulate from the gas turbines is expected to have a diameter smaller than 2.5 micrometers, EPA Test Method 5 may be used in lieu of EPA Test Method 201A. Stack testing for carbon monoxide shall be conducted by EPA Test Method 10 or Agency approved equivalent.

B. Owner/operator shall record all pertinent operating data during the stack test and include this data with the stack test results.

C. This testing shall be conducted within twelve months of the effective date of this permit. Testing conducted less than

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24- months prior to the effective date of this permit and meeting all other requirements of this condition, will also fulfill this requirement.

D. The permittee shall conduct this performance testing at least once every five years, with a maximum interval between tests of 62-months.

**III. MONITORING REQUIREMENTS.****# 007 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

In accordance with Plan Approval PA-26-00495A, Condition #17, the Owner/Operator shall install, certify, maintain and operate a Department-approved continuous emission monitoring system (CEMS) in accordance with 25 PA Code Chapter 139, the Department's Continuous Source Monitoring Manual, 40 CFR Part 60, and 40 CFR Part 75. At a minimum the system shall measure and record the following for each turbine:

Nitrogen Oxide emissions (as NO<sub>2</sub>)  
% Oxygen (or % CO<sub>2</sub>)

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

The Owner/Operator shall use the procedures found in 40 CFR Part 75 Appendix D in lieu of the use of an exhaust gas flow monitor, provided the fuel flow meter is installed and operated in accordance with 25 Pa. Code Chapter 139 and the Department's Continuous Source Monitoring Manual.

**IV. RECORDKEEPING REQUIREMENTS.****# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

In accordance with Plan Approval PA-26-00495A, Condition #18, the Owner/Operator shall record hours of operation of each of the turbines and the amount and type of fuel consumed, on a daily basis. These records should also be kept on a monthly and previous 12-month basis, which is updated monthly.

**V. REPORTING REQUIREMENTS.****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Owner/Operator shall report all one-hour periods during which the actual NO<sub>x</sub> concentration in the CT exhaust exceeds 47 ppm, on a corrected to 15% oxygen and not corrected for water vapor basis, during any hour, rather than the NSPS limit of 106.1 ppm, corrected to 15% oxygen, corrected to ISO conditions, as excess emissions. Reports shall be sent to both the Department and EPA.

[On October 1, 2002, the owner/operator of Gans received the acceptance of this proposed value (47 ppm, on a basis of correcting to 15% oxygen and not correcting for water vapor.) for reporting excess NO<sub>x</sub> emissions under Subpart GG from EPA R3 in the name of the Administrator.]

**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.****# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The combustion turbines (Source IDs 101 & 102) are subject to the Title IV Acid Rain Program of the 1990 Clean Air Act Amendments, and shall comply with all applicable provisions of that Title, including the following:

40 CFR Part 72 Permits Regulations  
40 CFR Part 73 Sulfur Dioxide Allowance System  
40 CFR Part 75 Continuous Emissions Monitoring

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## 40 CFR Part 77 Excess Emissions

[As clarified below, in conditions related to the Acid Rain Program, the owner operator of Gans is not required to obtain an Acid Rain Permit for the station. However, certain Acid Rain Program General Provisions are applicable for Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102).]

**# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Owner/Operator shall operate the CEMS during all periods of turbine operation and shall include pollutants emitted during periods of startup and shutdown in calculating and reporting actual annual emissions.

**# 013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.330]****Subpart GG - Standards of Performance for Stationary Gas Turbines****Applicability and designation of affected facility.**

(a) The provisions of this subpart are applicable to the following affected facilities: All stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired.

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after October 3, 1977, is subject to the requirements of this part ....

[Combustion Turbine Units 8 and 9 (Source IDs 101 & 102) are subject to the applicable requirements of 40 CFR Part 60, Subpart GG - Standards of Performance for Stationary Gas Turbines. However, on October 1, 2002 the owner/operator of Gans received waivers from certain of the ongoing applicable requirements of Subpart GG from EPA R3 in the name of the Administrator. These waivers are:

- A. A custom fuel monitoring schedule for fuel sulfur content in pipeline quality natural gas.
- B. A waiver of the requirement for fuel nitrogen monitoring as allowed under EPA's 1987 Policy.
- C. A waiver of the requirement to monitor water-to-fuel ratio for water injection for NOx control.
- D. An allowance for the use of Part 75-certified Continuous Emission Monitors for measuring NOx emissions.
- E. An allowance not to correct NOx emissions to International Standards Organization (ISO) conditions for excess emission reporting purposes.]

