

**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION**

EFFECTIVE DATE: August 27, 2024

ISSUED TO

Indeck Niles Energy Center

State Registration Number (SRN): N6921

LOCATED AT

2200 Progressive Drive, Niles, Cass County, Michigan 49120

RENEWABLE OPERATING PERMIT

Permit Number: MI-ROP-N6921-2024

Expiration Date: August 27, 2029

Administratively Complete ROP Renewal Application
Due Between February 27, 2028 and February 27, 2029

This Renewable Operating Permit (ROP) is issued in accordance with and subject to Section 5506(3) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). Pursuant to Rule 210(1) of the administrative rules promulgated under Act 451, this ROP constitutes the permittee's authority to operate the stationary source identified above in accordance with the general conditions, special conditions and attachments contained herein. Operation of the stationary source and all emission units listed in the permit are subject to all applicable future or amended rules and regulations pursuant to Act 451 and the federal Clean Air Act.

SOURCE-WIDE PERMIT TO INSTALL

Permit Number: MI-PTI-N6921-2024

This Permit to Install (PTI) is issued in accordance with and subject to Section 5505(1) of Act 451. Pursuant to Rule 214a of the administrative rules promulgated under Act 451, the terms and conditions herein, identified by the underlying applicable requirement citation of Rule 201(1)(a), constitute a federally enforceable PTI. The PTI terms and conditions do not expire and remain in effect unless the criteria of Rule 201(6) are met. Operation of all emission units identified in the PTI is subject to all applicable future or amended rules and regulations pursuant to Act 451 and the federal Clean Air Act.

Michigan Department of Environment, Great Lakes, and Energy

Julie Brunner, ROP Central Unit Supervisor

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AUTHORITY AND ENFORCEABILITY

For the purpose of this permit, the **permittee** is defined as any person who owns or operates an emission unit at a stationary source for which this permit has been issued. The **department** is defined in Rule 104(d) as the Director of the Michigan Department of Environment, Great Lakes, and Energy (EGLE) or his or her designee.

The permittee shall comply with all specific details in the permit terms and conditions and the cited underlying applicable requirements. All terms and conditions in this ROP are both federally enforceable and state enforceable unless otherwise footnoted. Certain terms and conditions are applicable to most stationary sources for which an ROP has been issued. These general conditions are included in Part A of this ROP. Other terms and conditions may apply to a specific emission unit, several emission units which are represented as a flexible group, or the entire stationary source which is represented as a Source-Wide group. Special conditions are identified in Parts B, C, D and/or the appendices.

In accordance with Rule 213(2)(a), all underlying applicable requirements are identified for each ROP term or condition. All terms and conditions that are included in a PTI are streamlined, subsumed and/or is state-only enforceable will be noted as such.

In accordance with Section 5507 of Act 451, the permittee has included in the ROP application a compliance certification, a schedule of compliance, and a compliance plan. For applicable requirements with which the source is in compliance, the source will continue to comply with these requirements. For applicable requirements with which the source is not in compliance, the source will comply with the detailed schedule of compliance requirements that are incorporated as an appendix in this ROP. Furthermore, for any applicable requirements effective after the date of issuance of this ROP, the stationary source will meet the requirements on a timely basis, unless the underlying applicable requirement requires a more detailed schedule of compliance.

Issuance of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.

A. GENERAL CONDITIONS

Permit Enforceability

- All conditions in this permit are both federally enforceable and state enforceable unless otherwise noted. **(R 336.1213(5))**
- Those conditions that are hereby incorporated in a state-only enforceable Source-Wide PTI pursuant to Rule 201(2)(d) are designated by footnote one. **(R 336.1213(5)(a), R 336.1214a(5))**
- Those conditions that are hereby incorporated in a federally enforceable Source-Wide PTI pursuant to Rule 201(2)(c) are designated by footnote two. **(R 336.1213(5)(b), R 336.1214a(3))**

General Provisions

1. The permittee shall comply with all conditions of this ROP. Any ROP noncompliance constitutes a violation of Act 451, and is grounds for enforcement action, for ROP revocation or revision, or for denial of the renewal of the ROP. All terms and conditions of this ROP that are designated as federally enforceable are enforceable by the Administrator of the United States Environmental Protection Agency (USEPA) and by citizens under the provisions of the federal Clean Air Act (CAA). Any terms and conditions based on applicable requirements which are designated as "state-only" are not enforceable by the USEPA or citizens pursuant to the CAA. **(R 336.1213(1)(a))**
2. It shall not be a defense for the 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 ROP. **(R 336.1213(1)(b))**
3. This ROP may be modified, revised, or revoked for cause. The filing of a request by the permittee for a permit modification, revision, or termination, or a notification of planned changes or anticipated noncompliance does not stay any ROP term or condition. This does not supersede or affect the ability of the permittee to make changes, at the permittee's own risk, pursuant to Rule 215 and Rule 216. **(R 336.1213(1)(c))**
4. The permittee shall allow the department, or an authorized representative of the department, upon presentation of credentials and other documents as may be required by law and upon stating the authority for and purpose of the investigation, to perform any of the following activities: **(R 336.1213(1)(d))**
 - a. Enter, at reasonable times, a stationary source or other premises where emissions-related activity is conducted or where records must be kept under the conditions of the ROP.
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the ROP.
 - c. Inspect, at reasonable times, any of the following:
 - i. Any stationary source.
 - ii. Any emission unit.
 - iii. Any equipment, including monitoring and air pollution control equipment.
 - iv. Any work practices or operations regulated or required under the ROP.
 - d. As authorized by Section 5526 of Act 451, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the ROP or applicable requirements.
5. The permittee shall furnish to the department, within a reasonable time, any information the department may request, in writing, to determine whether cause exists for modifying, revising, or revoking the ROP or to determine compliance with this ROP. Upon request, the permittee shall also furnish to the department copies of any records that are required to be kept as a term or condition of this ROP. For information which is claimed by the permittee to be confidential, consistent with the requirements of the 1976 PA 442, MCL §15.231 et seq., and known as the Freedom of Information Act, the person may also be required to furnish the records directly to the USEPA together with a claim of confidentiality. **(R 336.1213(1)(e))**

6. A challenge by any person, the Administrator of the USEPA, or the department to a particular condition or a part of this ROP shall not set aside, delay, stay, or in any way affect the applicability or enforceability of any other condition or part of this ROP. **(R 336.1213(1)(f))**
7. The permittee shall pay fees consistent with the fee schedule and requirements pursuant to Section 5522 of Act 451. **(R 336.1213(1)(g))**
8. This ROP does not convey any property rights or any exclusive privilege. **(R 336.1213(1)(h))**

Equipment & Design

9. Any collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. Transport of collected air contaminants in Priority I and II areas requires the use of material handling methods specified in Rule 370(2).² **(R 336.1370)**
10. Any air cleaning device shall be installed, maintained, and operated in a satisfactory manner and in accordance with the Michigan Air Pollution Control rules and existing law. **(R 336.1910)**

Emission Limits

11. Unless otherwise specified in this ROP, the permittee shall comply with Rule 301, which states, in part, "Except as provided in Subrules 2, 3, and 4 of this rule, a person shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of a density greater than the most stringent of the following:"² **(R 336.1301(1))**
 - a. A 6-minute average of 20% opacity, except for one 6-minute average per hour of not more than 27% opacity.
 - b. A limit specified by an applicable federal new source performance standard.

The grading of visible emissions shall be determined in accordance with Rule 303.

12. The permittee shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants, either of the following:
 - a. Injurious effects to human health or safety, animal life, plant life of significant economic value, or property.¹ **(R 336.1901(a))**
 - b. Unreasonable interference with the comfortable enjoyment of life and property.¹ **(R 336.1901(b))**

Testing/Sampling

13. The department may require the owner or operator of any source of an air contaminant to conduct acceptable performance tests, at the owner's or operator's expense, in accordance with Rule 1001 and Rule 1003, under any of the conditions listed in Rule 1001(1).² **(R 336.2001)**
14. Any required performance testing shall be conducted in accordance with Rule 1001(2), Rule 1001(3) and Rule 1003. **(R 336.2001(2), R 336.2001(3), R 336.2003(1))**
15. Any required test results shall be submitted to the Air Quality Division (AQD) in the format prescribed by the applicable reference test method within 60 days following the last date of the test. **(R 336.2001(5))**

Monitoring/Recordkeeping

16. Records of any periodic emission or parametric monitoring required in this ROP shall include the following information specified in Rule 213(3)(b)(i), where appropriate. **(R 336.1213(3)(b))**
 - a. The date, location, time, and method of sampling or measurements.
 - b. The dates the analyses of the samples were performed.
 - c. The company or entity that performed the analyses of the samples.
 - d. The analytical techniques or methods used.
 - e. The results of the analyses.
 - f. The related process operating conditions or parameters that existed at the time of sampling or measurement.
17. All required monitoring data, support information and all reports, including reports of all instances of deviation from permit requirements, shall be kept and furnished to the department upon request for a period of not less than 5 years from the date of the monitoring sample, measurement, report or application. Support information includes all calibration and maintenance records and all original strip-chart recordings, or other original data records, for continuous monitoring instrumentation and copies of all reports required by the ROP. **(R 336.1213(1)(e), R 336.1213(3)(b)(ii))**

Certification & Reporting

18. Except for the alternate certification schedule provided in Rule 213(3)(c)(iii)(B), any document required to be submitted to the department as a term or condition of this ROP shall contain an original certification by a Responsible Official which state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. **(R 336.1213(3)(c))**
19. A Responsible Official shall certify to the appropriate AQD District Office and to the USEPA that the stationary source is and has been in compliance with all terms and conditions contained in the ROP except for deviations that have been or are being reported to the appropriate AQD District Office pursuant to Rule 213(3)(c). This certification shall include all the information specified in Rule 213(4)(c)(i) through (v) and shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. The annual compliance certification (pursuant to Rule 213(4)(c)) shall be submitted to the USEPA through the USEPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through CDX (<https://cdx.epa.gov/>), unless it contains confidential business information then use the following address: USEPA, Air Compliance Data - Michigan, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604-3507. **(R 336.1213(4)(c))**
20. The certification of compliance shall be submitted annually for the term of this ROP as detailed in the special conditions, or more frequently if specified in an applicable requirement or in this ROP. **(R 336.1213(4)(c))**
21. The permittee shall promptly report any deviations from ROP requirements and certify the reports. The prompt reporting of deviations from ROP requirements is defined in Rule 213(3)(c)(ii) as follows, unless otherwise described in this ROP. **(R 336.1213(3)(c))**
 - a. For deviations that exceed the emissions allowed under the ROP, prompt reporting means reporting consistent with the requirements of Rule 912 as detailed in Condition 25. All reports submitted pursuant to this paragraph shall be promptly certified as specified in Rule 213(3)(c)(iii).
 - b. For deviations which exceed the emissions allowed under the ROP and which are not reported pursuant to Rule 912 due to the duration of the deviation, prompt reporting means the reporting of all deviations in the semiannual reports required by Rule 213(3)(c)(i). The report shall describe reasons for each deviation and the actions taken to minimize or correct each deviation.
 - c. For deviations that do not exceed the emissions allowed under the ROP, prompt reporting means the reporting of all deviations in the semiannual reports required by Rule 213(3)(c)(i). The report shall describe the reasons for each deviation and the actions taken to minimize or correct each deviation.

22. For reports required pursuant to Rule 213(3)(c)(ii), prompt certification of the reports is described in Rule 213(3)(c)(iii) as either of the following: **(R 336.1213(3)(c))**
 - a. Submitting a certification by a Responsible Official with each report which states that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
 - b. Submitting, within 30 days following the end of a calendar month during which one or more prompt reports of deviations from the emissions allowed under the ROP were submitted to the department pursuant to Rule 213(3)(c)(ii), a certification by a Responsible Official which states that; “based on information and belief formed after reasonable inquiry, the statements and information contained in each of the reports submitted during the previous month were true, accurate, and complete.” The certification shall include a listing of the reports that are being certified. Any report submitted pursuant to Rule 213(3)(c)(ii) that will be certified on a monthly basis pursuant to this paragraph shall include a statement that certification of the report will be provided within 30 days following the end of the calendar month.
23. Semiannually for the term of the ROP as detailed in the special conditions, or more frequently if specified, the permittee shall submit certified reports of any required monitoring to the appropriate AQD District Office. All instances of deviations from ROP requirements during the reporting period shall be clearly identified in the reports. **(R 336.1213(3)(c)(i))**
24. On an annual basis, the permittee shall report the actual emissions, or the information necessary to determine the actual emissions, of each regulated air pollutant as defined in Rule 212(6) for each emission unit utilizing the emissions inventory forms provided by the department. **(R 336.1212(6))**
25. The permittee shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of a hazardous or toxic air pollutant which continue for more than one hour in excess of any applicable standard or limitation, or emissions of any air contaminant continuing for more than two hours in excess of an applicable standard or limitation, as required in Rule 912, to the appropriate AQD District Office. The notice shall be provided not later than two business days after the start-up, shutdown, or discovery of the abnormal conditions or malfunction. Notice shall be by any reasonable means, including electronic, telephonic, or oral communication. Written reports, if required under Rule 912, must be submitted to the appropriate AQD District Supervisor within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal conditions or malfunction has been corrected, or within 30 days of discovery of the abnormal conditions or malfunction, whichever is first. The written reports shall include all of the information required in Rule 912(5) and shall be certified by a Responsible Official in a manner consistent with the CAA.² **(R 336.1912)**

Permit Shield

26. Compliance with the conditions of the ROP shall be considered compliance with any applicable requirements as of the date of ROP issuance if either of the following provisions is satisfied. **(R 336.1213(6)(a)(i), R 336.1213(6)(a)(ii))**
 - a. The applicable requirements are included and are specifically identified in the ROP.
 - b. The permit includes a determination or concise summary of the determination by the department that other specifically identified requirements are not applicable to the stationary source.

Any requirements identified in Part E of this ROP have been identified as non-applicable to this ROP and are included in the permit shield.

