

December 8, 2017

Mr. Tom Gasloli
MDEQ Air Quality Division
Technical Programs Unit
Field Operations Section
Constitution Hall, 2nd Floor
525 West Allegan St.
Lansing, MI 48909



**RE: Response to November 27, 2017 Violation Notice
New Covert Generating Company, LLC
SRN: N6767; Van Buren County
Renewable Operating Permit No. MI-ROP-N6767, ORIS ID 55297**

Dear Mr. Gasloli,

New Covert Generating Company, LLC ("Covert") is submitting a response letter to the Michigan Department of Environmental Quality ("MDEQ") Violation Notice, dated November 27, 2017, regarding second and third quarter 2017 Unit 1 CEMS monitor downtime. In this letter, MDEQ references three Rule / Permit Conditions that were potentially violated at Process Unit EU-Turbine 1 and EU-DB1:

- Failure to meet minimum data requirements (40 CFR 60.49 Da(f);
- Failure to continuously monitor nitrogen oxides ("NOx") emissions (MI-ROP-N6767-2014c, FG-TURB/DB1-3, VI,2); and
- Failure to continuously monitor carbon monoxide ("CO") emissions (MI-ROP-N6767-2014c, FG-TURB/DB1-3, VI,3).

By way of this letter, Covert is providing the requested information related to the failure to continuously monitor NOx and CO emissions for each violation: dates the violation occurred; explanation of the causes and duration of the violations; whether the violations are on-going; a summary of the actions taken and proposed to be taken to correct the violations, including the dates by which these actions will take place; and the steps that are being taken to prevent a reoccurrence.

Covert does not believe that there was a violation of the requirement to meet minimum data requirements as outlined lined in 40 CFR 60.49 Da(f). A description of the situation and supporting documentation is provided in this letter.

Date of all violations: June 23, 2017 through July 26, 2017

On-going violations: None

Continuous Monitoring Alleged Violation

Explanation of the causes and duration of the violations related to failing to continuously monitor NOx and CO emissions:

Starting on June 23, 2017, Covert experienced failed auto calibrations on the Unit 1 CEMS analyzers. After attempting manual calibrations, the operators found that the calibration was failing on the low side of calibration gas concentrations. The operators verified calibration gases and pressures, but noticed a low vacuum when running calibration gas up to the stack. Covert inspected the connections in the CEMS cabinet, rebuilt the filter box and probe connection and attempted to find the source of a calibration gas leak. After many hours of troubleshooting, Covert determined the leak must be on the inside of the stack where the sample gas line connects to the probe. Covert calibrated the analyzers through the cabinet (bypassing the probe) to ensure the analyzers were calibrated and then switched back to the probe to continue sampling from the stack.

Summary of the corrective action related to continuous monitoring of NOx and CO:

Covert had planned and arranged to replace/upgrade the analyzers due to age. Covert continued to use the cabinet calibration method through July 26, 2017 when new analyzers were installed. After installation of the new monitors, operators calibrated through the stack and did not have any full system calibration issues. Covert completed the Part 75 certification testing for the relevant analyzers (7-day drift, cycle time, linearity and RATA) with no apparent issues and reported the results through ECMPS.

As recommended by Mr. Tom Gasloli of MDEQ, Covert contacted Mr. Louis P. Nichols of EPA and was informed via an email, on August 24, 2017, that the alternate calibration method employed by the site during the period of June 23 through July 26 is not considered a valid calibration methodology under Part 75. After the confirmation email, Covert prepared and submitted a revised 2nd Quarter 2017 Excess Emission and Downtime Report with correct CEMS downtime to the agency on September 25, 2017. Covert also prepared timely submittal for the 3rd Quarter Excess Emission and Downtime Report with invalidated data between July 1st through July 26th. Part 75 data substitution methods were implemented for the non-confirming calibration period and the ECMPS reports were resubmitted.

Summary of the preventative action related to continuously monitoring NOx and CO:

Covert has revised the facility's QA/QC monitoring plan to include language regarding CEMS full system calibration requirements.

Minimum Data Requirements Alleged Violation

Rule/Permit Condition Not Violated:

The Violation Notice letter references 40 CFR, 60.49 Da (f) and states that Covert failed to meet the minimum data requirements.

The rule, 40 CFR 60.49(f)(1), states that "For units that began construction, reconstruction, or modification on or before February 28, 2005, the owner or operator shall obtain

emission data for at least 18 hours in at least 22 out of 30 successive boiler operating days. If this minimum data requirement cannot be met with CEMS, the owner or operator shall supplement emission data with other monitoring systems approved by the Administrator or the reference methods and procedures as described in paragraph (h) of this section."


According to 40 CFR 60.41, a **boiler operating day** "for units constructed, reconstructed, or modified before March 1, 2005, means a 24-hour period during which fossil fuel is combusted in a steam-generating unit for the entire 24 hours. For units constructed, reconstructed, or modified after February 28, 2005, boiler operating day means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the steam-generating unit. It is not necessary for fuel to be combusted the entire 24-hour period."

Covert was initially constructed prior to March 1, 2005 and has not been reconstructed or modified since that time. As shown in Attachment A (Unit 1 Subpart Da Emissions Report), the facility did not have a single boiler operating day during the period of the alleged violation between June 23, 2017 and July 26, 2017. Additionally, there were no boiler operating days in the 30 days preceding or subsequent to this time period.

Based on the data provided, Covert believes the facility did not incur a violation under 40 CFR 60.49 Da (f), as there were no data collection requirements for the time period of the alleged violation. As such, we request that the MDEQ rescind this violation.

Should you have any questions, please contact Mr. Chris Head, Operations Manager, at (269) 764-3805 or Mr. Andrew Oliver at (315) 433-1371 or aoliver@easterngen.com.

Sincerely,



John P. Reese
Senior Vice President
New Covert Generating Company, LLC

Enclosure:

Attachment A – Unit 1 Subpart Da Emissions Report

Attachment B – New Covert Violation Notice (November 27, 2017)

cc: Mr. Chris Head
Electronic Copy

Ms. Amanda Chapel
Michigan Department of Environmental Quality
Kalamazoo District – Division of Air Quality
7953 Adobe Road
Kalamazoo, MI 49009