**# 014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.331]****Subpart GG - Standards of Performance for Stationary Gas Turbines****Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

- (a) Stationary gas turbine means any simple cycle gas turbine, ....
- (b) Simple cycle gas turbine means any stationary gas turbine which does not recover heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine, or which does not recover heat from the gas turbine exhaust gases to heat water or generate steam.
- (c) - (d) N/A.
- (e) Emergency gas turbine means any stationary gas turbine which operates as a mechanical or electrical power source only when the primary power source for a facility has been rendered inoperable by an emergency situation.
- (f) Ice fog means an atmospheric suspension of highly reflective ice crystals.

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(g) ISO standard day conditions means 288 degrees Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

(h) N/A.

(i) Peak load means 100 percent of the manufacturer's design capacity of the gas turbine at ISO standard day conditions.

(j) Base load means the load level at which a gas turbine is normally operated.

(k) - (p) N/A.

(q) Electric utility stationary gas turbine means any stationary gas turbine constructed for the purpose of supplying more than one-third of its potential electric output capacity to any utility power distribution system for sale.

(r) N/A.

(s) Unit operating hour means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.

(t) Excess emissions means a specified averaging period over which either:

(1) The NO<sub>x</sub> emissions are higher than the applicable emission limit in §60.332;

(2) N/A.

(3) The recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.

(u) Natural gas means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Natural gas contains 20.0 grains or less of total sulfur per 100 standard cubic feet. Equivalents of this in other units are as follows: 0.068 weight percent total sulfur, 680 parts per million by weight (ppmw) total sulfur, and 338 parts per million by volume (ppmv) at 20 degrees Celsius total sulfur. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.

(v) - (x) N/A.

(y) Unit operating day means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

**# 015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.332]**

**Subpart GG- Standards of Performance for Stationary Gas Turbines  
Standard for nitrogen oxides.**

(a) On and after the date on which the performance test required by §60.8 is completed, every owner or operator subject to the provisions of this subpart as specified in paragraphs (b), (c), and (d) of this section shall comply with one of the following, except as provided in paragraphs (e), (f), (g), (h), (i), (j), (k), and (l) of this section.

(1) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine, any gases which contain nitrogen oxides in excess of:

$$\text{STD} = (0.0075 * (14.4/Y)) + F$$

where:

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STD = allowable ISO corrected (if required as given in §60.335(b)(1)) NOx emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

F = NOx emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(2) - (4) N/A.

(b) Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of paragraph (a)(1) of this section.

(c) - (e) N/A.

(f) Stationary gas turbines using water or steam injection for control of NOx emissions are exempt from paragraph (a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine.

(g) - (l) N/A.

[The value of F in this Condition is 0, because the CGT's at the Gans Power only burn natural gas, and natural gas contains no fuel-bound nitrogen. The value of STD in this Condition is 106.1 ppm NOx (Expressed as NO2.), corrected to 15% oxygen on a dry gas basis.]

**# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.334]**

**Subpart GG- Standards of Performance for Stationary Gas Turbines**

**Monitoring of operations.**

(a) N/A.

(b) The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOx emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOx and O2 monitors. As an alternative, a CO2 monitor may be used to adjust the measured NOx concentrations to 15 percent O2 by either converting the CO2 hourly averages to equivalent O2 concentrations using Equation F-14a or F-14b in appendix F to part 75 of this chapter and making the adjustments to 15 percent O2, or by using the CO2 readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as follows:

(1) Each CEMS must be installed and certified according to PS 2 and 3 (for diluent) of 40 CFR part 60, appendix B, except the 7-day calibration drift is based on unit operating days, not calendar days. Appendix F, Procedure 1 is not required. The relative accuracy test audit (RATA) of the NOx and diluent monitors may be performed individually or on a combined basis, i.e., the relative accuracy tests of the CEMS may be performed either:

(i) On a ppm basis (for NOx) and a percent O2 basis for oxygen; or

(ii) On a ppm at 15 percent O2 basis; or

(iii) On a ppm basis (for NOx) and a percent CO2 basis (for a CO2 monitor that uses the procedures in Method 20 to correct the NOx data to 15 percent O2).