27. Nothing in this ROP shall alter or affect any of the following:
 - a. The provisions of Section 303 of the CAA, emergency orders, including the authority of the USEPA under Section 303 of the CAA. **(R 336.1213(6)(b)(i))**
 - b. The liability of the owner or operator of this source for any violation of applicable requirements prior to or at the time of this ROP issuance. **(R 336.1213(6)(b)(ii))**
 - c. The applicable requirements of the acid rain program, consistent with Section 408(a) of the CAA. **(R 336.1213(6)(b)(iii))**

- d. The ability of the USEPA to obtain information from a source pursuant to Section 114 of the CAA. **(R 336.1213(6)(b)(iv))**
28. The permit shield shall not apply to provisions incorporated into this ROP through procedures for any of the following:
- a. Operational flexibility changes made pursuant to Rule 215. **(R 336.1215(5))**
 - b. Administrative Amendments made pursuant to Rule 216(1)(a)(i)-(iv). **(R 336.1216(1)(b)(iii))**
 - c. Administrative Amendments made pursuant to Rule 216(1)(a)(v) until the amendment has been approved by the department. **(R 336.1216(1)(c)(iii))**
 - d. Minor Permit Modifications made pursuant to Rule 216(2). **(R 336.1216(2)(f))**
 - e. State-Only Modifications made pursuant to Rule 216(4) until the changes have been approved by the department. **(R 336.1216(4)(e))**
29. Expiration of this ROP results in the loss of the permit shield. If a timely and administratively complete application for renewal is submitted not more than 18 months, but not less than 6 months, before the expiration date of the ROP, but the department fails to take final action before the end of the ROP term, the existing ROP does not expire until the renewal is issued or denied, and the permit shield shall extend beyond the original ROP term until the department takes final action. **(R 336.1217(1)(c), R 336.1217(1)(a))**

Revisions

30. For changes to any process or process equipment covered by this ROP that do not require a revision of the ROP pursuant to Rule 216, the permittee must comply with Rule 215. **(R 336.1215, R 336.1216)**
31. A change in ownership or operational control of a stationary source covered by this ROP shall be made pursuant to Rule 216(1). **(R 336.1219(2))**
32. For revisions to this ROP, an administratively complete application shall be considered timely if it is received by the department in accordance with the time frames specified in Rule 216. **(R 336.1210(10))**
33. Pursuant to Rule 216(1)(b)(iii), Rule 216(2)(d) and Rule 216(4)(d), after a change has been made, and until the department takes final action, the permittee shall comply with both the applicable requirements governing the change and the ROP terms and conditions proposed in the application for the modification. During this time period, the permittee may choose to not comply with the existing ROP terms and conditions that the application seeks to change. However, if the permittee fails to comply with the ROP terms and conditions proposed in the application during this time period, the terms and conditions in the ROP are enforceable. **(R 336.1216(1)(c)(iii), R 336.1216(2)(d), R 336.1216(4)(d))**

Reopenings

34. A ROP shall be reopened by the department prior to the expiration date and revised by the department under any of the following circumstances:
- a. If additional requirements become applicable to this stationary source with three or more years remaining in the term of the ROP, but not if the effective date of the new applicable requirement is later than the ROP expiration date. **(R 336.1217(2)(a)(i))**
 - b. If additional requirements pursuant to Title IV of the CAA become applicable to this stationary source. **(R 336.1217(2)(a)(ii))**
 - c. If the department determines that the ROP contains a material mistake, information required by any applicable requirement was omitted, or inaccurate statements were made in establishing emission limits or the terms or conditions of the ROP. **(R 336.1217(2)(a)(iii))**
 - d. If the department determines that the ROP must be revised to ensure compliance with the applicable requirements. **(R 336.1217(2)(a)(iv))**

Renewals

35. For renewal of this ROP, an administratively complete application shall be considered timely if it is received by the department not more than 18 months, but not less than 6 months, before the expiration date of the ROP. **(R 336.1210(9))**

Stratospheric Ozone Protection

36. If the permittee is subject to Title 40 of the Code of Federal Regulations (CFR), Part 82 and services, maintains, or repairs appliances except for motor vehicle air conditioners (MVAC), or disposes of appliances containing refrigerant, including MVAC and small appliances, or if the permittee is a refrigerant reclaimer, appliance owner or a manufacturer of appliances or recycling and recovery equipment, the permittee shall comply with all applicable standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F.
37. If the permittee is subject to 40 CFR Part 82 and performs a service on motor (fleet) vehicles when this service involves refrigerant in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed by the original equipment manufacturer. The term MVAC as used in Subpart B does not include the air-tight sealed refrigeration system used for refrigerated cargo or an air conditioning system on passenger buses using Hydrochlorofluorocarbon-22 refrigerant.

Risk Management Plan

38. If subject to Section 112(r) of the CAA and 40 CFR Part 68, the permittee shall register and submit to the USEPA the required data related to the risk management plan for reducing the probability of accidental releases of any regulated substances listed pursuant to Section 112(r)(3) of the CAA as amended in 40 CFR 68.130. The list of substances, threshold quantities, and accident prevention regulations promulgated under 40 CFR Part 68, do not limit in any way the general duty provisions under Section 112(r)(1).
39. If subject to Section 112(r) of the CAA and 40 CFR Part 68, the permittee shall comply with the requirements of 40 CFR Part 68, no later than the latest of the following dates as provided in 40 CFR 68.10(a):
- June 21, 1999,
 - Three years after the date on which a regulated substance is first listed under 40 CFR 68.130, or
 - The date on which a regulated substance is first present above a threshold quantity in a process.
40. If subject to Section 112(r) of the CAA and 40 CFR Part 68, the permittee shall submit any additional relevant information requested by any regulatory agency necessary to ensure compliance with the requirements of 40 CFR Part 68.
41. If subject to Section 112(r) of the CAA and 40 CFR Part 68, the permittee shall annually certify compliance with all applicable requirements of Section 112(r) as detailed in Rule 213(4)(c). **(40 CFR Part 68)**

Emission Trading

42. Emission averaging and emission reduction credit trading are allowed pursuant to any applicable interstate or regional emission trading program that has been approved by the Administrator of the USEPA as a part of Michigan's State Implementation Plan. Such activities must comply with Rule 215 and Rule 216. **(R 336.1213(12))**

Permit to Install (PTI)

43. The process or process equipment included in this permit shall not be reconstructed, relocated, or modified unless a PTI authorizing such action is issued by the department, except to the extent such action is exempt from the PTI requirements by any applicable rule.² **(R 336.1201(1))**
44. The department may, after notice and opportunity for a hearing, revoke PTI terms or conditions if evidence indicates the process or process equipment is not performing in accordance with the terms and conditions of the PTI or is violating the department's rules or the CAA.² **(R 336.1201(8), Section 5510 of Act 451)**
45. The terms and conditions of a PTI shall apply to any person or legal entity that now or hereafter owns or operates the process or process equipment at the location authorized by the PTI. If a new owner or operator submits a written request to the department pursuant to Rule 219 and the department approves the request, this PTI will be amended to reflect the change of ownership or operational control. The request must include all of the information required by Subrules (1)(a), (b) and (c) of Rule 219. The written request shall be sent to the appropriate AQD District Supervisor, EGLE.² **(R 336.1219)**
46. If the installation, reconstruction, relocation, or modification of the equipment for which PTI terms and conditions have been approved has not commenced within 18 months of the original PTI issuance date, or has been interrupted for 18 months, the applicable terms and conditions from that PTI, as incorporated into the ROP, shall become void unless otherwise authorized by the department. Furthermore, the person to whom that PTI was issued, or the designated authorized agent, shall notify the department via the Supervisor, Permit Section, EGLE, AQD, P. O. Box 30260, Lansing, Michigan 48909, if it is decided not to pursue the installation, reconstruction, relocation, or modification of the equipment allowed by the terms and conditions from that PTI.² **(R 336.1201(4))**

Footnotes:

¹This condition is state-only enforceable and was established pursuant to Rule 201(1)(b).

²This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

B. SOURCE-WIDE CONDITIONS

Part B outlines the Source-Wide Terms and Conditions that apply to this stationary source. The permittee is subject to these special conditions for the stationary source in addition to the general conditions in Part A and any other terms and conditions contained in this ROP.

The permittee shall comply with all specific details in the special conditions and the underlying applicable requirements cited. If a specific condition type does not apply to this source, NA (not applicable) has been used in the table. If there are no Source-Wide Conditions, this section will be left blank.

C. EMISSION UNIT SPECIAL CONDITIONS

Part C outlines terms and conditions that are specific to individual emission units listed in the Emission Unit Summary Table. The permittee is subject to the special conditions for each emission unit in addition to the General Conditions in Part A and any other terms and conditions contained in this ROP.

The permittee shall comply with all specific details in the special conditions and the underlying applicable requirements cited. If a specific condition type does not apply, NA (not applicable) has been used in the table. If there are no conditions specific to individual emission units, this section will be left blank.

EMISSION UNIT SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Emission Unit ID	Emission Unit Description (Including Process Equipment & Control Device(s))	Installation Date/ Modification Date	Flexible Group ID
EUCTGHRSG1	A 3,651 MMBTU/hr natural gas-fired combustion turbine generator (CTG) coupled with a heat recovery steam generator (HRSG). The HRSG is equipped with a natural gas-fired duct burner rated at 71 MMBTU/hr to provide heat for additional steam production. The HRSG is not capable of operating independently from the CTG. The CTG/HRSG is equipped with dry low NO _x burner (DLNB), selective catalytic reduction (SCR), and an oxidation catalyst.	04-01-2021	FGCTGHRSG
EUCTGHRSG2	A 3,651 MMBTU/hr natural gas-fired combustion turbine generator (CTG) coupled with a heat recovery steam generator (HRSG). The HRSG is equipped with a natural gas-fired duct burner rated at 71 MMBTU/hr to provide heat for additional steam production. The HRSG is not capable of operating independently from the CTG. The CTG/HRSG is equipped with dry low NO _x burner (DLNB), selective catalytic reduction (SCR), and an oxidation catalyst.	03-01-2021	FGCTGHRSG
EUAUXBOILER	A natural gas-fired auxiliary boiler rated at 85 MMBTU/hr to facilitate startup of the CTG/HRSG trains and to provide steam to the steam turbine generator seals. The auxiliary boiler is equipped with low NO _x burners (LNB) and flue gas recirculation (FGR).	06-01-2021	NA
EUFUELHTR1	A natural gas-fired 8.5 MMBTU/hr heat input fuel gas dew point heater for superheating the natural gas fuel above the hydrocarbon dew point temperature.	07-15-2021	FGFUELHTR
EUFUELHTR2	A natural gas-fired 8.5 MMBTU/hr heat input fuel gas dew point heater for superheating the natural gas fuel above the hydrocarbon dew point temperature.	07-15-2021	FGFUELHTR

Emission Unit ID	Emission Unit Description (Including Process Equipment & Control Device(s))	Installation Date/ Modification Date	Flexible Group ID
EUENGINE	A 2,923 HP (2,180 kW) diesel-fueled emergency engine with a model year of 2011 or later, and a displacement of <10 liters/cylinder.	08-01-2021	NA
EUEMFUELTANK	A 3,500-gallon closed-roof tank for purposes of storing ultra-low sulfur diesel fuel. This tank services the diesel-fueled emergency engine.	08-01-2021	NA
EUCOLDCLEANER	New closed-cover cold cleaner.	08-01-2021	NA

**EUAUXBOILER
 EMISSION UNIT CONDITIONS**

DESCRIPTION

A natural gas-fired auxiliary boiler rated at 85 MMBTU/hr to facilitate startup of the CTG/HRSG trains and to provide steam to the steam turbine generator seals. The auxiliary boiler is equipped with low NO_x burners (LNB) and flue gas recirculation (FGR).

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

Low NO_x burners and flue gas recirculation for NO_x control.

I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
1. NO _x	0.04 lb/MMBTU ²	Hourly	EUAUXBOILER	SC V.1 SC VI.4	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
2. CO	0.04 lb/MMBTU ²	Hourly	EUAUXBOILER	SC V.1 SC VI.4	R 336.1205(1)(a)&(b) R 336.2804 R 336.2810
3. PM	0.005 lb/MMBTU ²	Hourly	EUAUXBOILER	SC V.2 SC VI.4	R 336.1331(1)(c) R 336.2810
4. PM10	0.6 pph ²	Hourly	EUAUXBOILER	SC V.2 SC VI.4	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
5. PM2.5	0.6 pph ²	Hourly	EUAUXBOILER	SC V.2 SC VI.4	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
6. SO ₂	0.6 lb/MMscf ²	Based upon fuel records	EUAUXBOILER	SC VI.4	R 336.2803 R 336.2804 R 336.2810
7. VOC	0.004 lb/MMBTU ²	Hourly	EUAUXBOILER	SC V.2 SC VI.4	R 336.1205(1)(a)&(b) R 336.1702(a) R 336.2810
8. GHG as CO _{2e}	43,596 tpy ²	12-month rolling time period as determined at the end of each calendar month	EUAUXBOILER	SC VI.3 SC VI.4	R 336.1205(1)(a)&(b) 40 CFR 52.21(j)

II. MATERIAL LIMIT(S)

- The permittee shall burn only natural gas in EUAUXBOILER.² (R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR Part 60, Subpart Dc, 40 CFR 63.11195(e))

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall implement and maintain a malfunction abatement plan (MAP) as described in Rule 911(2) for EUAUXBOILER. The MAP shall, at a minimum, specify the following:
 - a. A complete preventative maintenance program including identification of the supervisory personnel responsible for overseeing the inspection, maintenance, and repair of air-cleaning devices, a description of the items or conditions that shall be inspected, the frequency of the inspections or repairs, and an identification of the major replacement parts that shall be maintained in inventory for quick replacement.
 - b. An identification of the source and air-cleaning device operating variables that shall be monitored to detect a malfunction or failure, the normal operating range of these variables, and a description of the method of monitoring or surveillance procedures.
 - c. A description of the corrective procedures or operational changes that shall be taken in the event of a malfunction or failure to achieve compliance with the applicable emission limits.

