

Florida Department of
Environmental Protection

Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation
THROUGH: Jon Holtom, Title V Section *JH*
FROM: Susan Machinski
DATE: October 14, 2009
SUBJECT: Draft Permit No. 0870003-011-AV
Keys Energy Services/Stock Island Power Plant
Title V Renewal Permit

Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permit;
- Public Notice of Intent to Issue Air Permit;
- Statement of Basis;
- Draft Permit; and,
- P.E. Certification.

The Draft Permit renews the Title V permit for the Stock Island Power Plant, which is located in Monroe County, Florida. The Statement of Basis provides a summary of the project and the rationale for issuance. The P.E. certification briefly summarizes the proposed project.

The application was received and deemed complete on September 8, 2009. Day 90 is December 7, 2009. There is no ongoing/open enforcement case for this facility, according to the South District.

I recommend your approval of the attached Draft Permit.

Attachments

P.E. CERTIFICATION STATEMENT

PERMITTEE

Keys Energy Services
P.O. Drawer 6100
Key West, Florida 33041-6100


Permit No. 0870003-011-AV
Facility ID No. 0870003
Stock Island Power Plant
Title V Air Operation Permit Renewal
Monroe County, Florida


PROJECT DESCRIPTION

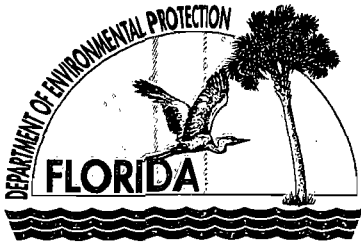
This project is for the renewal of Title V air operation permit No. 0870003-006-AV for the above referenced facility. The permit has been reformatted to reflect the current permit style.

***I HEREBY CERTIFY** that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).*

This review was conducted by Susan Machinski under my responsible supervision.


Jonathan K. Holtom, P.E.
Registration Number: 0052664


Date: 10/13/09



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jef Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Electronic Mail – Received Receipt Requested

Mr. Edward Garcia, Environmental/Safety Officer
Keys Energy Services
P.O. Box 6100
Key West, Florida 33041-6100

Re: Permit No. 0870003-011-AV
Stock Island Power Plant
Title V Permit Renewal

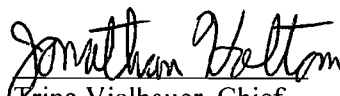
Dear Mr. Garcia:

Enclosed is the draft/proposed permit package to renew the Title V air operation permit for Stock Island Power Plant. This facility is located in Monroe County at 6900 Front Street, Stock Island, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V renewal.
- The draft/proposed Title V air operation permit renewal, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the draft/proposed permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Title V Air Permit must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication. **In order to ensure that the Title V permit (including the Title IV Acid Rain Part) is effective by January 1, 2010, the Public Notice needs to be published as soon as you receive this document.**

If you have any questions, please contact the Project Engineer, Susan Machinski, by telephone at (239) 332-6975, ext. 109 or by email at susan.machinski@dep.state.fl.us.

Sincerely,

for 
Trina Vielhauer, Chief
Bureau of Air Regulation

10/15/09
Date

Enclosures
TLV/jkh/srm

WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

In the Matter of an

Application for Title V Air Operation Permit by:

Keys Energy Services
P.O. Box 6100
Key West, Florida 33041-6100

Permit No. 0870003-011-AV
Facility ID No. 0870003
Stock Island Power Plant
Title V Permit Renewal
Monroe County, Florida

Responsible Official:

Edward Garcia, Environmental/Safety Officer

Facility Location: Keys Energy Services operates the Stock Island Power Plant, which is located in Monroe County at 6900 Front Street, Stock Island, Florida.

Project: The purpose of this project is to renew Title V air operation permit No. 0870003-006-AV. Details of the project are provided in the application and the enclosed Statement of Basis.

Permitting Authority: Applications for Title V air operation permits for facilities that operate Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is (850) 488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue a renewed Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

Comments: The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the

WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT


proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

EPA Review: EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.


for Trina Vielhauer, Chief
Bureau of Air Regulation

WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Title V Air Operation Permit Renewal (including the Public Notice, the Statement of Basis, and the draft/proposed permit), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on 10/16/09 to the persons listed below.