(2) As specified in §60.13(e)(2), during each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit



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operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

(3) For purposes of identifying excess emissions, CEMS data must be reduced to hourly averages as specified in §60.13(h).

(i) For each unit operating hour in which a valid hourly average, as described in paragraph (b)(2) of this section, is obtained for both NO<sub>x</sub> and diluent, the data acquisition and handling system must calculate and record the hourly NO<sub>x</sub> emissions in the units of the applicable NO<sub>x</sub> emission standard under §60.332(a), i.e., percent NO<sub>x</sub> by volume, dry basis, corrected to 15 percent O<sub>2</sub> and International Organization for Standardization (ISO) standard conditions (if required as given in §60.335(b)(1)). For any hour in which the hourly average O<sub>2</sub> concentration exceeds 19.0 percent O<sub>2</sub>, a diluent cap value of 19.0 percent O<sub>2</sub> may be used in the emission calculations.

(ii) A worst case ISO correction factor may be calculated and applied using historical ambient data. For the purpose of this calculation, substitute the maximum humidity of ambient air (H<sub>o</sub>), minimum ambient temperature (T<sub>a</sub>), and minimum combustor inlet absolute pressure (P<sub>o</sub>) into the ISO correction equation.

(iii) If the owner or operator has installed a NO<sub>x</sub> CEMS to meet the requirements of part 75 of this chapter, and is continuing to meet the ongoing requirements of part 75 of this chapter, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology provided for at 40 CFR part 75, subpart D, is not required for purposes of identifying excess emissions. Instead, periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in §60.7(c).

(c) - (g) N/A.

(h) The owner or operator of any stationary gas turbine subject to the provisions of this subpart:

(1) - (2) N/A.

(3) Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) N/A.

(4) N/A.

(i) N/A.

(j) For each affected unit that elects to continuously monitor ... emissions, ... the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows:

(1) - (ii) N/A.

(iii) For turbines using NO<sub>x</sub> and diluent CEMS:

(A) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NO<sub>x</sub> concentration exceeds the applicable emission limit in §60.332(a)(1) or (2). For the purposes of this subpart, a "4-hour rolling average NO<sub>x</sub> concentration" is the arithmetic average of the average NO<sub>x</sub> concentration measured by the CEMS for a given hour (corrected to 15 percent O<sub>2</sub> and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating

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hour average NOx concentrations immediately preceding that unit operating hour.

(B) A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour, for either NOx concentration or diluent (or both).

(C) Each report shall include the ambient conditions (temperature, pressure, and humidity) at the time of the excess emission period and (if the owner or operator has claimed an emission allowance for fuel bound nitrogen) the nitrogen content of the fuel during the period of excess emissions. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

(iv) N/A.

(2) N/A.

(3) Ice fog. Each period during which an exemption provided in §60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

(4) N/A.

(5) All reports required under §60.7(c) shall be postmarked by the 30th day following the end of each 6-month period.

**# 017 [40 CFR Part 72 Regulations on Permits §40 CFR 72.6]**

**Subpart A--Acid Rain Program General Provisions**

**Applicability.**

(a) Each of the following units shall be an affected unit, and any source that includes such a unit shall be an affected source, subject to the requirements of the Acid Rain Program:

(1) A unit listed in table 1 of §73.10(a) of this chapter.

(2) A unit that is listed in table 2 or 3 of §73.10 of this chapter and any other existing utility unit, except a unit under paragraph (b) of this section.

(3) A utility unit, except a unit under paragraph (b) of this section, that:

(i) Is a new unit; or

(ii) - (vii) N/A.

(b) - (c) N/A.

[Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102) are new, affected units for the Acid Rain Program.]