If at any time the MAP fails to address or inadequately addresses an event that meets the characteristics of a malfunction, the permittee shall amend the MAP within 45 days after such an event occurs. The permittee shall also amend the MAP within 45 days, if new equipment is installed or upon request from the District Supervisor. The permittee shall submit the MAP and any amendments to the MAP to the AQD District Supervisor for review and approval. If the AQD does not notify the permittee within 90 days of submittal, the MAP or amended MAP shall be considered approved. Until an amended plan is approved, the permittee shall implement corrective procedures or operational changes to achieve compliance with all applicable emission limits.² (R 336.1205(1)(a) & (b), R 336.1910, R 336.1911, R 336.2803, R 336.2804, R 336.2810)

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The maximum design heat input capacity for EUAUXBOILER shall not exceed 85 MMBTU/hr on a fuel heat input basis.² (R 336.1205(1)(a) & (b), R 336.1225, R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR Part 60, Subpart Dc)
2. The permittee shall not operate EUAUXBOILER unless the low NO_x burners and flue gas recirculation system are installed, maintained, and operated in a satisfactory manner. Satisfactory manner includes operating and maintaining the air pollution control equipment in accordance with the MAP required in SC III.1.² (R 336.1205(1)(a) & (b), R 336.1910, R 336.2803, R 336.2804, R 336.2810)

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. (R 336.1213(3)(b)(ii))

1. The permittee shall verify CO and NO_x emission rates from EUAUXBOILER by testing at owner's expense, in accordance with the Department requirements. The permittee shall complete the required testing once every five years, unless an alternate testing schedule is approved by the District Supervisor. Testing shall be performed using an approved EPA Method listed in:

Pollutant	Test Method Reference
CO	40 CFR Part 60, Appendix A
NOx	40 CFR Part 60, Appendix A

An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.² (R 336.1205(1)(a) & (b), R 336.2001, R 336.2003, R 336.2004, R 336.2803, R 336.2804, R 336.2810)

2. Upon request of the AQD District Supervisor, the permittee shall verify VOC, PM, PM10, and PM2.5 emission rates from EUAUXBOILER by testing at owner's expense, in accordance with Department requirements. Testing shall be performed using an approved EPA Method listed in:

Pollutant	Test Method Reference
VOCs	40 CFR Part 60, Appendix A
PM	40 CFR Part 60, Appendix A; Part 10 of the Michigan Air Pollution Control Rules
PM10 / PM2.5	40 CFR Part 51, Appendix M

An alternate method, or a modification to the approved EPA Method, may be specified in an AQD-approved Test Protocol. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. Verification of emission rates includes the submittal of a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.² (R 336.1205(1)(a) & (b), R 336.1331(1)(c), R 336.1702(a), R 336.2001, R 336.2003, R 336.2004, R 336.2803, R 336.2804, R 336.2810)

3. The permittee shall verify the CO and NO_x emission rates from EUAUXBOILER, at a minimum, every five years from the date of the last test. (R 336.1213(3), R 336.2001, R 336.2003, R 336.2004)
4. The permittee shall notify the AQD Technical Programs Unit Supervisor and the District Supervisor not less than 30 days before testing of the time and place performance tests will be conducted. (R 336.1213(3))

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. (R 336.1213(3)(b)(ii))

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition.² (R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.48c(g))
2. The permittee shall calculate and keep monthly natural gas usage records, in a format acceptable to the AQD District Supervisor, indicating the amount of natural gas used, in cubic feet, on a calendar month basis and a 12-month rolling time period basis. The permittee shall keep all records on file at the facility and make them available to the Department upon request.² (R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.48c(g))
3. The permittee shall calculate and keep, in a satisfactory manner, records of monthly and 12-month rolling total CO_{2e} mass emissions for EUAUXBOILER, as required by SC I.8. The permittee shall keep all records on file and make them available to the Department upon request. The calculations shall be performed according to Appendix B or an alternate method approved by the District Supervisor.² (R 336.1205(1)(a) & (b), 40 CFR 52.21(j))
4. The permittee shall maintain records of all information necessary for all notifications and reports as specified in these special conditions as well as that information necessary to demonstrate compliance with the emission limits of this permit. This information shall include, but shall not be limited to the following:
 - a. Compliance tests and any testing required under the special conditions of this permit.
 - b. Monitoring data.
 - c. Verification of heat input capacity required to show compliance with SC IV.1.
 - d. Identification, type, and the amounts of fuel combusted in EUAUXBOILER on a calendar month basis.
 - e. All records required by 40 CFR 60.7 and 40 CFR 60.48c.
 - f. All calculations or documents necessary to show compliance with the limits contained in this permit.

All of the above information shall be stored in a format acceptable to the Air Quality Division and shall be consistent with the requirements of 40 CFR 60.7(f). The permittee shall keep all records on file and make them available to the Department upon request.² (R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1331(1)(c), R 336.1702(a), R 336.1912, R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.7(f), 40 CFR Part 60, Subpart Dc)

See Appendix 7

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. (R 336.1213(3)(c)(ii))
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. (R 336.1213(3)(c)(i))
3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. (R 336.1213(4)(c))
4. The permittee shall submit any performance test reports to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. (R 336.1213(3)(c), R 336.2001(5))

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

Stack & Vent ID	Maximum Exhaust Diameter / Dimensions (inches)	Minimum Height Above Ground (feet)	Underlying Applicable Requirements
1. SVAUXBOILER	48 ²	85 ²	R 336.1225 R 336.2083 R 336.2804

IX. OTHER REQUIREMENT(S)

1. The permittee shall comply with all provisions of the federal Standards of Performance for New Stationary Sources as specified in 40 CFR Part 60, Subparts A and Dc, as they apply to EUAUXBOILER.² (40 CFR Part 60, Subparts A and Dc)

Footnotes:

¹This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

²This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

**EUENGINE
 EMISSION UNIT CONDITIONS**

DESCRIPTION

A 2,923 HP (2,180 kilowatts (kW)) diesel-fueled emergency engine with a model year of 2011 or later, and a displacement of <10 liters/cylinder.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

NA

I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
1. NMHC ^A +NO _x	6.4 g/kW-hr ^{B,2}	Hourly	EUENGINE	SC V.1 SC VI.2 SC VI.3	R 336.1702(a) R 336.2803 R 336.2804 R 336.2810 ^C 40 CFR 60.4205(b) 40 CFR 60.4202(a)(2) 40 CFR Part 1039
2. CO	3.5 g/kW-hr ^{B,2}	Hourly	EUENGINE	SC V.1 SC VI.2 SC VI.3	R 336.2804 R 336.2810 40 CFR 60.4205(b) 40 CFR 60.4202(a)(2) 40 CFR Part 1039
3. PM	0.20 g/kW-hr ^{B,2}	Hourly	EUENGINE	SC V.1 SC VI.2 SC VI.3	R 336.1331(1)(c) R 336.2810 40 CFR 60.4205(b) 40 CFR 60.4202(a)(2) 40 CFR Part 1039
4. PM10	1.58 pph ²	Hourly	EUENGINE	SC V.2	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
5. PM2.5	1.58 pph ²	Hourly	EUENGINE	SC V.2	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
6. GHGs as CO ₂ e	928 tpy ²	12-month rolling time period as determined at the end of each calendar month	EUENGINE	SC VI.4	R 336.1205(1)(a)&(b) 40 CFR 52.21(j)

^A NMHC = nonmethane hydrocarbon

^B These emission limits are for certified engines; if testing becomes required to demonstrate compliance, then the tested values must be compared to the Not to Exceed (NTE) requirements determined through 40 CFR 60.4212(c).

^C The NMHC+NO_x emission limit is a combined NO_x and VOC BACT limit for PSD review. Note that in PSD regulations, VOCs include formaldehyde, regardless of the NSPS-designated testing method.

II. MATERIAL LIMIT(S)

1. The permittee shall burn only diesel fuel in EUENGINE with the maximum sulfur content of 15 ppm (0.0015 percent) by weight, and a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 60.4207(b), 40 CFR 1090.305)**

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate EUENGINE for more than 4 hours per day, except during emergency conditions and required stack testing in SC V.1, and not more than 500 hours per year on a 12-month rolling time period basis as determined at the end of each calendar month. The 4 hours and the 500 hours includes the hours for the purpose of necessary maintenance checks and readiness testing as described in SC III.2.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**
2. The permittee may operate EUENGINE for no more than 100 hours per calendar year for the purpose of necessary maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Department for approval of additional hours to be used for maintenance checks and readiness testing. A petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency internal combustion engines beyond 100 hours per calendar year. EUENGINE may operate up to 50 hours per calendar year in non-emergency situations, but those 50 hours are counted towards the 100 hours per calendar year provided for maintenance and testing. Except as provided in 40 CFR 60.4211(f)(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or demand response, or to generate income for the permittee to supply non-emergency power as part of a financial arrangement with another entity.² **(40 CFR 60.4211(f))**
3. If the permittee purchased a certified engine, according to procedures specified in 40 CFR Part 60, Subpart IIII, for the same model year and maximum engine power, the permittee shall meet the following requirements for EUENGINE:
 - a. Operate and maintain the certified engine and control device according to the manufacturer's emission-related written instructions;
 - b. Change only those emission-related settings that are permitted by the manufacturer; and
 - c. Meet the requirements as specified in 40 CFR 89, 94, and/or 1068, as they apply to EUENGINE.

If the permittee does not install, configure, operate, and maintain EUENGINE according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the engine may be considered an uncertified engine.² **(40 CFR 60.4211(a) & (c), R 336.2810, 40 CFR 52.21(j))**

4. If the permittee purchased an uncertified engine or a certified engine operating in an uncertified manner, the permittee shall keep a maintenance plan for EUENGINE and shall, to the extent practicable, maintain and operate engine in a manner consistent with good air pollution control practice for minimizing emissions.² **(40 CFR 60.4211(g)(3), R 336.2810, 40 CFR 52.21(j))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The permittee shall equip and maintain EUENGINE with a non-resettable hour meter to track the operating hours.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.4209(a))**
2. The maximum rated power output of EUENGINE shall not exceed a nameplate capacity of 2,180 kW (2,923 HP).² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. If EUENGINE is not installed, configured, operated, and maintained according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee must demonstrate compliance as follows:
 - a. Conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer.
 - b. If a performance test is required, the performance tests shall be conducted according to 40 CFR 60.4212.
 - c. Conduct subsequent performance testing every 8,760 hours of engine operation or every 3 years, whichever comes first, thereafter, to demonstrate compliance with the applicable emission standards.
 - d. If a performance test is required, the test plan and complete report must describe how the NMHC+NO_x verification meets the requirements of 40 CFR Part 60, Subpart IIII and of PSD BACT.

No less than 30 days prior to testing, a complete test plan shall be submitted to the AQD. Verification of emission rates includes the submittal of a complete report of the test results to the AQD within 60 days following the last date of the test.² **(R 336.1331(1)(c), R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 60.4211(g)(3), 40 CFR 60.4212)**

2. Upon request of the AQD District Supervisor, the permittee shall verify PM10 and PM2.5 emission rates from EUENGINE by testing at owner's expense, in accordance with Department requirements. Testing shall be performed using an approved EPA Method listed in:

Pollutant	Test Method Reference
PM10/PM2.5	40 CFR Part 51, Appendix M

An alternate method, or a modification to the approved USEPA Method, may be specified in an AQD-approved Test Protocol and must meet the requirements of the federal Clean Air Act, all applicable state and federal rules and regulations, and be within the authority of the AQD to make the change. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.² **(R 336.1213(3), R 336.2001, R 336.2003, R 336.2004, R 336.2803, R 336.2804, R 336.2810)**

3. The permittee shall notify the AQD Technical Programs Unit Supervisor and the District Supervisor not less than 30 days before testing of the time and place performance tests will be conducted. **(R 336.1213(3))**

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.4211, 40 CFR 60.4214)**
2. The permittee shall keep, in a satisfactory manner, the following records for EUENGINE:
 - a. For certified engine: The permittee shall keep records of the manufacturer certification documentation.
 - b. For uncertified engine: The permittee shall keep records of testing required in SC V.1.

The permittee shall keep all records on file and make them available to the Department upon request.²
(40 CFR 60.4211)

3. The permittee shall keep, in a satisfactory manner, the following records of maintenance activity for EUENGINE:
 - a. For certified engine: The permittee shall keep records of the manufacturer's emission-related written instructions, and records demonstrating that the engine has been maintained according to those instructions, as specified in SC III.3.
 - b. For uncertified engine: The permittee shall keep records of a maintenance plan, as required by SC III.4, and maintenance activities.

The permittee shall keep all records on file and make them available to the Department upon request.²
(40 CFR 60.4211)

4. The permittee shall calculate and keep, in a satisfactory manner, records of monthly and 12-month rolling total CO_{2e} mass emissions for EUENGINE, as required by SC I.6. The permittee shall keep all records on file and make them available to the Department upon request. The calculations shall be performed according to Appendix B or an alternate method approved by the District Supervisor.² **(R 336.1205(1)(a) & (b), 40 CFR 52.21(j))**
5. The permittee shall monitor and record the total hours of operation for EUENGINE on a daily, monthly, and 12-month rolling time period basis, and the hours of operation during emergency and non-emergency service that are recorded through the non-resettable hours meter for EUENGINE, on a calendar year basis, in a manner acceptable to the AQD District Supervisor. The permittee shall document how many hours are spent for emergency operation of EUENGINE, including what classified the operation as emergency and how many hours are spent for non-emergency operation.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.4211, 40 CFR 60.4214)**
6. The permittee shall keep, in a satisfactory manner, fuel supplier certification records or fuel sample test data, for each delivery of diesel fuel oil used in EUENGINE, demonstrating that the fuel meets the requirement of 40 CFR 1090.305 as specified in SC II.1. The certification or test data shall include the name of the oil supplier or laboratory, the sulfur content, and cetane index or aromatic content of the fuel oil.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 1090.305, 40 CFR 60.4207(b))**

See Appendix 7

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. **(R 336.1213(3)(c)(i))**
3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. **(R 336.1213(4)(c))**
4. The permittee shall submit any performance test reports to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. **(R 336.1213(3)(c), R 336.2001(5))**

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

Stack & Vent ID	Maximum Exhaust Diameter / Dimensions (inches)	Minimum Height Above Ground (feet)	Underlying Applicable Requirements
1. SVEMENGINE	21.6 ²	40 ²	R 336.1225 R 336.2803 R 336.2804

IX. OTHER REQUIREMENT(S)

1. The permittee shall comply with the provisions of the federal Standards of Performance for New Stationary Sources as specified in 40 CFR Part 60, Subpart A and Subpart IIII, as they apply to EUENGINE.² **(40 CFR Part 60, Subparts A and IIII, 40 CFR 63.6590)**
2. The permittee shall comply with the provisions of the National Emission Standards for Hazardous Air Pollutants, as specified in 40 CFR Part 63, Subpart A and Subpart ZZZZ, as they apply to EUENGINE, upon startup.² **(40 CFR Part 63, Subparts A and ZZZZ, 40 CFR 63.6595)**

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

² This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

EUEMFUELTANK EMISSION UNIT CONDITIONS

DESCRIPTION

One (1) closed-roof tank for storing ultra-low sulfur diesel fuel.