Mr. Edward Garcia, Keys Energy Services: edward.garcia@keysenergy.com

Mr. Jerome Guidry, Perigee Technical Services, Inc: jerome.guidry@att.net

Mr. Ajaya Satyal, DEP - SD: ajaya.satyal@dep.state.fl.us

Ms. Susan Machinski, DEP - SD: susan.machinski@dep.state.fl.us

Ms. Katy Forney, U.S. EPA Region 4: forney.kathleen@epamail.epa.gov

Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epamail.epa.gov

Ms. Barbara Friday, DEP - BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)

Ms. Victoria Gibson, DEP - BAR: victoria.gibson@dep.state.fl.us (for reading file)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

 10/16/09
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft/Proposed Permit No. 0870003-011-AV
Keys Energy Services, Stock Island Power Plant
Monroe County, Florida

Applicant: The applicant for this project is Keys Energy Services. The applicant's responsible official and mailing address are: Mr. Edward Garcia, Environmental/Safety Officer, Keys Energy Services, Stock Island Power Plant, P.O. Box 6100, Key West, Florida 33041-6100.

Facility Location: The applicant operates the existing Stock Island Power Plant, which is located in Monroe County at 6900 Front Street, Stock Island, Florida.

Project: The applicant applied on May 15, 2009 to the Department for a Title V air operation permit renewal. This is a renewal of Title V air operation permit No. 0870003-006-AV. The existing facility consists of six regulated emission units: two regulated diesel generators and four simple cycle combustion turbines. The facility's emissions units have the potential to emit the following pollutants: nitrogen oxides, sulfur dioxides, particulate matter, carbon monoxide, volatile organic compounds, visible emissions and beryllium. To reduce pollution, a combination of control techniques is used including water injection, ignition timing retardation, and low sulfur fuel oil. The facility is subject to Title 40 Code of Federal Regulations Part 60 (40 CFR 60) Subparts A, GG and JJJ, General Provisions, Standards of Performance for Stationary Gas Turbines and Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, respectively. The facility is also subject to 40 CFR 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Permitting Authority: Applications for Title V air operation permits for facilities that operate Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214, of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final Title V air operation permit in accordance with the conditions of the draft/proposed permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments

(Public Notice to be Published in the Newspaper)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

EPA Review: EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the

(Public Notice to be Published in the Newspaper)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received those results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

STATEMENT OF BASIS

Keys Energy Services
Title V Air Operation Permit Renewal
Permit No. 0870003-011-AV

APPLICANT

The applicant for this project is Keys Energy Services. The applicant's responsible official and mailing address are: Mr. Edward Garcia, Environmental/Safety Officer, Keys Energy Services, Stock Island Power Plant, P.O. Box 6100, Key West, Florida 33041-6100.

FACILITY DESCRIPTION

The applicant operates the existing Stock Island Power Plant, which is located in Monroe County at 6900 Front Street in Stock Island, Florida.

This facility consists of: six regulated emission units with a total generating capacity of 128.6 megawatt (MW). There are two regulated diesel generators, three simple cycle combustion turbines, and miscellaneous unregulated units. To reduce pollution, a combination of control techniques is used including water injection, ignition timing retardation, and low sulfur fuel oil. The Ralph Garcia Steam Plant [EPA ID #1] has been removed from the facility site. This facility has an Acid Rain Retired Unit Exemption (Ralph Garcia Steam Plant) and Phase II Acid Rain New Unit Exemptions: D-1 and D-2 (EU005 and EU006, respectively); and, CT-1, CT-2 and CT-3 (EU010, collectively).

Emissions units 005 and 006 are each an 8.8 MW (nominal) electric Fairbanks Morse diesel generator (Model PC-2.6V) which burn No. 2 distillate fuel oil. Each has a maximum heat input rate of 85.4 million Btu per hour. Sulfur dioxide emissions are controlled by limiting the sulfur content of the No. 2 fuel oil to 0.05% by weight. Nitrogen oxides emissions are controlled by ignition timing retardation and by limiting the hours of operation. NO_x emissions are continuously monitored.