**# 018 [40 CFR Part 72 Regulations on Permits §40 CFR 72.7]**

**Subpart A--Acid Rain Program General Provisions**

**New units exemption.**

(a) Applicability. This section applies to any new utility unit that has not previously lost an exemption under paragraph (f)(4) of this section and that, in each year starting with the first year for which the unit is to be exempt under this section:

(1) N/A;

(2) Burns fuel that does not include any coal or coal-derived fuel (except coal-derived gaseous fuel with a total sulfur content no greater than natural gas); and

(3) Burns gaseous fuel with an annual average sulfur content of 0.05 percent or less by weight (as determined under

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paragraph (d) of this section) and nongaseous fuel with an annual average sulfur content of 0.05 percent or less by weight (as determined under paragraph (d) of this section).

(b)(1) Any new utility unit that meets the requirements of paragraph (a) of this section and that is not allocated any allowances under subpart B of part 73 of this chapter shall be exempt from the Acid Rain Program, except for the provisions of this section, §§72.2 through 72.6, and §§72.10 through 72.13.

(2) The exemption under paragraph (b)(1) of this section shall be effective on January 1 of the first full calendar year for which the unit meets the requirements of paragraph (a) of this section. By December 31 of the first year for which the unit is to be exempt under this section, a statement signed by the designated representative (authorized in accordance with subpart B of this part) or, if no designated representative has been authorized, a certifying official of each owner of the unit shall be submitted to permitting authority otherwise responsible for administering a Phase II Acid Rain permit for the unit. If the Administrator is not the permitting authority, a copy of the statement shall be submitted to the Administrator. The statement, which shall be in a format prescribed by the Administrator, shall identify the unit, state the nameplate capacity of each generator served by the unit and the fuels currently burned or expected to be burned by the unit and their sulfur content by weight, and state that the owners and operators of the unit will comply with paragraph (f) of this section.

(3) N/A.

(c)(1) Any new utility unit that meets the requirements of paragraph (a) of this section and that is allocated one or more allowances under subpart B of part 73 of this chapter shall be exempt from the Acid Rain Program, except for the provisions of this section, §§72.2 through 72.6, and §§72.10 through 72.13, if each of the following requirements are met:

(i) The designated representative (authorized in accordance with subpart B of this part) or, if no designated representative has been authorized, a certifying official of each owner of the unit submits to the permitting authority otherwise responsible for administering a Phase II Acid Rain permit for the unit a statement (in a format prescribed by the Administrator) that:

(A) Identifies the unit and states the nameplate capacity of each generator served by the unit and the fuels currently burned or expected to be burned by the unit and their sulfur content by weight;

(B) States that the owners and operators of the unit will comply with paragraph (f) of this section;

(C) Surrenders allowances equal in number to, and with the same or earlier compliance use date as, all of those allocated to the unit under subpart B of part 73 of this chapter for the first year that the unit is to be exempt under this section and for each subsequent year; and

(D) Surrenders any proceeds for allowances under paragraph (c)(1)(i)(C) or this section withheld from the unit under §73.10 of this chapter. If the Administrator is not the permitting authority, a copy of the statement shall be submitted to the Administrator.

(ii) N/A.

(2) The exemption under paragraph (c)(1) of this section shall be effective on January 1 of the first full calendar year for which the requirements of paragraphs (a) and (c)(1) of this section are met. After notification by the Administrator under the third sentence of paragraph (c)(1)(ii) of this section, the permitting authority shall amend under §72.83 the operating permit covering the source at which the unit is located, if the source has such a permit, to add the provisions and requirements of the exemption under paragraphs (a), (c)(1), (d), and (f) of this section.

(d) Compliance with the requirement that fuel burned during the year have an annual average sulfur content of 0.05 percent by weight or less shall be determined as follows using a method of determining sulfur content that provides information with reasonable precision, reliability, accessibility, and timeliness:

(1) For gaseous fuel burned during the year, if natural gas is the only gaseous fuel burned, the requirement is assumed to be met;

(2) - (3) N/A.

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(e)(1) A utility unit that was issued a written exemption under this section and that meets the requirements of paragraph (a) of this section shall be exempt from the Acid Rain Program, except for the provisions of this section, §§72.2 through 72.6, and §§72.10 through 72.13 and shall be subject to the requirements of paragraphs (a), (d), (e)(2), and (f) of this section in lieu of the requirements set forth in the written exemption. The permitting authority shall amend under §72.83 the operating permit covering the source at which the unit is located, if the source has such a permit, to add the provisions and requirements of the exemption under this paragraph (e)(1) and paragraphs (a), (d), (e)(2), and (f) of this section.