Flexible Group: NA

POLLUTION CONTROL EQUIPMENT

Conservation vent valves for VOC control.

I. EMISSION LIMIT(S)

NA

II. MATERIAL LIMIT(S)

1. The permittee shall only store ultra-low sulfur diesel fuel in EUEMFUELTANK.² (R 336.1205, R 336.1224, R 336.1225, R 336.1702(a), R 336.2810)

III. PROCESS/OPERATIONAL RESTRICTION(S)

NA

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The permittee shall install, maintain and operate in a satisfactory manner, conservation vent valves on EUEMFUELTANK.² (R 336.1205, R 336.1224, R 336.1225, R 336.1702(a), R 336.1910, R 336.2810)

V. TESTING/SAMPLING

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. (R 336.1213(3)(b)(ii))

1. The permittee shall keep, in a satisfactory manner, fuel supplier certification records demonstrating that the fuel stored in the tank is ultra-low sulfur diesel. The permittee shall make the records available to the Department upon request.² (R 336.1205, R 336.1224, R 336.1225, R 336.1702(a), R 336.2810)
2. The permittee shall keep, in a satisfactory manner, documentation of the design of the tanks demonstrating that the tank has conservation vent valves. The permittee shall make the records available to the Department upon request.² (R 336.1205, R 336.1224, R 336.1225, R 336.1702(a), R 336.1910, R 336.2810)

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. (R 336.1213(3)(c)(ii))
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. (R 336.1213(3)(c)(i))

3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year.
(R 336.1213(4)(c))

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

² This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

EUCOLDCLEANER EMISSION UNIT CONDITIONS

DESCRIPTION

New closed-cover cold cleaner.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

Closed cover when not in use.

I. EMISSION LIMIT(S)

NA

II. MATERIAL LIMIT(S)

1. The permittee shall not use cleaning solvents containing more than five percent by weight of the following halogenated compounds: methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, chloroform, or any combination thereof.² **(R 336.1225, R 336.1702(a))**

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. Cleaned parts shall be drained for no less than 15 seconds or until dripping ceases.² **(R 336.1225, R 336.1702(a), R 336.1707(3)(b))**
2. The permittee shall perform routine maintenance on each cold cleaner as recommended by the manufacturer.² **(R 336.1225, R 336.1702(a))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The cold cleaner must meet one of the following design requirements:² **(R 336.1225, R 336.1702(a))**
 - a. The air/vapor interface of the cold cleaner is no more than ten square feet.
 - b. The cold cleaner is used for cleaning metal parts and the emissions are released to the general in-plant environment.
2. The cold cleaner shall be equipped with a device for draining cleaned parts.² **(R 336.1225, R 336.1702(a), R 336.1707(3)(b))**
3. The cold cleaner shall be equipped with a cover and the cover shall be closed whenever parts are not being handled in the cold cleaner.² **(R 336.1205, R 336.1224, R 336.1225, R 336.1702(a), R 336.1707(3)(a), R 336.1910, R 336.2810)**
4. The cover of a new cold cleaner shall be mechanically assisted if the Reid vapor pressure of the solvent is more than 0.3 psia or if the solvent is agitated or heated.² **(R 336.1225, R 336.1702(a), R 336.1707(3)(a))**
5. If the Reid vapor pressure of any solvent used in a new cold cleaner is greater than 0.6 psia; or, if any solvent used in a new cold cleaner is heated above 120 degrees Fahrenheit, then the cold cleaner must comply with at least one of the following provisions:² **(R 336.1225, R 336.1702(a), R 336.1707(2)(a), (b), & (c))**
 - a. The cold cleaner must be designed such that the ratio of the freeboard height to the width of the cleaner is equal to or greater than 0.7.

- b. The solvent bath must be covered with water if the solvent is insoluble and has a specific gravity of more than 1.0.
- c. The cold cleaner must be controlled by a carbon adsorption system, condensation system, or other method of equivalent control approved by the AQD.

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. For each new cold cleaner in which the solvent is heated, the solvent temperature shall be monitored and recorded at least once each calendar week during routine operating conditions.² **(R 336.1225, R 336.1707)**
2. The permittee shall maintain the following information on file for each cold cleaner:² **(R 336.1225, R 336.1702(a), R 336.1707(2))**
 - a. A serial number, model number, or other unique identifier for each cold cleaner.
 - b. The date the unit was installed, manufactured or that it commenced operation.
 - c. The air/vapor interface area.
 - d. The Reid vapor pressure of each solvent used.
 - e. If applicable, the option chosen to comply with SC IV.5.
3. The permittee shall maintain written operating procedures for each cold cleaner. These written procedures shall be posted in an accessible, conspicuous location near each cold cleaner.² **(R 336.1910, R 336.1707(4))**
4. As noted in Rule 707(3)(c), if applicable, an initial demonstration that the waste solvent is a safety hazard shall be made prior to storage in non-closed containers. If the waste solvent is a safety hazard and is stored in non-closed containers, verification that the waste solvent is disposed of so that not more than 20 percent, by weight, is allowed to evaporate into the atmosphere shall be made on a monthly basis.² **(R 336.1225, R 336.1702(a), R 336.1707(3)(c))**

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. **(R 336.1213(3)(c)(i))**
3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. **(R 336.1213(4)(c))**

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

² This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

D. FLEXIBLE GROUP SPECIAL CONDITIONS

Part D outlines the terms and conditions that apply to more than one emission unit. The permittee is subject to the special conditions for each flexible group in addition to the General Conditions in Part A and any other terms and conditions contained in this ROP.

The permittee shall comply with all specific details in the special conditions and the underlying applicable requirements cited. If a specific condition type does not apply, NA (not applicable) has been used in the table. If there are no special conditions that apply to more than one emission unit, this section will be left blank.

FLEXIBLE GROUP SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Flexible Group ID	Flexible Group Description	Associated Emission Unit IDs
FGCTGHRSG	Two (2) combined-cycle natural gas-fired CTG with HRSG in a 2x1 configuration with a steam turbine generator. Each CTG/HRSG is equipped with dry low NO _x burners (DLNB), selective catalytic reduction (SCR), and an oxidation catalyst.	EUCTGHRSG1 EUCTGHRSG2
FGFUELHTR	Two (2) natural gas-fired fuel gas dew point heaters.	EUFUELHTR1 EUFUELHTR2

**FGCTGHRSG
 FLEXIBLE GROUP CONDITIONS**

DESCRIPTION

Two (2) combined-cycle natural gas-fired CTG with HRSG in a 2x1 configuration with a steam turbine generator. Each CTG/HRSG is equipped with dry low NO_x burners (DLNB), selective catalytic reduction (SCR), and an oxidation catalyst.

Emission Units: EUCTGHRSG1, EUCTGHRSG2

POLLUTION CONTROL EQUIPMENT

DLNB and SCR for NO_x control for each CTG/HRSG unit. An oxidation catalyst for CO and VOC control for each CTG/HRSG unit.

I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
1. NO _x	2 ppmvd at 15% O ₂ (each unit) ^{A,2}	24-hour rolling average as determined each operating hour, except during startup and shutdown	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.3	R 336.1205(1)(a)&(b) R 336.2810
2. NO _x	15 ppm at 15% O ₂ (each unit) ^{A,2}	30-day rolling average as determined each operating day	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.3	40 CFR 60.4320(a) Table 1 of 40 CFR Part 60, Subpart KKKK^B
3. NO _x	27.4 pph (each unit) ^{A,2}	24-hour rolling average as determined each operating hour, except during startup and shutdown	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.3	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
4. NO _x	286 pph (each unit) ^{C,2}	Operating hour during startup or shutdown ^C	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.3 SC VI.11	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
5. CO	4 ppmvd at 15% O ₂ (each unit) ^{A,2}	24-hour rolling average as determined each operating hour, except during startup and shutdown	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.4	R 336.1205(1)(a)&(b) R 336.2810
6. CO	24.7 pph (each unit) ^{A,2}	24-hour rolling average as determined each operating hour, except during startup and shutdown	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.4	R 336.1205(1)(a)&(b) R 336.2804 R 336.2810

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
7. CO	3,537 pph (each unit) ^{C,2}	Operating hour during startup or shutdown ^C	EUCTGHRSG1 EUCTGHRSG2	SC VI.2 SC VI.4 SC VI.11	R 336.1205(1)(a)&(b) R 336.2804 R 336.2810
8. PM	9.9 pph (each unit) ²	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC V.1 SC VI.11	R 336.1205(1)(a)&(b) R 336.1331(1)(c) R 336.2810
9. PM10	19.8 pph (each unit) ²	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC V.1 SC VI.11	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
10. PM2.5	19.8 pph (each unit) ²	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC V.1 SC VI.11	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
11. SO2	11.7 pph (each unit) ²	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC V.1 SC VI.11	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
12. SO2	0.060 lb/MMBTU ²	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC VI.11	40 CFR 60.4330
13. VOC	4 ppmvd at 15% O2 (each unit) ^{A,2}	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC V.1 SC VI.11	R 336.1205(1)(a)&(b) R 336.1702(a) R 336.2810
14. Sulfuric acid mist (H2SO4)	4.6 pph (each unit)	Hourly	EUCTGHRSG1 EUCTGHRSG2	SC V.1 SC VI.11	R 336.1205(1)(a)&(b) R 336.2810
15. GHGs as CO2e	1,911,481 tpy (each unit) ²	12-month rolling time period as determined at the end of each calendar month	EUCTGHRSG1 EUCTGHRSG2	SC VI.5 SC VI.6 SC VI.11	R 336.1205(1)(a)&(b) 40 CFR 52.21(j)
16. CO2	802 lb/MWh ²	12-operating month rolling average basis as determined at the end of each operating calendar month ^D	EUCTGHRSG1 EUCTGHRSG2	SC VI.6 SC VI.11	R 336.1205(1)(a)&(b) 40 CFR 52.21(j) 40 CFR 60.5520(a)^E Table 2 of 40 CFR Part 60, Subpart TTTT^E
17. Formaldehyde	9.3 tpy ²	12-month rolling time period as determined at the end of each calendar month	FGCTGHRSG	SC V.2 SC VI.10 SC VI.11	R 336.1205(1) R 336.1224 R 336.1225

ppmvd = parts per million by volume at 15 percent oxygen (O₂) and on a dry gas basis

lb/MWh = pound per megawatt hour

^A Does not include startup and shutdown.

^B Table 1 of 40 CFR Part 60, Subpart KKKK also allows 96 ppm at 15 percent O₂ when the turbines are operating at less than 75 percent of peak load and at temperatures less than 0°F.

^C Startup is defined as the period of time from initiation of the combustion process (flame-on) from shutdown status and continues until steady state operation (loads greater than a demonstrated percent of design capacity) is achieved. Shutdown is defined as that period of time from the lowering of the turbine output below the demonstrated steady state level, with the intent to shut down, until the point at which the fuel flow to the combustor is terminated. The demonstrated percent of design capacity, or demonstrated steady state level, shall be described in the plan required in SC III.2.

^D Compliance is determined monthly at the end of the initial and each subsequent 12-operating-month period. The first month of the initial compliance period is defined in 40 CFR 60.5525(c)(1)(i).

- ^E The emission limit as required in 40 CFR 60.5520(a) and Table 2 of 40 CFR Part 60, Subpart TTTT is 1,000 lb CO₂/MWh. SC I.14 subsumes the NSPS emission limit.

II. MATERIAL LIMIT(S)

1. The permittee shall only burn natural gas in any unit in FGCTGHRSG.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1702(a), R 336.2810, 40 CFR 52.21(j), 40 CFR 60.4330)**

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall implement and maintain a malfunction abatement plan (MAP) as described in Rule 911(2) for EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG. The MAP shall, at a minimum, specify the following:
 - a. A complete preventative maintenance program including identification of the supervisory personnel responsible for overseeing the inspection, maintenance, and repair of air-cleaning devices, a description of the items or conditions that shall be inspected, the frequency of the inspections or repairs, and an identification of the major replacement parts that shall be maintained in inventory for quick replacement.
 - b. An identification of the source and air-cleaning device operating variables that shall be monitored to detect a malfunction or failure, the normal operating range of these variables, and a description of the method of monitoring or surveillance procedures.
 - c. A description of the corrective procedures or operational changes that shall be taken in the event of a malfunction or failure to achieve compliance with the applicable emission limits.
 - d. Identification of the source, and operating variables and ranges for varying loads, shall be monitored and recorded. The normal operating range of these variables and a description of the method of monitoring shall be maintained.
 - e. The procedure that will be followed to address a test result that is higher than the emission factor listed in SC V.2.