Emissions unit 007 is a General Electric (GE) Frame 5 model PG5341 combustion turbine (CT) equipped with water injection for fuel oil firing. It has a rated capacity of 23.5 MW at ISO conditions. The GE CT has a heat input of 312 MMBtu per hour (at 59° F) while burning oil. The CT is fired with No. 2 fuel oil with a sulfur content not to exceed 0.05 % by weight. NO_x emissions are controlled by a water injection system. The water to fuel ratio is continuously monitored.

Emissions units 008 and 009 are two refurbished General Electric Model MS-5001R 19.77 MW combustion turbines. Each emissions unit has a rated capacity of 19.77 MW. The heat input for each is 305 MMBtu/hr. Each emissions unit operating hours are limited to 4,000 hour per year and the combined hours are also limited to 4,000 hours per year.

Emissions unit 011 is a General Electric LM 6000 PC SPRINT Combustion Turbine-Electrical Generator with spray intercooling and water injection. It has a rated capacity of 48 MW at ISO conditions. The maximum heat input to the combustion turbine from firing No. 2 fuel oil is 434 MMBtu per hour lower heating value (LHV) based on the following: 100% base load, lower heating value of No. 2 fuel oil, and a compressor inlet air temperature of 41° F. The CT is fired with No. 2 fuel oil with a sulfur content not to exceed 0.05 % by weight. NO_x emissions are controlled by a spray cooling and water injection system when operational hours are less than or equal to 2,500 hours based on a 12 month rolling total. If operational hours exceed 2,500 hours a selective catalytic reduction (SCR) system must be installed to help control NO_x emissions. The water to fuel ratio is continuously monitored.

The units 007, 008 and 009 are not affected by the Acid Rain Program, since they meet the requirements of 40 CFR 72.7 by serving a generator with less than 25 MW.

All emissions units at the Stock Island Power Plant are for peaking or emergency purposes only. This facility is used when the loads peak, usually during the summer, and when there are emergency situations such as hurricanes.

STATEMENT OF BASIS

This facility has three existing compression ignition (CI) engines. These CI engines are unregulated emission units. Although subject to regulation pursuant to 40 CFR 63 Subpart ZZZZ, as existing engines, they are not at this time subject to any unit specific applicable requirements of 40 CFR 63 Subpart ZZZZ or 40 CFR 60 Subparts IIII or JJJJ. The facility intends to replace the three CI engines with a 2.2 MW emergency generator. The facility will limit the fuel usage to 32,000 gallons per year in order to qualify for a categorical exemption. The new emergency generator, once installed, will be a regulated emission unit subject to 40 CFR 63 Subpart ZZZZ. Per 63.6590(c), the requirements of Subpart ZZZZ will be met by meeting the requirements of 40 CFR 60 Subpart IIII.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

PROJECT DESCRIPTION

The purpose of this permitting project is to renew the existing Title V air operation permit for the above referenced facility.

PROCESSING SCHEDULE AND RELATED DOCUMENTS

Application for a Title V Air Operation Permit Renewal received **May 15, 2009**

Additional Information Request dated **July 8, 2009**

Additional Information Response received **September 8, 2009**

PRIMARY REGULATORY REQUIREMENTS

Title III: The facility is not identified as a major source of hazardous air pollutants (HAP).

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility operates units subject to the New Source Performance Standards (NSPS) of 40 Code of Federal Regulations (CFR) 60.

NESHAP: The facility operates units subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) of 40 CFR 63.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

Siting: None of the emission units were originally certified pursuant to the power plant siting provisions of Chapter 62-17, F.A.C.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility. None of the units at the facility are subject to an emission limitation or standard other than NSPS, NESHAP, acid rain requirements, or a limitation for which the permit specifies continuous compliance. Also, none of the emission units use a control device to achieve compliance with any emission limitation or standard, or have potential pre-control device emissions of a regulated air pollutant that is equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source.