(2) If a utility unit under paragraph (e)(1) of this section is allocated one or more allowances under subpart B of part 73 of this chapter, the designated representative (authorized in accordance with subpart B of this part) or, if no designated representative has been authorized, a certifying official of each owner of the unit shall submit to the permitting authority that issued the written exemption a statement (in a format prescribed by the Administrator) meeting the requirements of paragraph (c)(1)(i)(C) and (D) of this section. The statement shall be submitted by June 31, 1998 and, if the Administrator is not the permitting authority, a copy shall be submitted to the Administrator.

(f) Special Provisions. (1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under this section shall:

(i) Comply with the requirements of paragraph (a) of this section for all periods for which the unit is exempt under this section; and

(ii) Comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.

(2) For any period for which a unit is exempt under this section:

(i) For purposes of applying parts 70 and 71 of this chapter, the unit shall not be treated as an affected unit under the Acid Rain Program and shall continue to be subject to any other applicable requirements under parts 70 and 71 of this chapter.

(ii) The unit shall not be eligible to be an opt-in source under part 74 of chapter.

(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under this section shall retain at the source that includes the unit records demonstrating that the requirements of paragraph (a) of this section are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority.

(i) Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken.

(ii) The owners and operators bear the burden of proof that the requirements of paragraph (a) of this section are met.

(4) N/A.

(iii) For the purpose of applying monitoring requirements under part 75 of this chapter, a unit that loses its exemption under this section shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

[Paragraph (b)(1) states that Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102) are only subject to certain sections of 40 CFR Part 72. The owners/operators are not required to obtain an Acid Rain Permit for Combustion Gas Turbine Units 8 and 9 (Source IDs 101 & 102).]

**# 019 [40 CFR Part 72 Regulations on Permits §40 CFR 72.9]****Subpart A--Acid Rain Program General Provisions****Standard requirements.**

(a) N/A.

(b) Monitoring Requirements. (1) The owners and operators and, to the extent applicable, designated representative of

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each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in part 75 of this chapter.

(2) The emissions measurements recorded and reported in accordance with part 75 of this chapter shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.

(3) The requirements of part 75 of this chapter shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

(c) Sulfur Dioxide Requirements. (1) The owners and operators of each source and each affected unit at the source shall:

(i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under §73.34(c) of this chapter) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and

(ii) Comply with the applicable Acid Rain emissions limitation for sulfur dioxide.

(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.

(3) An affected unit shall be subject to the requirements under paragraph (c)(1) of this section as follows:

(i) - (iii) N/A; or

(iv) Starting on the later of January 1, 2000 or the deadline for monitor certification under part 75 of this chapter, an affected unit under §72.6(a)(3) that is not a substitution or compensating unit.

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

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

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

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

(d) Nitrogen Oxides Requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

(e) Excess Emissions Requirements. (1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under part 77 of this chapter.

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

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

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

(f) Recordkeeping and Reporting Requirements. (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years

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from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority.

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

(ii) All emissions monitoring information, in accordance with part 75 of this chapter; provided that to the extent that part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program.

(iv) N/A.

(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under subpart I of this part and part 75 of this chapter.

(g) Liability. (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, ... or an exemption under §72.7 or §72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.

(7) Each violation of a provision of this part, parts 73, 74, 75, 76, 77, and 78 of this chapter, by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

(h) N/A.

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

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Group Name: SG02

Group Description: Cross States Air Pollution Rule (CSAPR) Requirements

Sources included in this group

ID	Name
101	COMB. GAS TURBINE UNIT 8(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)
102	COMB. GAS TURBINE UNIT 9(424.6 MMBTU/HR,NG,SIMPLE CYC,44 MW)

**I. RESTRICTIONS.**

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

**II. TESTING REQUIREMENTS.**

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

**III. MONITORING REQUIREMENTS.**

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

**IV. RECORDKEEPING REQUIREMENTS.**

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

**V. REPORTING REQUIREMENTS.**

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

**VI. WORK PRACTICE REQUIREMENTS.**

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

**VII. ADDITIONAL REQUIREMENTS.****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

## Description of Transport Rule (TR) Monitoring Provisions

The TR subject units, and the unit-specific monitoring provisions at this source, are identified below. These units are subject to the requirements for the TR NO<sub>x</sub> Annual Trading Program, TR NO<sub>x</sub> Ozone Season Trading Program and TR SO<sub>2</sub> Group 1 Trading Program.