If at any time the MAP fails to address or inadequately addresses an event that meets the characteristics of a malfunction, the permittee shall amend the MAP within 45 days after such an event occurs. The permittee shall also amend the MAP within 45 days, if new equipment is installed or upon request from the AQD District Supervisor. The permittee shall submit the MAP and any amendments to the MAP to the AQD District Supervisor for review and approval. If the AQD does not notify the permittee within 90 days of submittal, the MAP or amended MAP shall be considered approved. Until an amended plan is approved, the permittee shall implement corrective procedures or operational changes to achieve compliance with all applicable emission limits.² **(R 336.1205(1)(a) & (b), R 336.1224, R 336.1702(a), R 336.1910, R 336.1911, R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**

2. The permittee shall not operate any unit in FGCTGHRSG unless the AQD District Supervisor has approved a plan that describes how emissions will be minimized during startup and shutdown. The plan shall incorporate procedures recommended by the equipment manufacturer as well as incorporating standard industry practices, and shall describe the demonstrated percent of design capacity, or demonstrated steady state level. Unless notified by the District Supervisor within 30 business days after plan submittal, the plan shall be deemed approved.² **(R 336.1911, R 336.1912, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.4333(a))**
3. The total hours for startup and shutdown for each CTG/HRSG train in FGCTGHRSG shall not exceed 500 hours per 12-month rolling time period as determined at the end of each calendar month.² **(R 336.2803, R 336.2804, R 336.2810)**
4. The permittee shall operate and maintain EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG, including associated equipment and monitors, in a manner consistent with safety and good air pollution control practice.² **(40 CFR 60.4333(a), 40 CFR 60.5525(b))**

- The permittee shall prepare a monitoring plan to quantify the hourly CO₂ mass emission rate (tons/hr), in accordance with the applicable provisions in 40 CFR 75.53(g) and (h). The electronic portion of the monitoring plan must be submitted using the ECMPS Client Tool and must be in place prior to reporting emissions data and/or the results of monitoring system certification tests under this subpart. The monitoring plan must be updated as necessary. Monitoring plan submittals must be made by the Designated Representative (DR), the Alternate DR, or a delegated agent of the DR (see 40 CFR 60.5555(c)).² **(40 CFR 60.5535(a), 40 CFR 60.5535(d)(1))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

- The maximum design heat input capacity for each turbine in FGCTGHRSG shall not exceed, on a fuel heat input basis, 3,651 MMBTU/hr and the design heat input capacity for each duct burner in FGCTGHRSG shall not exceed, on a fuel heat input basis, 71 MMBTU/hr.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**
- The permittee shall not operate EUCTGHRSG1 or EUCTGHRSG2 of FGCTGHRSG unless each respective dry low NO_x burners, selective catalytic reduction, and oxidation catalyst are installed, maintained, and operated in a satisfactory manner, for each CTG/HRSG. Satisfactory manner includes operating and maintaining each control device in accordance with an approved MAP for FGCTGHRSG as required in SC III.1.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.1910, R 336.2803, R 336.2804, R 336.2810)**
- The permittee shall install, calibrate, maintain, and operate in a satisfactory manner, devices to monitor and record the NO_x emissions and oxygen (O₂), or carbon dioxide (CO₂), content of the exhaust gas from both EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG on a continuous basis. The permittee shall install and operate the Continuous Emission Monitoring System (CEMS) to meet the timelines, requirements and reporting detailed in Appendix A.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 60.4340(b)(1), 40 CFR 60.4345, 40 CFR Part 75)**
- The permittee shall install, calibrate, maintain, and operate in a satisfactory manner a device to monitor and record the CO emissions and oxygen (O₂), or carbon dioxide (CO₂), content of the exhaust gas from both EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG on a continuous basis. The permittee shall install and operate the Continuous Emission Monitoring System (CEMS) to meet the timelines, requirements and reporting detailed in Appendix A.² **(R 336.1205(1)(a) & (b), R 336.2804, R 336.2810, 40 CFR Part 75)**
- The permittee shall install, calibrate, maintain, and operate in a satisfactory manner a device to monitor and record the natural gas flow rate for EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG on a continuous basis. The device shall be operated in accordance with 40 CFR 60.4345(c).² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.4345)**
- The permittee shall install, calibrate, maintain, and operate in a satisfactory manner a sufficient number of watt meters to continuously measure and record the hourly gross electric output from EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG.² **(R 336.1205(1)(a) & (b), 40 CFR 52.21(j), 40 CFR 60.5535(d)(1))**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

- The permittee shall verify PM, PM₁₀, PM_{2.5}, SO₂, VOC, and H₂SO₄ emission rates from EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG at maximum routine operating conditions, by testing at owner's expense, in accordance with the Department requirements. Upon approval of the AQD District Supervisor, subsequent testing may be conducted upon EUCTGHRSG1 or EUCTGHRSG2 as a representative unit. However, the permittee shall not test the same representative unit in subsequent tests unless approved or requested by the AQD District Supervisor. Testing shall be performed using an approved EPA Method listed in:

Pollutant	Test Method Reference
PM	40 CFR Part 60, Appendix A; Part 10 of the Michigan Air Pollution Control Rules
PM ₁₀ /PM _{2.5}	40 CFR Part 51, Appendix M

Pollutant	Test Method Reference
SO ₂	40 CFR Part 60, Appendix A
VOC	40 CFR Part 60, Appendix A
Sulfuric Acid Mist	40 CFR Part 60, Appendix A

An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol and must meet the requirements of the federal Clean Air Act, all applicable state and federal rules and regulations, and be within the authority of the AQD to make the change. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.² (R 336.1205(1)(a) & (b), R 336.1331(1)(c), R 336.1702(a), R 336.2001, R 336.2003, R 336.2004, R 336.2803, R 336.2804, R 336.2810)

2. The permittee shall conduct testing to verify the formaldehyde emission factor from EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG at maximum routine operating conditions, by testing at the owner's expense, in accordance with Department requirements, according to the following schedule:
 - a. An initial test within 180 days after commencement of initial startup.
 - b. Subsequent tests shall be performed once per year for a period of two years to develop a baseline data set consisting of three separate test reports (the initial test and two subsequent tests).
 - c. Each subsequent test after the baseline data set is developed shall be performed once per year.
 - d. After the baseline data set is developed, if two consecutive test results are less than 75 percent of the base emission factor, then the subsequent test may be performed once every three years. The emission factor and threshold are below:

Base Emission Factor Annual Timeframe (ppmvd at 15% O ₂ on a dry gas basis)	Emission Factor 75% Threshold 3-Year Timeframe (ppmvd at 15% O ₂ on a dry gas basis)	Emission Factor 55% Threshold 5-Year Timeframe (ppmvd at 15% O ₂ on a dry gas basis)
0.160	0.120	0.088

- e. If a test results in an emission factor at or above the 75 percent threshold, then the subsequent tests shall revert back to an annual timeframe as described in SC V.2(c).
- f. After the baseline data set is developed, if two consecutive test results are less than 55 percent of the base emission factor, then the subsequent test may be performed once every five years. The emission factor and threshold are above.
- g. If a test results in an emission factor at or above the 55 percent threshold, then the subsequent tests shall revert back to once every three years if below the 75 percent threshold as described in SC V.2(d) or an annual timeframe as described in SC V.2(c).
- h. If a test results in an emission factor above the listed base emission factor, then procedures shall be enacted to address future emissions according to the MAP required in SC III.1.

Upon approval of the AQD District Supervisor, subsequent testing may be conducted upon EUCTGHRSG1 or EUCTGHRSG2 as a representative unit. However, the permittee shall not test the same representative unit in subsequent tests unless approved or requested by the AQD District Supervisor. Testing shall be performed using an approved EPA Method listed in 40 CFR Part 63, Appendix A. An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.² (R 336.1205(1), R 336.1224, R 336.1225, R 336.2001, R 336.2003, R 336.2004)

3. The permittee shall verify the PM, PM10, PM2.5, SO₂, VOC, and H₂SO₄ emission rates from EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG at maximum routine operating conditions, at a minimum, every five years from the date of the last test. **(R 336.1213(3), R 336.2001, R 336.2003, R 336.2004)**
4. The permittee shall notify the AQD Technical Programs Unit Supervisor and the District Supervisor not less than 30 days before testing of the time and place performance tests will be conducted. **(R 336.1213(3))**

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.5540(a) & (b), 40 CFR 60.5560)**
2. The permittee shall continuously monitor and record, in a satisfactory manner, the NO_x and CO emissions and the O₂, or CO₂, emissions from EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG. The permittee shall operate each CEMS to meet the timelines, requirements and reporting detailed in Appendix 3 and shall use the CEMS data for determining compliance with SC I.1, SC I.2, SC I.3, SC I.4, SC I.5, SC I.6, and SC I.7.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 60.4345)**
3. The permittee shall calculate and keep, in a satisfactory manner, hourly and 24-hour rolling average NO_x concentration and mass emission records, and 30-day rolling average NO_x concentration records for EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG, as required by SC I.1, SC I.2, SC I.3, and SC I.4. The permittee shall keep all records on file and make them available to the Department upon request.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 60.4345)**
4. The permittee shall calculate and keep, in a satisfactory manner, hourly and 24-hour rolling average CO concentration and mass emission records for EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG, as required by SC I.5, SC I.6, and SC I.7. The permittee shall keep all records on file and make them available to the Department upon request.² **(R 336.1205(1)(a) & (b), R 336.2804, R 336.2810)**
5. The permittee shall monitor and record, in a satisfactory manner, the natural gas usage for EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG on a monthly basis. The permittee shall keep all records on file and make them available to the Department upon request.² **(R 336.1205(1)(a) & (b), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**
6. The permittee shall calculate and keep, in a satisfactory manner, records of monthly and 12-month rolling total CO₂e mass emissions for EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG, as required by SC I.15. The permittee shall keep all records on file and make them available to the Department upon request.² **(R 336.1205(1)(a) & (b), 40 CFR 52.21(j))**
7. The permittee shall determine the hourly CO₂ mass emissions and hourly gross energy output for both EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG according to 40 CFR 60.5535(b) or (c) and 40 CFR 60.5540(a). The permittee shall keep records of the determined values for hourly CO₂ mass emissions and hourly gross energy output for both EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG.² **(40 CFR 60.5535(c), 40 CFR 60.5540(a), 40 CFR 60.5560)**
8. The permittee shall calculate and keep, in a satisfactory manner, records of the monthly and initial and each subsequent 12-operating-month calculation required by SC I.16 according to the procedures described in 40 CFR 60.5540:² **(R 336.1205(1)(a) & (b), 40 CFR 52.21(j), 40 CFR 60.5540(a) & (b), 40 CFR 60.5560)**
 - a. Total data is determined by summing valid operating hours for either CO₂ mass emissions or gross energy output.

- b. To determine compliance with SC I.16, the total CO₂ mass emissions for each unit, EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG, shall be divided by the total gross energy output value of the same unit, EUCTGHRSG1 or EUCTGHRSG2 of FGCTGHRSG.
 - c. The final calculated value shall be rounded to two significant figures if the calculated value is less than 1,000 and to three significant figures if the calculated value is greater than 1,000.
9. The permittee shall keep, in a satisfactory manner, a record of the monthly and 12-month rolling total hours of startup and shutdown for each CTG/HRSRSG train in FGCTGHRSG. The permittee shall keep all records on file and make them available to the Department upon request.² **(R 336.2803, R 336.2804, R 336.2810)**
 10. The permittee shall calculate and keep, in a satisfactory manner, records of monthly and 12-month rolling total formaldehyde mass emissions for FGCTGHRSG, as required by SC I.17. The permittee shall keep all records on file and make them available to the Department upon request.² **(R 336.1205(1), R 336.1224, R 336.1225)**
 11. The permittee shall maintain records of all information necessary for all notifications and reports as specified in these special conditions as well as that information necessary to demonstrate compliance with the emission limits of this permit for FGCTGHRSG. This information shall include, but shall not be limited to the following:
 - a. Compliance tests and any testing required under the special conditions of this permit.
 - b. Monitoring data.
 - c. Total sulfur content and potential sulfur emissions, as applicable, of the natural gas as required by 40 CFR 60.4365(a) or (b).
 - d. Verification of heat input capacity.
 - e. Identification, type, and amount of fuel combusted on a calendar month basis.
 - f. Gross energy output on a calendar month basis.
 - g. All records required by 40 CFR 60.7.
 - h. Records of the duration of all dates and times of startup and shutdown events.
 - i. All calculations necessary to show compliance with the limits contained in this permit.
 - j. All records related to, or as required by, the MAP and the startup and shutdown plan.All of the above information shall be stored in a format acceptable to the AQD District Supervisor and shall be consistent with the requirements of 40 CFR 60.7(f).² **(R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1331(1)(c), R 336.1702(a), R 336.1912, R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.7(f), 40 CFR 60.4345, 40 CFR 60.4365, 40 CFR 60.5525(b), 40 CFR 60.5560)**
 12. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall continuously monitor the outlet CO concentration and record every 15 minutes for an hourly average as an indicator of proper operation of the adsorber. The indicator range is outlet CO concentration less than or equal to 4 ppmvd at 15% O₂, based on an hourly average. **(40 CFR 64.6(c)(1)(i) and (ii), 40 CFR 64.7(c))**
 13. The continuous emission monitor system (CEMS) shall continuously monitor CO emissions from each engine. The averaging period is an hourly average. The monitor shall be calibrated according to 40 CFR Part 60, Appendix F. **(40 CFR 64.6(c)(1)(iii))**
 14. An excursion is an outlet CO concentration above the indicator range of 4 ppmvd at 15% O₂ based on an hourly average. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of 40 CFR Part 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. **(40 CFR 64.6(c)(2), 40 CFR 64.7(c))**

15. Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). An excursion shall also trigger an inspection, corrective action, and the cause must be investigated. The corrective actions include but are not limited to examining the operating and emission data, physically inspecting the equipment involved to narrow down the cause of the exceedance, and following the procedures specified in the facility's Malfunction Abatement Plan. **(40 CFR 64.7(d))**
16. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of this part, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. **(40 CFR 64.6(c)(3), 40 CFR 64.7(c))**
17. The permittee shall properly maintain the monitoring system, including keeping necessary parts for routine repair of the monitoring equipment. **(40 CFR 64.7(b))**
18. The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written quality improvement plan and any activities undertaken to implement a quality improvement plan, and other information such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions. **(40 CFR 64.9(b)(1))**

See Appendices 3 and 7

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. **(R 336.1213(3)(c)(i))**
3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. **(R 336.1213(4)(c))**
4. The permittee shall submit any performance test reports including RATA reports to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. **(R 336.1213(3)(c), R 336.2001(5))**
5. The permittee shall submit reports of excess emissions and monitor downtime, in accordance with 40 CFR 60.7(c) and with 40 CFR 60.4375 and 40 CFR 4380. The reports shall be postmarked by the 30th day following the end of each 6-month period.² **(40 CFR 60.7(c), 40 CFR 60.4375(a), 40 CFR 60.4380, 40 CFR 60.4395)**
6. The permittee shall prepare and submit the notifications specified in 40 CFR 60.19, as applicable, and 40 CFR 75.61, as applicable, for each unit, EUCTGHRSG1 and EUCTGHRSG2 of FGCTGHRSG.² **(40 CFR 60.5550(a) & (b))**