PROJECT REVIEW

Changes made as part this renewal included reformatting, replacement of TV-6 with new Appendix TV, streamlining of EU sections by moving common conditions to the new appendices, etc. Appendix ICE was added for applicability to 40 CFR 63, Subpart ZZZZ. In addition, the applicant requested to remove the Beryllium limit from emissions units 005 and 006. The beryllium limits of 0.00054 lb/hr and 2.0 lb/yr from both engines were included in the original PSD permit. Since that time, beryllium was dropped from the list of PSD pollutants.

STATEMENT OF BASIS

Although beryllium is a hazardous air pollutant, it is not currently regulated under any applicable requirements for these types of emissions units. Therefore, the beryllium standards for units 005 and 006 were determined to be obsolete and removed from the Title V permit under the provisions of Rule 62-210.300(1)(b), F.A.C.

CONCLUSION

This project renews Title V air operation permit No. 0870003-006-AV, which was effective on January 1, 2005. This Title V air operation permit renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-213 and 62-214, F.A.C.

Keys Energy Services
Stock Island Power Plant
Facility ID No. 0870003
Monroe County

Title V Air Operation Permit Renewal

Permit No. 0870003-011-AV
(Renewal of Title V Air Operation Permit No. 0870003-006-AV)



Permitting Authority:

State of Florida
Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation, Title V Section
2600 Blair Stone Road
Mail Station #5505
Tallahassee, Florida 32399-2400
Telephone: (850) 488-0114
Fax: (850) 921-9533

Compliance Authority:

State of Florida
Department of Environmental Protection
Air Resource Management, South District
2295 Victoria Avenue, Suite 364
P.O. Box 2549
Fort Myers, Florida 33902
Telephone: (239) 332-6975
Fax: (239) 332-6969

Title V Air Operation Permit Renewal

Permit No. 0870003-011-AV

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DRAFT/PROPOSED PERMIT

PERMITTEE:

Keys Energy Services
P.O. Drawer 6100
Key West, Florida 33041-6100

Permit No. 0870003-011-AV
Stock Island Power Plant
Facility ID No. 0870003
Title V Air Operation Permit Renewal

The purpose of this permit is to renew the Title V air operation permit for the above referenced facility. The existing Stock Island Power Plant is located in Monroe County at 6900 Front Street, Stock Island, Florida. UTM Coordinates are: Zone 17, 425.65 East; and, 2716.67 North. Latitude is: 24° 33' 49" North; and, Longitude is: 81° 44' 3" West.

The Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213 and 62-214. The above named permittee is hereby authorized to operate the facility, in accordance with the terms and conditions of this permit.

Effective Date: January 1, 2010
Renewal Application Due Date: May 20, 2014
Expiration Date: December 31, 2014

(Draft/Proposed)

Joseph Kahn, Director
Division of Air Resource Management

JK/tlv/jkh/srm

SECTION I. FACILITY INFORMATION.

Subsection A. Facility Description.

This facility consists of six regulated emission units: two regulated diesel generators and four simple cycle combustion turbines. The total generating capacity of these units is 128.64 megawatts (MW). To reduce pollution, a combination of control techniques is used including water injection, ignition timing retardation, and low sulfur fuel oil. A selective catalytic reduction (SCR) unit must be installed to help control its NO_x emissions when the operational hours of the 48 MW simple cycle combustion turbine (EU011) exceeds 2,500 hours, based on a 12 month rolling total.

This facility has three existing compression ignition (CI) engines. These CI engines are unregulated emission units. Although subject to regulation pursuant to 40 CFR 63 Subpart ZZZZ, as existing engines, they are not at this time subject to any unit specific applicable requirements of 40 CFR 63 Subpart ZZZZ or 40 CFR 60 Subparts IIII or JJJJ. The facility intends to replace the three CI engines with a 2.2 MW emergency generator. The facility will limit the fuel usage to 32,000 gallons per year in order to qualify for a categorical exemption from the requirement to obtain an air construction permit. The new emergency generator, once installed, will be a regulated emission unit subject to 40 CFR 63 Subpart ZZZZ. Per 63.6590(c), the requirements of Subpart ZZZZ will be met by meeting the requirements of 40 CFR 60 Subpart IIII.

Also included in this permit are insignificant emissions units and activities and miscellaneous unregulated units. The Ralph Garcia Steam Plant (previously designated as E.U. ID No. 001) was removed from the facility in 2005.