Unit 8 - Simple Cycle Gas Turbine (Source ID 101) and Unit 9 - Simple Cycle Gas Turbine (Source ID 102):

SO<sub>2</sub>: Excepted monitoring system requirements for gas-and oil-fired units pursuant to 40 CFR Part 75, Appendix D

NO<sub>x</sub>: Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR Part 75, Subpart B (for NO<sub>x</sub> monitoring) and 40 CFR Part 75, Subpart H (for NO<sub>x</sub> monitoring)

HEAT INPUT: Excepted monitoring system requirements for gas-and oil-fired units pursuant to 40 CFR Part 75, Appendix D

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR §§97.430 through 97.435

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(TR NOx Annual Trading Program), and §§97.530 through 97.535 (TR NOx Ozone Season Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.

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

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

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

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

[On February 26, 2015, EPA proposed the updated Transport Rule, also known as the Cross States Air Pollution Rule (CSAPR), to replace the Clean Air Interstate Rule (CAIR). On September 7, 2016, the updated, finalized, CSAPR was issued. This updated version of CSAPR addressed issues that caused the earlier version of CSAPR to be vacated by the US Court of Appeals for the DC Circuit, on August 21, 2012, with the older CAIR rule to remain in place, temporarily, until CSAPR's deficiencies were addressed.

**# 002 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.406] Subpart AAAAA - CSAPR NOx Annual Trading Program Standard requirements.**

TR NOx Annual Trading Program requirements:

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.413 through 97.418.

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

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

(2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of TR NOx Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with



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the TR NOx Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NOx emissions requirements.

(1) TR NOx Annual emissions limitation.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR NOx Annual source and each TR NOx Annual unit at the source shall hold, in the source's compliance account, TR NOx Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NOx emissions for such control period from all TR NOx Annual units at the source.

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

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

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

(2) TR NOx Annual assurance provisions.

(i) If total NOx emissions during a control period in a given year from all TR NOx Annual units at TR NOx Annual sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NOx emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NOx Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying - (A) The quotient of the amount by which the common designated representative's share of such NOx emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NOx emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total NOx emissions from all TR NOx Annual units at TR NOx Annual sources in the state for such control period exceed the state assurance level.

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

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

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

(v) To the extent the owners and operators fail to hold TR NOx Annual allowances for a control period in a given year in

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accordance with paragraphs (c)(2)(i) through (iii) above,

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

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

(3) Compliance periods.

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

(ii) A TR NOx Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.

(4) Vintage of allowances held for compliance.

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

(ii) A TR NOx Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NOx Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NOx Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart AAAAA.

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

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

(ii) Notwithstanding any other provision of 40 CFR part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR NOx Annual allowance does not constitute a property right.

(d) Title V permit revision requirements.

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

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

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(e) Additional recordkeeping and reporting requirements.

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

(i) The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each TR NOx Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.

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

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

(2) The designated representative of a TR NOx Annual source and each TR NOx Annual unit at the source shall make all submissions required under the TR NOx Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

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

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

(g) Effect on other authorities.

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

**# 003 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.506]  
Subpart BBBBB - CSAPR NOx Ozone Season Group 1 Trading Program  
Standard requirements.**

TR NOx Ozone Season Trading Program Requirements:

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.513 through 97.518.

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

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

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certification), and 97.535 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.530 through 97.535 shall be used to calculate allocations of TR NOx Ozone Season allowances under 40 CFR 97.511(a)(2) and (b) and 97.512 and to determine compliance with the TR NOx Ozone Season emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.530 through 97.535 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NOx emissions requirements.

(1) TR NOx Ozone Season emissions limitation.

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

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

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

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

(2) TR NOx Ozone Season assurance provisions.