7. The permittee shall submit electronic quarterly reports as follows:² **(40 CFR 60.5555(a) & (b))**
 - a. After each unit has accumulated the first 12-operating months, the permittee shall submit a report for the calendar quarter that includes the twelfth operating month no later than 30 days after the end of that quarter.
 - b. Thereafter, the permittee shall submit a report for each subsequent calendar quarter, no later than 30 days after the end of the quarter.
 - c. Each quarterly report shall include the information specified in 40 CFR 60.5555(a)(2).
 - d. The final quarterly report of each calendar year shall include the information specified in 40 CFR 60.5555(a)(3).
 - e. All electronic reports shall be submitted using the Emissions Collection and Monitoring Plan System (ECMPS) Client Tool provided by the Clean Air Markets Division in the Office of Atmospheric Programs of EPA.
8. The permittee shall meet all applicable reporting requirements and submit reports as required under 40 CFR Part 75, Subpart G in accordance with 40 CFR 75.64(a), which is also listed in 40 CFR 60.5555(c)(3)(i).² **(40 CFR 60.5555(c)(1) & (3)(i))**
9. Each semiannual report of monitoring and deviations shall include summary information on the number, duration and cause of excursions and/or exceedances and the corrective actions taken. If there were no excursions and/or exceedances in the reporting period, then this report shall include a statement that there were no excursions and/or exceedances. **(40 CFR 64.9(a)(2)(i))**
10. Each semiannual report of monitoring and deviations shall include summary information on monitor downtime. If there were no periods of monitor downtime in the reporting period, then this report shall include a statement that there were no periods of monitor downtime. **(40 CFR 64.9(a)(2)(ii))**

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

Stack & Vent ID	Maximum Exhaust Diameter / Dimensions (inches)	Minimum Height Above Ground (feet)	Underlying Applicable Requirements
1. SVCTGHRSG1	264 ²	170 ²	R 336.1225 R 336.2803 R 336.2804
2. SVCTGHRSG2	264 ²	170 ²	R 336.1225 R 336.2803 R 336.2804

IX. OTHER REQUIREMENT(S)

1. The permittee shall comply with all provisions of the federal Standards of Performance for New Stationary Sources as specified in 40 CFR Part 60, Subparts A and KKKK, as they apply to each unit in FGCTGHRSG.² **(40 CFR Part 60, Subparts A and KKKK)**
2. The permittee shall comply with all provisions of the federal Standards of Performance for New Stationary Sources as specified in 40 CFR Part 60, Subparts A and TTTT, as they apply to each unit in FGCTGHRSG.² **(40 CFR Part 60, Subparts A and TTTT)**

3. The permittee shall comply with the acid rain permitting provisions of 40 CFR 72.1 to 72.94, as outlined in a complete Phase II, Acid Rain Permit issued by the AQD. Phase II, Acid Rain Permit No. MI-AR-55460-2024 is hereby incorporated into this ROP as Appendix 9. **(R 336.1902(1)(p))**
4. The permittee shall not allow the emission of an air pollutant to exceed the amount of any emission allowances that an affected source lawfully holds as of the allowance transfer deadline pursuant to R 336.1902(1)(p) and 40 CFR 72.9(c)(1)(i). **(R 336.1213(10))**
5. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule NO_x Annual Trading Program, as specified in 40 CFR Part 97, Subpart AAAAA, and identified in Appendix 10. **(40 CFR Part 97, Subpart AAAAA)**
6. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule SO₂ Group 1 Trading Program, as specified in 40 CFR Part 97, Subpart CCCCC, and identified in Appendix 10. **(40 CFR Part 97, Subpart CCCCC)**
7. The permittee shall comply with the provisions of the Cross State Air Pollution Rule NO_x Ozone Group 3 Trading Program, as specified in 40 CFR Part 97 Subpart GGGGG, and identified in Appendix 10. **(40 CFR Part 97, Subpart GGGGG)**
8. The permittee shall comply with all applicable requirements of 40 CFR Part 64. **(40 CFR Part 64)**
9. If the permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the permittee shall promptly notify the AQD and if necessary, submit a proposed modification of the CAM Plan to address the necessary monitoring changes. Such a modification may include but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters. **(40 CFR 64.7(e))**

Footnotes:

¹This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

²This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

**FGFUELHTR
 FLEXIBLE GROUP CONDITIONS**

DESCRIPTION

Two (2) natural gas-fired fuel gas dew point heaters.

Emission Units: EUFUELHTR1, EUFUELHTR2

POLLUTION CONTROL EQUIPMENT

NA

I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring/ Testing Method	Underlying Applicable Requirements
1. NO _x	0.8 pph (each unit) ²	Hourly	EUFUELHTR1 EUFUELHTR2	SC VI.3 SC VI.5	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
2. CO	0.7 pph (each unit) ²	Hourly	EUFUELHTR1 EUFUELHTR2	SC VI.3 SC VI.5	R 336.1205(1)(a)&(b) R 336.2804 R 336.2810
3. PM	0.03 pph (each unit) ²	Hourly	EUFUELHTR1 EUFUELHTR2	SC V.1 SC VI.5	R 336.1331(1)(c) R 336.2810
4. PM10	0.1 pph (each unit) ²	Hourly	EUFUELHTR1 EUFUELHTR2	SC VI.3 SC VI.5	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
5. PM2.5	0.1 pph (each unit) ²	Hourly	EUFUELHTR1 EUFUELHTR2	SC VI.3 SC VI.5	R 336.1205(1)(a)&(b) R 336.2803 R 336.2804 R 336.2810
6. VOC	0.05 pph (each unit) ²	Hourly	EUFUELHTR1 EUFUELHTR2	SC VI.3 SC VI.5	R 336.1205(1)(a)&(b) R 336.1702(a) R 336.2810
7. GHGs as CO ₂ e	8,720 tpy ²	12-month rolling time period as determined at the end of each calendar month	FGFUELHTR	SC VI.4 SC VI.5	R 336.1205(1)(a)&(b) 40 CFR 52.21(j)

II. MATERIAL LIMIT(S)

- The permittee shall burn only natural gas in either unit of FGFUELHTR.² (R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 63.11195(e))

III. PROCESS/OPERATIONAL RESTRICTION(S)

NA

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The maximum design heat input capacity for each unit in FGFUELHTR shall not exceed 8.5 MMBTU per hour on a fuel heat input basis.² **(R 336.1205(1)(a) & (b), R 336.1225, R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. Upon request by the AQD District Supervisor, the permittee shall verify PM emission rates through testing of one or both units of FGFUELHTR. The permittee shall not test the same representative unit in subsequent tests unless approved or requested by the AQD District Supervisor. Testing shall be performed using an approved EPA Method listed in 40 CFR Part 60, Appendix A and Part 10 of the Michigan Air Pollution Control Rules. An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. Verification of emission rates includes the submittal of a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.² **(R 336.1331(1)(c), R 336.2001, R 336.2003, R 336.2004)**
2. The permittee shall notify the AQD Technical Programs Unit Supervisor and the District Supervisor not less than 30 days before testing of the time and place performance tests will be conducted. **(R 336.1213(3))**

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1213(3)(b)(ii))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the last day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition.² **(R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**
2. The permittee shall calculate and keep monthly natural gas usage records, in a format acceptable to the AQD District Supervisor, indicating the amount of natural gas used, in cubic feet, on a calendar month basis for each unit in FGFUELHTR and a 12-month rolling time period basis for FGFUELHTR. The permittee shall keep all records on file at the facility and make them available to the Department upon request.² **(R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j))**
3. The permittee shall calculate and keep, in a satisfactory manner, records of hourly NO_x, CO, PM₁₀, PM_{2.5}, and VOC mass emissions for each unit in FGFUELHTR, as required by SC I.1, SC I.2, SC I.4, SC I.5, and SC I.6. The permittee shall keep all records on file and make them available to the Department upon request. The calculations shall be performed using a method approved by the AQD District Supervisor.² **(R 336.1205(1)(a) & (b), R 336.1702(a), R 336.2803, R 336.2804, R 336.2810)**
4. The permittee shall calculate and keep, in a satisfactory manner, records of monthly and 12-month rolling total CO_{2e} mass emissions for FGFUELHTR, as required by SC I.7. The permittee shall keep all records on file and make them available to the Department upon request. The calculations shall be performed according to Appendix B or an alternate method approved by the District Supervisor.² **(R 336.1205(1)(a) & (b), 40 CFR 52.21(j))**
5. The permittee shall maintain records of all information necessary for all notifications and reports as specified in these special conditions as well as that information necessary to demonstrate compliance with the emission limits of this permit. This information shall include, but shall not be limited to the following:
 - a. Compliance tests and any testing required under the special conditions of this permit.
 - b. Monitoring data.

- c. Verification of heat input capacity required to show compliance with SC IV.1.
- d. Identification, type and the amounts of fuel combusted in each unit in FGFUELHTR on a calendar month basis.
- e. All calculations or documents necessary to show compliance with the limits contained in this permit.

All of the above information shall be stored in a format acceptable to the Air Quality Division and shall be consistent with the requirements of 40 CFR 60.7. The permittee shall keep all records on file and make them available to the Department upon request.² (R 336.1205(1)(a) & (b), R 336.1224, R 336.1225, R 336.1331(1)(c), R 336.1702(a), R 336.2803, R 336.2804, R 336.2810, 40 CFR 52.21(j), 40 CFR 60.7)

See Appendix 7

VII. REPORTING

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. (R 336.1213(3)(c)(ii))
2. Semiannual reporting of monitoring and deviations pursuant to General Condition 23 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for reporting period July 1 to December 31 and September 15 for reporting period January 1 to June 30. (R 336.1213(3)(c)(i))
3. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked or received by the appropriate AQD District Office by March 15 for the previous calendar year. (R 336.1213(4)(c))
4. The permittee shall submit any performance test reports to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. (R 336.1213(3)(c), R 336.2001(5))

See Appendix 8

VIII. STACK/VENT RESTRICTION(S)

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

Stack & Vent ID	Maximum Exhaust Diameter / Dimensions (inches)	Minimum Height Above Ground (feet)	Underlying Applicable Requirements
1. SVFUELHTR1	19 ²	30 ²	R 336.1225 R 336.2803 R 336.2804
2. SVFUELHTR2	19 ²	30 ²	R 336.1225 R 336.2803 R 336.2804

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

² This condition is federally enforceable and was established pursuant to Rule 201(1)(a).

E. NON-APPLICABLE REQUIREMENTS

At the time of the ROP issuance, the AQD has determined that no non-applicable requirements have been identified for incorporation into the permit shield provision set forth in the General Conditions in Part A pursuant to Rule 213(6)(a)(ii).

APPENDICES

Appendix 1. Acronyms and Abbreviations

Common Acronyms		Pollutant / Measurement Abbreviations	
AQD	Air Quality Division	acfm	Actual cubic feet per minute
BACT	Best Available Control Technology	BTU	British Thermal Unit
CAA	Clean Air Act	°C	Degrees Celsius
CAM	Compliance Assurance Monitoring	CO	Carbon Monoxide
CEM	Continuous Emission Monitoring	CO ₂ e	Carbon Dioxide Equivalent
CEMS	Continuous Emission Monitoring System	dscf	Dry standard cubic foot
CFR	Code of Federal Regulations	dscm	Dry standard cubic meter
COM	Continuous Opacity Monitoring	°F	Degrees Fahrenheit
Department/ department	Michigan Department of Environment, Great Lakes, and Energy	gr	Grains
EGLE	Michigan Department of Environment, Great Lakes, and Energy	HAP	Hazardous Air Pollutant
EU	Emission Unit	Hg	Mercury
FG	Flexible Group	hr	Hour
GACS	Gallons of Applied Coating Solids	HP	Horsepower
GC	General Condition	H ₂ S	Hydrogen Sulfide
GHGs	Greenhouse Gases	kW	Kilowatt
HVLP	High Volume Low Pressure*	lb	Pound
ID	Identification	m	Meter
IRSL	Initial Risk Screening Level	mg	Milligram
ITSL	Initial Threshold Screening Level	mm	Millimeter
LAER	Lowest Achievable Emission Rate	MM	Million
MACT	Maximum Achievable Control Technology	MW	Megawatts
MAERS	Michigan Air Emissions Reporting System	NMOC	Non-methane Organic Compounds
MAP	Malfunction Abatement Plan	NO _x	Oxides of Nitrogen
MSDS	Material Safety Data Sheet	ng	Nanogram
NA	Not Applicable	PM	Particulate Matter
NAAQS	National Ambient Air Quality Standards	PM10	Particulate Matter equal to or less than 10 microns in diameter
NESHAP	National Emission Standard for Hazardous Air Pollutants	PM2.5	Particulate Matter equal to or less than 2.5 microns in diameter
NSPS	New Source Performance Standards	pph	Pounds per hour
NSR	New Source Review	ppm	Parts per million
PS	Performance Specification	ppmv	Parts per million by volume
PSD	Prevention of Significant Deterioration	ppmw	Parts per million by weight
PTE	Permanent Total Enclosure	%	Percent
PTI	Permit to Install	psia	Pounds per square inch absolute
RACT	Reasonable Available Control Technology	psig	Pounds per square inch gauge
ROP	Renewable Operating Permit	scf	Standard cubic feet
SC	Special Condition	sec	Seconds
SCR	Selective Catalytic Reduction	SO ₂	Sulfur Dioxide
SDS	Safety Data Sheet	TAC	Toxic Air Contaminant
SNCR	Selective Non-Catalytic Reduction	Temp	Temperature
SRN	State Registration Number	THC	Total Hydrocarbons
TEQ	Toxicity Equivalence Quotient	tpy	Tons per year
USEPA/EPA	United States Environmental Protection Agency	µg	Microgram
VE	Visible Emissions	µm	Micrometer or Micron
		VOC	Volatile Organic Compounds
		yr	Year

*For HVLP applicators, the pressure measured at the gun air cap shall not exceed 10 psig.

Appendix 2. Schedule of Compliance

The permittee certified in the ROP application that this stationary source is in compliance with all applicable requirements and the permittee shall continue to comply with all terms and conditions of this ROP. A Schedule of Compliance is not required. (R 336.1213(4)(a), R 336.1119(a)(ii))

Appendix 3. Monitoring Requirements

The following monitoring procedures, methods, or specifications are the details to the monitoring requirements identified and referenced in FGCTGHRSG.