Subsection B. Summary of Emissions Units.

EU No.	Brief Description
<i>Regulated Emissions Units</i>	
005	8.8 MW Medium Speed Diesel Generator [Unit #1; EPA ID #D-1]
006	8.8 MW Medium Speed Diesel Generator [Unit #2; EPA ID #D-2]
007	23.5 MW Simple Cycle Combustion Turbine [CT-1]
008	19.77 MW Simple Cycle Combustion Turbine [CT-2]
009	19.77 MW Simple Cycle Combustion Turbine [CT-3]
011	48.00 MW Simple Cycle Combustion Turbine [CT-4]
013	2.2 MW Emergency Generator
<i>Unregulated Emissions Units and Activities</i>	
010	Unregulated Emissions Units

Subsection C. Applicable Regulations.

Based on the Title V air operation permit renewal application received May 15, 2009, this facility is not a major source of hazardous air pollutants (HAP). Because this facility operates stationary reciprocating internal combustion engines (RICE), it is subject to regulation under 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. However, since the engines being operated meet the Subpart ZZZZ definition of "existing units", there are no unit specific applicable requirements that must be met pursuant to this rule at this time. The facility will be replacing the existing three stationary RICE with a new stationary RICE. Once the new stationary RICE is installed, it will be

SECTION I. FACILITY INFORMATION.

subject to the regulations of Subpart ZZZZ. The existing facility is a PSD major source of air pollutants in accordance with Rule 62-212.400, F.A.C. A summary of applicable regulations is shown in the following table.

Regulation	EU No(s).
40 CFR 60, Subpart A, NSPS General Provisions	007, 008, 009, 011
40 CFR 60, Subpart GG, NSPS for Stationary Gas Turbines	007, 008, 009, 011
40 CFR 63, Subpart A, General Provisions	013
40 CFR 63, Subpart ZZZZ, NESHAP For Stationary Reciprocating Internal Combustion Engines	013
40 CFR Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	013
40 CFR 75 Acid Rain Monitoring Provisions	011
Rule 62-296.470, F.A.C. Clean Air Interstate Rule	011

SECTION II. FACILITY-WIDE CONDITIONS.

The following conditions apply facility-wide to all emission units and activities:

FW1. Appendices. The permittee shall comply with all documents identified in Section VI, Appendices, listed in the Table of Contents. Each document is an enforceable part of this permit unless otherwise indicated. [Rule 62-213.440, F.A.C.]

Emissions and Controls

FW2. Not federally Enforceable. Objectionable Odor Prohibited. No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-296.320(2) and 62-210.200(Definitions), F.A.C.]

FW3. General Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed-necessary and ordered by the Department. "Nothing is deemed necessary and ordered at this time." [Rule 62-296.320(1), F.A.C.]

FW4. General Visible Emissions. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

FW5. Unconfined Particulate Matter. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- Receiving delivery of fuel oil by barge rather than truck;
- Using paved surfaces for fuel delivery truck; and
- Watering unpaved areas on an as-needed basis.

[Rule 62-296.320(4)(c), F.A.C.; and, proposed by applicant in Title V air operation permit renewal application received May 15, 2009]

Annual Reports and Fees

See Appendix RR, Facility-wide Reporting Requirements for additional details.

FW6. Annual Operating Report. The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by April 1st of each year. [Rule 62-210.370(3), F.A.C.]

FW7. Annual Emissions Fee Form and Fee. The annual Title V emissions fees are due (postmarked) by March 1st of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download by accessing the Title V Annual Emissions Fee On-line Information Center at the following Internet web site: <http://www.dep.state.fl.us/air/emission/tvfee.htm>. [Rule 62-213.205, F.A.C.]

FW8. Annual Statement of Compliance. The permittee shall submit an annual statement of compliance to the compliance authority at the address shown on the cover of this permit within 60 days after the end of each calendar year during which the Title V permit was effective. [Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

SECTION II. FACILITY-WIDE CONDITIONS.