(i) If total NOx emissions during a control period in a given year from all TR NOx Ozone Season units at TR NOx Ozone Season sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NOx emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR NOx Ozone Season allowances available for deduction for such control period under 40 CFR 97.525(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.525(b), of multiplying -

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

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

(ii) The owners and operators shall hold the TR NOx Ozone Season allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii) Total NOx emissions from all TR NOx Ozone Season units at TR NOx Ozone Season sources in the state during a control period in a given year exceed the state assurance level if such total NOx emissions exceed the sum, for such control

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period, of the State NOx Ozone Season trading budget under 40 CFR 97.510(a) and the state's variability limit under 40 CFR 97.510(b).

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

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

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

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

(3) Compliance periods.

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

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

(4) Vintage of allowances held for compliance.

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

(ii) A TR NOx Ozone Season allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR NOx Ozone Season allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR NOx Ozone Season allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart BBBBBB.

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

(i) Such authorization shall only be used in accordance with the TR NOx Ozone Season Trading Program; and

(ii) Notwithstanding any other provision of 40 CFR part 97, subpart BBBBBB, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR NOx Ozone Season allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR NOx Ozone Season

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allowances in accordance with 40 CFR part 97, subpart BBBBB.

(2) This permit incorporates the TR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.530 through 97.535, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of TR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.506(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

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

(i) The certificate of representation under 40 CFR 97.516 for the designated representative for the source and each TR 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 certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.516 changing the designated representative.

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR NOx Ozone Season Trading Program.

(2) The designated representative of a TR NOx Ozone Season source and each TR NOx Ozone Season unit at the source shall make all submissions required under the TR NOx Ozone Season Trading Program, except as provided in 40 CFR 97.518. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

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

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

(g) Effect on other authorities.

No provision of the TR NOx Ozone Season Trading Program or exemption under 40 CFR 97.505 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR NOx Ozone Season source or TR 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.

**# 004 [40 CFR Part 97 NOx Budget Trading Program and CAIR NOx and SO2 Trading Programs §40 CFR 97.606] Subpart CCCCC - CSAPR SO2 Group 1 Trading Program Standard requirements.**

TR SO2 Group 1 Trading Program requirements:

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an

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alternate designated representative, in accordance with 40 CFR 97.613 through 97.618.

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

(1) The owners and operators, and the designated representative, of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

(2) The emissions data determined in accordance with 40 CFR 97.630 through 97.635 shall be used to calculate allocations of TR SO<sub>2</sub> Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the TR SO<sub>2</sub> Group 1 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) SO<sub>2</sub> emissions requirements.

(1) TR SO<sub>2</sub> Group 1 emissions limitation.

(i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall hold, in the source's compliance account, TR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under 40 CFR 97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all TR SO<sub>2</sub> Group 1 units at the source.

(ii) If total SO<sub>2</sub> emissions during a control period in a given year from the TR SO<sub>2</sub> Group 1 units at a TR SO<sub>2</sub> Group 1 source are in excess of the TR SO<sub>2</sub> Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:

(A) The owners and operators of the source and each TR SO<sub>2</sub> Group 1 unit at the source shall hold the TR SO<sub>2</sub> Group 1 allowances required for deduction under 40 CFR 97.624(d); and

(B) The owners and operators of the source and each TR SO<sub>2</sub> Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR part 97, subpart CCCCC and the Clean Air Act.

(2) TR SO<sub>2</sub> Group 1 assurance provisions.

(i) If total SO<sub>2</sub> emissions during a control period in a given year from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) TR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under 40 CFR 97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.625(b), of multiplying -

(A) The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and



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(B) The amount by which total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state for such control period exceed the state assurance level.

(ii) The owners and operators shall hold the TR SO<sub>2</sub> Group 1 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

(iii) Total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO<sub>2</sub> emissions exceed the sum, for such control period, of the state SO<sub>2</sub> Group 1 trading budget under 40 CFR 97.610(a) and the state's variability limit under 40 CFR 97.610(b).

(iv) It shall not be a violation of 40 CFR part 97, subpart CCCCC or of the Clean Air Act if total SO<sub>2</sub> emissions from all TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO<sub>2</sub> emissions from the TR SO<sub>2</sub> Group 1 units at TR SO<sub>2</sub> Group 1 sources in the state during a control period exceeds the common designated representative's assurance level.

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

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

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

(3) Compliance periods.

(i) A TR SO<sub>2</sub> Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.

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

(4) Vintage of allowances held for compliance.