Continuous Emission Monitoring System (CEMS) Requirements

1. Within 30 calendar days after commencement of initial start-up, the permittee shall submit two copies of a Monitoring Plan to the AQD, for review and approval. The Monitoring Plan shall include drawings or specifications showing proposed locations and descriptions of the required CEMS.
2. Within 150 calendar days after commencement of initial start-up, the permittee shall submit two copies of a complete test plan for the CEMS to the AQD for approval.
3. Within 180 calendar days after commencement of initial start-up, the permittee shall complete the installation and testing of the CEMS.
4. Within 60 days of completion of testing, the permittee shall submit to the AQD two copies of the final report demonstrating the CEMS complies with the requirements of the corresponding Performance Specifications (PS) in the following table:

Pollutant	Applicable PS
NO _x	2
O ₂ & CO ₂	3
CO	4

5. The span value shall be 2.0 times the lowest emission standard or as specified in the federal regulations.
6. The CEMS shall be installed, calibrated, maintained, and operated in accordance with the procedures set forth in 40 CFR 60.13 and the PS, listed in the table above, of Appendix B to 40 CFR Part 60.
7. Each calendar quarter, the permittee shall perform the Quality Assurance Procedures of the CEMS set forth in Appendix F of 40 CFR Part 60. Within 30 days following the end of each calendar quarter, the permittee shall submit the results to the AQD in the format of the data assessment report (Figure 1, Appendix F).
8. In accordance with 40 CFR 60.7(c) and (d), the permittee shall submit two copies of an excess emission report (EER) and summary report in an acceptable format to the AQD, within 30 days following the end of each calendar quarter. The Summary Report shall follow the format of Figure 1 in 40 CFR 60.7(d). The EER shall include the following information:
 - a. A report of each exceedance above the limits specified in the conditions of this permit. This includes the date, time, magnitude, cause and corrective actions of all occurrences during the reporting period.
 - b. A report of all periods of CEMS downtime and corrective action.
 - c. A report of the total operating time of EUCTGHRSG1, or EUCTGHRSG2 during the reporting period.
 - d. A report of any periods that the CEMS exceeds the instrument range.

- e. If no exceedances or CEMS downtime occurred during the reporting period, the permittee shall report that fact.

The permittee shall keep all monitoring data on file for a period of at least five years and make them available to the AQD upon request.

Appendix 4. Recordkeeping

Specific recordkeeping requirement formats and procedures are detailed in Part A or the appropriate Source-Wide, Emission Unit and/or Flexible Group Special Conditions. Therefore, this appendix is not applicable.

Appendix 5. Testing Procedures

There are no specific testing requirement plans or procedures for this ROP. Therefore, this appendix is not applicable.

Appendix 6. Permits to Install

The following table lists any Permit to Install and/or operate, that relates to the identified emission units or flexible groups as of the effective date of this ROP. This includes all Permits to Install and/or operate that are hereby incorporated into Source-Wide PTI No. MI-PTI-N6921-2024. PTIs issued after the effective date of this ROP, including amendments or modifications, will be identified in Appendix 6 upon renewal.

Permit to Install Number	Description of Equipment	Corresponding Emission Unit(s) or Flexible Group(s)
75-16C	EUCTGHRSG1, EUCTGHRSG2, EUAUXBOILER, EUFUELHTR1, EUFUELHTR2, EUENGINE, EUEMFUELTANK, and EUCOLDCLEANER	FGCTGHRSG, FGFUELHTR

Appendix 7. Emission Calculations

The permittee shall use the following calculations in conjunction with monitoring, testing or recordkeeping data to determine compliance with the applicable requirements referenced in **EUAUXBOILER, FGFUELHTR, EUENGINE, EUCTGHRSG1 and EUCTGHRSG2.**

CO₂e Emission Calculations

For EUAUXBOILER and FGFUELHTR:

$$\text{CO}_2\text{e emissions (tons/month)} = [(\text{Fuel Usage (MMscf/month)} \times \text{Higher Heating Value (MMBTU/MMscf)}) \times (\text{CO}_2 \text{ EF (kg/MMBTU)} \times \text{CO}_2 \text{ GWP} + \text{CH}_4 \text{ EF (kg/MMBTU)} \times \text{CH}_4 \text{ GWP} + \text{N}_2\text{O EF (kg/MMBTU)} \times \text{N}_2\text{O GWP})] \times 2.20462 \text{ (lb/kg)} \times 1/2000 \text{ (ton/lb)}$$

Where:

Fuel Usage (MMscf/month) = monthly fuel usage data from fuel flow meter

Heat Content (MMBTU/MMscf) = standard value in AP-42 for natural gas or supplier data, if available

CO₂ EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-1 (December 9, 2016)

CH₄ EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-2 (December 9, 2016)

N₂O EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-2 (December 9, 2016)

CO₂ GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

CH₄ GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

N₂O GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

For EUEMENGINE:

$$\text{CO}_2\text{e emissions (tons/month)} = [(\text{Fuel Usage (gallons/month)} \times \text{Higher Heating Value (MMBTU/gallons)}) \times (\text{CO}_2 \text{ EF (kg/MMBTU)} \times \text{CO}_2 \text{ GWP} + \text{CH}_4 \text{ EF (kg/MMBTU)} \times \text{CH}_4 \text{ GWP} + \text{N}_2\text{O EF (kg/MMBTU)} \times \text{N}_2\text{O GWP})] \times 1/2000 \text{ (ton/lb)}$$

Where:

Fuel Usage (gallons/month) = monthly fuel usage data

Heat Content (MMBTU/gallons) = standard value in AP-42 for natural gas or supplier data, if available

CO₂ EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-1 (December 9, 2016)

CH₄ EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-2 (December 9, 2016)

N₂O EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-2 (December 9, 2016)

CO₂ GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

CH₄ GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

N₂O GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

For EUCTGHRSG1 and EUCTGHRSG2:

If not utilizing a CO₂ CEMS:

$$\text{CO}_2 \text{ emissions (tons/month)} = \text{CO}_2 \text{ EF (scf/MMBTU)} \times \text{Fuel Usage (MMscf/month)} \times \text{Higher Heating Value (MMBTU/MMscf)} \times \text{CO}_2 \text{ MW (lb/lb-mol)} \times \text{CO}_2 \text{ GWP} / \text{molar volume (scf/lb-mol)}$$

Where:

CO₂ EF (scf/MMBTU) = carbon based F-factor for natural gas according to the methodology from equation G-4 of Appendix G to Part 75

Fuel Usage (MMscf/month) = monthly fuel usage data from fuel flow meter

Heat Content (MMBTU/MMscf) = standard value in AP-42 for natural gas or supplier data, if available

CO₂ MW (lb/lb-mol) = 44 [C = 6; O = 8; 6 + (8 x 2) = 22]

CO₂ GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

Molar volume (scf/lb-mol) = 385

$$\text{CO}_2\text{e emissions (tons/month)} = \text{CO}_2 \text{ emissions (tons/month)} + [(\text{Fuel Usage (MMscf/month)} \times \text{Higher Heating Value (MMBTU/MMscf)}) \times (\text{CH}_4 \text{ EF (kg/MMBTU)} \times \text{CH}_4 \text{ GWP} + \text{N}_2\text{O EF (kg/MMBTU)} \times \text{N}_2\text{O GWP})] \times 2.20462 \text{ (lb/kg)} \times 1/2000 \text{ (ton/lb)}$$

Where:

Fuel Usage (MMscf/month) = monthly fuel usage data from fuel flow meter

Heat Content (MMBTU/MMscf) = standard value in AP-42 for natural gas or supplier data, if available

CH₄ EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-2 (December 9, 2016)

N₂O EF (kg/MMBTU) = emission factors from 40 CFR Part 98, Subpart C, Table C-2 (December 9, 2016)

CH₄ GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

N₂O GWP = global warming potential from 40 CFR Part 98, Subpart A, Table A-1 (January 1, 2014)

Appendix 8. Reporting

A. Annual, Semiannual, and Deviation Certification Reporting

The permittee shall use EGLE, AQD, Report Certification form (EQP 5736) and EGLE, AQD, Deviation Report form (EQP 5737) for the annual, semiannual and deviation certification reporting referenced in the Reporting Section of the Source-Wide, Emission Unit and/or Flexible Group Special Conditions. Alternative formats must meet the provisions of Rule 213(4)(c) and Rule 213(3)(c)(i), respectively, and be approved by the AQD District Supervisor.

B. Other Reporting

Specific reporting requirement formats and procedures are detailed in Part A or the appropriate Source-Wide, Emission Unit and/or Flexible Group Special Conditions. Therefore, Part B of this appendix is not applicable.

Appendix 9. Acid Rain Permit

**PHASE II ACID RAIN PERMIT
Permit No. MI-AR-55460-2024**

Permittee	Indeck Niles Energy Center
Address	2200 Progressive Drive, Niles, Michigan
SRN	N6921
Plant Code	55460
Issue Date	August 27, 2024
Effective	Issuance date of this facility's Renewable Operating Permit at the facility in accordance with 40 CFR 72.73.
Expiration	This permit shall expire when the facility's Renewable Operating Permit expires, in accordance with 40 CFR 72.73.
ROP No.	MI-ROP-N6921-2024

The Acid Rain Permit Contents

1. A statement of basis prepared by the Air Quality Division (AQD) containing:

References to statutory and regulatory authorities, and with comments, notes, and justification that apply to the source in general.
2. Terms and conditions including:

A table of sulfur dioxide allowances to be allocated during the term of the permit, if applicable, authorized by this permit during Phase II. Unless they are subject to Sections 405(g)(2) or (3) of the federal Clean Air Act, new units are not allocated allowances in 40 CFR Part 73 and must obtain allowances by other means (Section 403(e) of the federal Clean Air Act);

Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements; and,

Any applicable nitrogen oxides compliance plan. Unless they are coal fired utility units regulated pursuant to Sections 404, 405, or 409 of the federal Clean Air Act, new units are not subject to the acid rain nitrogen oxides requirements (40 CFR 76.1(a)).
3. The permit application that this source submitted, as corrected by the AQD. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

Statement of Basis

Statutory and Regulatory Authorities.

In accordance with the Natural Resources and Environmental Protection Act, 1994 PA 451 and Titles IV and V of the federal Clean Air Act, the Michigan Department of Environment, Great Lakes, and Energy, Air Quality Division (AQD), issues this permit pursuant to the provisions of R 336.1210 to R 336.1218, and R 336.1902(1)(p).

For further information contact:

Mr. Brian Carley
Environmental Quality Specialist
Michigan Department of Environment, Great Lakes, and Energy
Air Quality Division, Jackson District Office
State Office Building, 4th Floor
301 East Louis B. Glick Highway
Jackson, Michigan 49201-1556

Telephone: 517-416-4631
Facsimile: 517-780-7855

There are no comments, notes and/or justification that apply to the source in general for this section.

Terms and Conditions:

Phase II Sulfur Dioxide Allowance Allocation and Nitrogen Oxides Requirements for each affected unit.

		2024	2025	2026	2027	2028
Unit EUCTHRSG1	SO ₂ allowances	This affected unit shall hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and comply with the applicable Acid Rain emissions limitation for sulfur dioxide in accordance with 40 CFR 72.9 (c).				

		2024	2025	2026	2027	2028
Unit EUCTHRSG2	SO ₂ allowances	This affected unit shall hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and comply with the applicable Acid Rain emissions limitation for sulfur dioxide in accordance with 40 CFR 72.9 (c).				

Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process: In the EPA database (Clean Air Markets Program Data (CAMPD)), EUCTHRSG1 is listed as EUCT1 and EUCTHRSG2 is listed as EUCT2.

Permit Application: (attached)

Acid Rain Permit Application submitted November 7, 2019 (was officially received on March 20, 2020)

Indeck Niter Energy Center
Facility (Source) Name (from STEP 1)

Acid Rain - Page 2

STEP 3

Read the standard requirements.

Permit Requirements

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

Monitoring Requirements

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

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

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



Indeck Niles Energy Center
Facility (Source) Name (from STEP 1)

Acid Rain - Page 3

STEP 3, Cont'd.

Excess Emissions Requirements

- (1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

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



Indeck Niles Energy Center
Facility (Source) Name (from STEP 1)

Acid Rain - Page 4

STEP 3, Cont'd.

Effect on Other Authorities

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

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a source can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date.

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

Name	<u>Michael J. Dubois</u>
Signature	<u>Michael J. Dubois</u>
Date	<u>11/6/19</u>



Appendix 10: Cross State Air Pollution Rule (CSAPR) Trading Program

Description of CSAPR Monitoring Provisions

The CSAPR subject units, and the unit-specific monitoring provisions, at this source are identified in the following tables. These units are subject to the requirements for the CSAPR NO_x Annual Trading Program, CSAPR NO_x Ozone Season Group 3 Trading Program, and CSAPR SO₂ Group 1 Trading Program, which are included below as Sections I, II, and III, respectively.

Each unit will use one of the following as the monitoring methodology for each parameter as provided below and shall comply with the general monitoring, recordkeeping, reporting and other requirements in conditions 1 through 5 below and in paragraph (b) of Sections I, II, and III:

- Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR Part 75, Subpart B (for SO₂ monitoring) or 40 CFR Part 75, Subpart H (for NO_x monitoring)
- Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D
- Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR Part 75, Appendix E
- Low Mass Emissions (LME) excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19
- EPA-approved alternative monitoring system requirements pursuant to 40 CFR Part 75, Subpart E

Unit ID: EUCT1 (EUCTHRSG1)	
Parameter	Monitoring Methodology
SO ₂	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D
NO _x	CEMS requirements pursuant to 40 CFR Part 75, Subpart H
Heat Input	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D

Unit ID: EUCT2 (EUCTHRSG2)	
Parameter	Monitoring Methodology
SO ₂	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D
NO _x	CEMS requirements pursuant to 40 CFR Part 75, Subpart H
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 (CSAPR NO_x Annual Trading Program), 97.1030 through 97.1035 (CSAPR NO_x Ozone Season Group 3 Trading Program), and 97.630 through 97.635 (CSAPR SO₂ Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR 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 <https://www.epa.gov/airmarkets/monitoring-plans-part-75-sources>.
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 (CSAPR NO_x Annual Trading Program), 97.1035 (CSAPR NO_x Ozone Season Group 3 Trading Program), and/or 97.635 (CSAPR SO₂ Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.

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 (CSAPR NO_x Annual Trading Program), 97.1030 through 97.1034 (CSAPR NO_x Ozone Season Group 3 Trading Program), and/or 97.630 through 97.634 (CSAPR SO₂ Group 1 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NO_x Annual Trading Program), 97.1035 (CSAPR NO_x Ozone Season Group 3 Trading Program), and/or 97.635 (CSAPR SO₂ Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.
5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NO_x Annual Trading Program), 97.1030 through 97.1034 (CSAPR NO_x Ozone Season Group 3 Trading Program), and 97.630 through 97.634 (CSAPR SO₂ Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add or change this unit's monitoring system description.