- FW9. Prevention of Accidental Releases (Section 112(r) of CAA).** If and when the facility becomes subject to 112(r), the permittee shall:
- a. Submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to: RMP Reporting Center, Post Office Box 10162, Fairfax, VA 22038, Telephone: (703) 227-7650.
 - b. Submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.
- [40 CFR 68]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 005, 006

The specific conditions in this section apply to the following emissions units:

EU No.	Brief Description
005	8.8 MW Medium Speed Diesel Generator [Unit #1; EPA ID #D-1]
006	8.8 MW Medium Speed Diesel Generator [Unit #2; EPA ID #D-2]

Emissions units 005 and 006 (EU005 and EU006) are each an 8.8 MW (nominal) electric Fairbanks Morse diesel generator (Model PC-2.6V). Sulfur dioxide (SO2) emissions are controlled by limiting the sulfur content of the No. 2 fuel oil to 0.05% by weight. Nitrogen oxides (NOx) emissions are controlled by ignition timing retardation and by limiting the hours of operation. Visible emissions (VE) and NOx emissions are continuously monitored. Each EU005 and EU006 has a stack height of 100 feet with an exit diameter of 4 feet, exit temperature of 600° F and actual volumetric flow rate of 73,000 acfm. Commercial operation commenced April 1, 1991.

{Permitting Notes: This emissions unit is regulated under Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination dated 6/5/8; and Permit Nos. AC44-152197/PSD-FL-135 and AC44 221256/PSD-FL-135.

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum allowable heat input rate is as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
005	85.4 (606 gallons per hour)	No. 2 Fuel Oil
006	85.4 (606 gallons per hour)	No. 2 Fuel Oil

[Rules 62-4.160(2), 62-204.800, 62-210.200(PTE), F.A.C.; and, Permit No. AC44-221256/PSD-FL-135]

A.2. Methods of Operation. - Fuels. The only fuel that is allowed to be burned in these units is new (virgin) No. 2 fuel oil. The sulfur content of the fuel oil shall not exceed 0.05 percent by weight. [Rules 62-213.410, F.A.C., 62-213.440, F.A.C.; Permit No. AC44-221256/PSD-FL-135]

A.3. Hours of Operation. Each emission unit's hours of operation shall not exceed 1,870 full load equivalent hours (a combined total of 3,740 full load equivalent engine hours) in any 12 consecutive month period. [Rule 62-210.200(PTE), F.A.C. and Permit No. AC44 221256/PSD-FL-135]

A.4. Fuel Limitations. The sum total consumption of fuel oil at this facility (from both diesel generators combined) shall not exceed 2.27 million gallons in any 12 consecutive month period. [Permit No. AC44 221256/PSD-FL-135]

A.5. Emissions Unit Operating Rate Limitation After Testing. See the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

Emission Limitations and Standards

{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

Unless otherwise specified, the averaging times for Specific Conditions A.6. - A.11. are based on the specified averaging time of the applicable test method.

A.6. NOx Emissions. NOx emissions shall not exceed any of the following limits:

- a. 160.9 pounds per hour from each engine;
- b. 6.0 grams per horsepower-hour from each engine; or,
- c. 300.9 tons in any consecutive 12-month period for the combined sum total from both engines.

[Permit No. AC44-221256/ PSD-FL-135]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 005, 006

- A.7. SO₂ Emissions.** SO₂ emissions shall not exceed either of the following limits:
- 43.6 pounds per hour from each engine; or,
 - 81.6 tons in any consecutive 12-month period for the combined sum total from both engines. [Permit No. AC44-221256/ PSD-FL-135]
- A.8. PM/PM₁₀ Emissions.** PM/PM₁₀ emissions shall not exceed any of the following limits:
- 8.5 pounds per hour from each engine;
 - 0.1 pound per million Btu heat input; or,
 - 16.0 tons in any consecutive 12-month period for the combined sum total from both engines. [Permit No. AC44-221256/ PSD-FL-135]
- A.9. VE Emissions.** VE shall not exceed 20% opacity. [Permit No. AC44-221256/ PSD-FL-135]
- A.10. Carbon Monoxide (CO) Emissions.** CO emissions shall not exceed any of the following limits:
- 53.6 pounds per hour from each engine;
 - 2.0 grams per horsepower-hour from each engine; or,
 - 100.3 tons in any consecutive 12-month period for the combined sum total from both engines. [Permit No. AC44-221256/ PSD-FL-135]
- A.11. Volatile Organic Compounds (VOC).** VOC emissions shall not exceed any of the following limits:
- 26.8 pounds per hour from each engine;
 - 1.0 grams per horsepower-hour from each engine; or,
 - 50.1 tons in any consecutive 12-month period for the combined sum total from both engines. [Permit No. AC44-221256/ PSD-FL-135]

Excess Emissions

Rule 62-210.700 (Excess Emissions), F.A.C. cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.