(i) A TR SO<sub>2</sub> Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a TR SO<sub>2</sub> Group 1 allowance that was allocated for such control period or a control period in a prior year.

(ii) A TR SO<sub>2</sub> Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a TR SO<sub>2</sub> Group 1 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements. Each TR SO<sub>2</sub> Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart CCCCC.

(6) Limited authorization. A TR SO<sub>2</sub> Group 1 allowance is a limited authorization to emit one ton of SO<sub>2</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:

(i) Such authorization shall only be used in accordance with the TR SO<sub>2</sub> Group 1 Trading Program; and

(ii) Notwithstanding any other provision of 40 CFR part 97, subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or



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appropriate to implement any provision of the Clean Air Act.

(7) Property right. A TR SO<sub>2</sub> Group 1 allowance does not constitute a property right.

(d) Title V permit revision requirements.

(1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of TR SO<sub>2</sub> Group 1 allowances in accordance with 40 CFR part 97, subpart CCCCC.

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

(e) Additional recordkeeping and reporting requirements.

(1) Unless otherwise provided, the owners and operators of each TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

(i) The certificate of representation under 40 CFR 97.616 for the designated representative for the source and each TR SO<sub>2</sub> Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.616 changing the designated representative.

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

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the TR SO<sub>2</sub> Group 1 Trading Program.

(2) The designated representative of a TR SO<sub>2</sub> Group 1 source and each TR SO<sub>2</sub> Group 1 unit at the source shall make all submissions required under the TR SO<sub>2</sub> Group 1 Trading Program, except as provided in 40 CFR 97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71.

(f) Liability.

(1) Any provision of the TR SO<sub>2</sub> Group 1 Trading Program that applies to a TR SO<sub>2</sub> Group 1 source or the designated representative of a TR SO<sub>2</sub> Group 1 source shall also apply to the owners and operators of such source and of the TR SO<sub>2</sub> Group 1 units at the source.

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

(g) Effect on other authorities.

No provision of the TR SO<sub>2</sub> Group 1 Trading Program or exemption under 40 CFR 97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a TR SO<sub>2</sub> Group 1 source or TR SO<sub>2</sub> Group 1 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

**\*\*\* 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. The capacities/throughputs and other information listed in Section A, D, E, and this section, excluding those in permit restrictions, are for informational purposes only and are not enforceable limits.

2. The following description is for information purposes only:

This renewed Title V Operating Permit (TVOP) authorizes Gans Energy, LLC to operate a natural gas-fired combustion gas turbine station at their Gans Power Station, located in Springhill Township, Fayette County.

3. Air contamination sources are as follows:

Source ID 101 - Combustion Gas Turbine Unit 8 (424.6 MMBtu/hr, NG, Simple Cycle, 44 MW Electrical Output).  
 Source ID 102 - Combustion Gas Turbine Unit 9 (424.6 MMBtu/hr, NG, Simple Cycle, 44 MW Electrical Output).  
 Source ID 103 - Cooling Towers

4. Air emission controls are as follows:

Water Injection to reduce NOx emissions.

5. The following sources at this facility are considered insignificant activities due to their low emission levels and have no additional applicable requirements:

Air conditioning and ventilation systems  
 Turbine oil, insulating oil and lubricating oil tanks  
 Turbine cleaner, scale inhibitor and water treatment biocide tanks  
 Waste oil tanks  
 Miscellaneous tanks < 100 gallons  
 CEM analyzer venting  
 Natural gas relief valves  
 Hydraulic oil tanks  
 Space heaters  
 Laboratory equipment

6. PA DEP methodology for duration of observation and reduction of visual opacity data observed in accordance with EPA Method 9: The observer shall record observations in accordance with EPA Method 9 for minimum of 60 minutes. The data reduction methodology differs from EPA Method 9 in that it does not require a single continuous time interval and does not average datum of individual observations. Visual observations in accordance with Method 9 take place every 15 seconds and are recorded for this time interval. Since the observations of 20%, or greater, can be during multiple intervals, the number of high opacity observation readings are merely counted. For an emission limitation of opacity not to exceed 20% for a period aggregating more than three minutes in any 1 hour, a total of 13 observations equal to, or greater than, 20% would exceed this standard.

Other related permits : PA-26-00495A



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

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