SECTION I: CSAPR NO_x Annual Trading Program requirements (40 CFR 97.406)

(a) Designated representative requirements.

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

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

- (1) The owners and operators, and the designated representative, of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of CSAPR NO_x Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the CSAPR NO_x Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_x emissions requirements.

- (1) CSAPR NO_x Annual emissions limitation.
 - (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall hold, in the source's compliance account, CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Annual units at the source.
 - (ii). If total NO_x emissions during a control period in a given year from the CSAPR NO_x Annual units at a CSAPR NO_x Annual source are in excess of the CSAPR NO_x Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:
 - (A). The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall hold the CSAPR NO_x Annual allowances required for deduction under 40 CFR 97.424(d); and
 - (B). The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.

- (2) CSAPR NO_x Annual assurance provisions.
- (i). If total NO_x emissions during a control period in a given year from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state and Indian country within the borders of such State exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying— (A) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state and Indian country within the borders of such state for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state and Indian country within the borders of such state for such control period exceed the state assurance level.
 - (ii). The owners and operators shall hold the CSAPR NO_x Annual allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
 - (iii). Total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State and Indian country within the borders of such state during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the state NO_x Annual trading budget under 40 CFR 97.410(a) and the state's variability limit under 40 CFR 97.410(b).
 - (iv). It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State and Indian country within the borders of such State during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state and Indian country within the borders of such state during a control period exceeds the common designated representative's assurance level.
 - (v). To the extent the owners and operators fail to hold CSAPR NO_x Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
 - (A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (B). Each CSAPR NO_x Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.
- (3) Compliance periods.
- (i). A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
 - (ii). A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
- (4) Vintage of allowances held for compliance.
- (i). A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated for such control period or a control period in a prior year.
 - (ii). A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

- (5) Allowance Management System requirements. Each CSAPR NO_x Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA.
- (6) Limited authorization. A CSAPR NO_x Annual allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:
 - (i). Such authorization shall only be used in accordance with the CSAPR NO_x Annual Trading Program; and
 - (ii). Notwithstanding any other provision of 40 CFR Part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (7) Property right. A CSAPR NO_x Annual allowance does not constitute a property right.

(d) Title V permit revision requirements.

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA.
- (2) This permit incorporates the CSAPR 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 CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.406(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

- (1) Unless otherwise provided, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (i). The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each CSAPR NO_x Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.
 - (ii). All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA.
 - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Annual Trading Program.
- (2) The designated representative of a CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall make all submissions required under the CSAPR NO_x Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Parts 70 and 71.

(f) Liability.

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

(g) Effect on other authorities.

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

(h) Effect on units in Indian country.

Notwithstanding the provisions of paragraphs (a) through (g) above, paragraphs (a) through (g) shall be deemed not to impose any requirements on any source or unit, or any owner, operator, or designated representative with regard to any source or unit, in Indian country within the borders of the state.

SECTION II: CSAPR NO_x Ozone Season Group 3 Trading Program Requirements (40 CFR 97.1006)

(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 97.1013 through 97.1018.

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

- (1) The owners and operators, and the designated representative, of each CSAPR NO_x Ozone Season Group 3 source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.1030 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.1031 (initial monitoring system certification and recertification procedures), 97.1032 (monitoring system out-of-control periods), 97.1033 (notifications concerning monitoring), 97.1034 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.1035 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (2) The emissions data determined in accordance with 40 CFR 97.1030 through 97.1035 shall be used to calculate allocations of CSAPR NO_x Ozone Season Group 3 allowances under 40 CFR 97.1011(a)(2) and (b) and 97.1012 and to determine compliance with the CSAPR NO_x Ozone Season Group 3 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 97.1030 through 97.1035 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_x emissions requirements.

- (1) CSAPR NO_x Ozone Season Group 3 emissions limitation.
 - (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Ozone Season Group 3 source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall hold, in the source's compliance account, CSAPR NO_x Ozone Season Group 3 allowances available for deduction for such control period under 40 CFR 97.1024(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Ozone Season Group 3 units at the source.
 - (ii). If total NO_x emissions during a control period in a given year from the CSAPR NO_x Ozone Season Group 3 units at a CSAPR NO_x Ozone Season Group 3 source are in excess of the CSAPR NO_x Ozone Season Group 3 emissions limitation set forth in paragraph (c)(1)(i) above, then:
 - (A). The owners and operators of the source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall hold the CSAPR NO_x Ozone Season Group 3 allowances required for deduction under 40 CFR 97.1024(d); and
 - (B). The owners and operators of the source and each CSAPR NO_x Ozone Season Group 3 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 GGGGG and the Clean Air Act.

- (2) CSAPR NO_x Ozone Season Group 3 assurance provisions.
- (i). If total NO_x emissions during a control period in a given year from all CSAPR NO_x Ozone Season Group 3 units at CSAPR NO_x Ozone Season Group 3 sources in the state and Indian country within the borders of such state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Ozone Season Group 3 allowances available for deduction for such control period under 40 CFR 97.1025(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 97.1025(b), of multiplying—
 - (A). The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state and Indian country within the borders of such state for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and
 - (B). The amount by which total NO_x emissions from all CSAPR NO_x Ozone Season Group 3 units at CSAPR NO_x Ozone Season Group 3 sources in the state and Indian country within the borders of such state for such control period exceed the state assurance level.
 - (ii). The owners and operators shall hold the CSAPR NO_x Ozone Season Group 3 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
 - (iii). Total NO_x emissions from all CSAPR NO_x Ozone Season Group 3 units at CSAPR NO_x Ozone Season Group 3 sources in the state and Indian country within the borders of such state during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the State NO_x Ozone Season Group 3 trading budget under 40 CFR 97.1010(a) and the state's variability limit under 40 CFR 97.1010(b).
 - (iv). It shall not be a violation of 40 CFR Part 97, Subpart GGGGG or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Ozone Season Group 3 units at CSAPR NO_x Ozone Season Group 3 sources in the state and Indian country within the borders of such state during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Ozone Season Group 3 units at CSAPR NO_x Ozone Season Group 3 sources in the state and Indian country within the borders of such state during a control period exceeds the common designated representative's assurance level.
 - (v). To the extent the owners and operators fail to hold CSAPR NO_x Ozone Season Group 3 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 CSAPR NO_x Ozone Season Group 3 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 GGGGG and the Clean Air Act.
- (3) Compliance periods.
- (i). A CSAPR NO_x Ozone Season Group 3 unit shall be subject to the requirements under paragraph (c)(1) 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 97.1030(b) and for each control period thereafter.
 - (ii). A CSAPR NO_x Ozone Season Group 3 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 97.1030(b) and for each control period thereafter.
- (4) Vintage of allowances held for compliance.
- (i). A CSAPR NO_x Ozone Season Group 3 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NO_x Ozone Season Group 3 allowance that was allocated for such control period or a control period in a prior year.

- (ii). A CSAPR NO_x Ozone Season Group 3 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 CSAPR NO_x Ozone Season Group 3 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 CSAPR NO_x Ozone Season Group 3 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 GGGGG.
- (6) Limited authorization. A CSAPR NO_x Ozone Season Group 3 allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:
 - (i). Such authorization shall only be used in accordance with the CSAPR NO_x Ozone Season Group 3 Trading Program; and
 - (ii). Notwithstanding any other provision of 40 CFR Part 97, Subpart GGGGG, 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 CSAPR NO_x Ozone Season Group 3 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 CSAPR NO_x Ozone Season Group 3 allowances in accordance with 40 CFR Part 97, Subpart GGGGG.
- (2) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.1030 through 97.1035, 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 CSAPR 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 97.1006(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 CSAPR NO_x Ozone Season Group 3 source and each CSAPR NO_x Ozone Season Group 3 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 97.1016 for the designated representative for the source and each CSAPR NO_x Ozone Season Group 3 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 97.1016 changing the designated representative.
 - (ii). All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart GGGGG.
 - (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 CSAPR NO_x Ozone Season Group 3 Trading Program.
- (2) The designated representative of a CSAPR NO_x Ozone Season Group 3 source and each CSAPR NO_x Ozone Season Group 3 unit at the source shall make all submissions required under the CSAPR NO_x Ozone Season Group 3 Trading Program, except as provided in 40 CFR 97.1018. 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 CSAPR NO_x Ozone Season Group 3 Trading Program that applies to a CSAPR NO_x Ozone Season Group 3 source or the designated representative of a CSAPR NO_x Ozone Season Group 3 source shall also apply to the owners and operators of such source and of the CSAPR NO_x Ozone Season Group 3 units at the source.

- (2) Any provision of the CSAPR NO_x Ozone Season Group 3 Trading Program that applies to a CSAPR NO_x Ozone Season Group 3 unit or the designated representative of a CSAPR NO_x Ozone Season Group 3 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR NO_x Ozone Season Group 3 Trading Program or exemption under 40 CFR 97.1005 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Ozone Season Group 3 source or CSAPR NO_x Ozone Season Group 3 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

(h) Effect on units in Indian country.

Notwithstanding the provisions of paragraphs (a) through (g) above, paragraphs (a) through (g) shall be deemed not to impose any requirements on any source or unit, or any owner, operator, or designated representative with regard to any source or unit, in Indian country within the borders of the state.

SECTION III: CSAPR SO₂ Group 1 Trading Program requirements (40 CFR 97.606)

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.613 through 97.618.

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

- (1) The owners and operators, and the designated representative, of each CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (2) The emissions data determined in accordance with 40 CFR 97.630 through 97.635 shall be used to calculate allocations of CSAPR SO₂ Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the CSAPR SO₂ Group 1 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) SO₂ emissions requirements.

(1) CSAPR SO₂ Group 1 emissions limitation.

- (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall hold, in the source's compliance account, CSAPR SO₂ Group 1 allowances available for deduction for such control period under 40 CFR 97.624(a) in an amount not less than the tons of total SO₂ emissions for such control period from all CSAPR SO₂ Group 1 units at the source.
- (ii). If total SO₂ emissions during a control period in a given year from the CSAPR SO₂ Group 1 units at a CSAPR SO₂ Group 1 source are in excess of the CSAPR SO₂ Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:
- (A). The owners and operators of the source and each CSAPR SO₂ Group 1 unit at the source shall hold the CSAPR SO₂ Group 1 allowances required for deduction under 40 CFR 97.624(d); and
- (B). The owners and operators of the source and each CSAPR SO₂ Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCCC and the Clean Air Act.

- (2) CSAPR SO₂ Group 1 assurance provisions.
- (i). If total SO₂ emissions during a control period in a given year from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the state and Indian country within the borders of such state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO₂ emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO₂ Group 1 allowances available for deduction for such control period under 40 CFR 97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.625(b), of multiplying—
 - (A). The quotient of the amount by which the common designated representative's share of such SO₂ emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state and Indian country within the borders of such state for such control period, by which each common designated representative's share of such SO₂ emissions exceeds the respective common designated representative's assurance level; and
 - (B). The amount by which total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the state and Indian country within the borders of such state for such control period exceed the state assurance level.
 - (ii). The owners and operators shall hold the CSAPR SO₂ Group 1 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
 - (iii). Total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the state and Indian country within the borders of such state during a control period in a given year exceed the state assurance level if such total SO₂ emissions exceed the sum, for such control period, of the state SO₂ Group 1 trading budget under 40 CFR 97.610(a) and the state's variability limit under 40 CFR 97.610(b).
 - (iv). It shall not be a violation of 40 CFR Part 97, Subpart CCCCC or of the Clean Air Act if total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the state and Indian country within the borders of such state during a control period exceed the state assurance level or if a common designated representative's share of total SO₂ emissions from the CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in the state and Indian country within the borders of such state during a control period exceeds the common designated representative's assurance level.
 - (v). To the extent the owners and operators fail to hold CSAPR SO₂ Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
 - (A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (B). Each CSAPR SO₂ Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart CCCCC and the Clean Air Act.
- (3) Compliance periods.
- (i). A CSAPR SO₂ Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.
 - (ii). A CSAPR SO₂ Group 1 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.
- (4) Vintage of allowances held for compliance.
- (i). A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR SO₂ Group 1 allowance that was allocated for such control period or a control period in a prior year.
 - (ii). A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR SO₂

Group 1 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

- (5) Allowance Management System requirements. Each CSAPR SO₂ Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart CCCCC.
- (6) Limited authorization. A CSAPR SO₂ Group 1 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows:
 - (i). Such authorization shall only be used in accordance with the CSAPR SO₂ Group 1 Trading Program; and
 - (ii). Notwithstanding any other provision of 40 CFR Part 97, Subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (7) Property right. A CSAPR SO₂ Group 1 allowance does not constitute a property right.

(d) Title V permit revision requirements.

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO₂ Group 1 allowances in accordance with 40 CFR Part 97, Subpart CCCCC.
- (2) This permit incorporates the CSAPR 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 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR 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 CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (i). The certificate of representation under 40 CFR 97.616 for the designated representative for the source and each CSAPR SO₂ Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.616 changing the designated representative.
 - (ii). All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart CCCCC.
 - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO₂ Group 1 Trading Program.
- (2) The designated representative of a CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall make all submissions required under the CSAPR SO₂ Group 1 Trading Program, except as provided in 40 CFR 97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Parts 70 and 71.

(f) Liability.

- (1) Any provision of the CSAPR SO₂ Group 1 Trading Program that applies to a CSAPR SO₂ Group 1 source or the designated representative of a CSAPR SO₂ Group 1 source shall also apply to the owners and operators of such source and of the CSAPR SO₂ Group 1 units at the source.
- (2) Any provision of the CSAPR SO₂ Group 1 Trading Program that applies to a CSAPR SO₂ Group 1 unit or the designated representative of a CSAPR SO₂ Group 1 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR SO₂ Group 1 Trading Program or exemption under 40 CFR 97.605 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR SO₂ Group 1 source or CSAPR SO₂ Group 1 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

(h) Effect on units in Indian country.

Notwithstanding the provisions of paragraphs (a) through (g) above, paragraphs (a) through (g) shall be deemed not to impose any requirements on any source or unit, or any owner, operator, or designated representative with regard to any source or unit, in Indian country within the borders of the state.