- A.12. Excess Emissions Allowed.** Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rules 62-210.700(1)]
- A.13. Excess Emissions Prohibited.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

Continuous Monitoring Requirements

- A.14. Continuous Monitoring Equipment and Recordkeeping.** The permittee shall calibrate, maintain, and operate continuous monitoring equipment, in accordance with the manufacturer's instructions, to continuously monitor and record opacity and NO_x emissions. The permittee shall maintain a complete file of all measurements, including continuous emissions monitoring system, monitoring device, and performance testing measurements; all continuous emissions monitoring system performance evaluations, all continuous emissions monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required, recorded in a permanent legible form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records. [Rule 62-213.440(1)(b)2.b., F.A.C. and Permit No. AC44-221256/PSD-FL-135]

Test Methods and Procedures

{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 005, 006

A.15. Test Methods. Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
5	Determination of Particulate Emissions from Stationary Sources
6	Determination of Sulfur Dioxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.}
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
ASTM D 2880-71 or latest ASTM edition	Standard Methods by the American Society of Testing and Materials for Fuel Analysis

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-297.401, and 62-297.440, F.A.C., Permit No. AC44-152197/PSD-FL-135]

A.16. Common Testing Requirements. Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

A.17. Annual Compliance Tests Required. During each federal fiscal year (October 1st to September 30th), each EU005 and EU006 shall be tested to demonstrate compliance with the emissions standards for NO_x, SO₂, VE, and PM. [Rule 62-297.310(7), F.A.C. and Permit No. AC44-152197/PSD-FL-135]

A.18. Compliance Tests Prior To Renewal. Compliance tests shall be performed for NO_x, SO₂, VE, PM, CO and VOC once every 5 years. The tests shall occur prior to obtaining a renewed operating permit to demonstrate compliance with the emission limits in Specific Conditions A.6. – A.11. [Rules 62-210.300(2)(a) and 62-297.310(7)(a), F.A.C.; and, Permit No. AC44-152197/PSD-FL-135]

Recordkeeping and Reporting Requirements

A.19. Other Reporting Requirements. See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.

A.20. Recordkeeping. In order to document compliance with the hours of operation limitation of specific condition A.3, the fuel oil consumption limit of specific condition A.4, and the annual NO_x emission limit of specific condition A.6, the permittee shall keep daily records of the hours of operation, the fuel oil consumption, and the NO_x emissions. At a minimum, the records shall indicate:

- a. the daily hours of operation for each individual diesel generator;
- b. the daily hours of operation expressed as full load equivalent engine hours (both units combined);
- c. the daily sum total fuel oil consumption in gallons for both units combined;
- d. the daily sum total NO_x emissions in pounds for both units combined;
- e. a cumulative total hours of operation expressed as full load equivalent engine hours for the current month;
- f. a cumulative sum total fuel oil consumed in gallons for the current month;
- g. a cumulative sum total NO_x emissions in tons for the current month;
- h. a rolling cumulative total hours of operation expressed as full load equivalent engine hours for the previous 12 consecutive months;
- i. a rolling cumulative sum total fuel oil consumed in gallons for the previous 12 months; and,
- j. a rolling cumulative sum total NO_x emissions in tons for the previous 12 consecutive months.

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection A. Emissions Units 005, 006

[Permit No. AC44-221256/PSD-FL-135]

A.21. Fuel Oil Recordkeeping. In order to document continuing compliance with the hourly SO₂ emission limit of specific condition A.7. and the fuel sulfur limit of specific condition A.2., the permittee shall keep records of the sulfur content, in percent by weight, of all the fuel burned. The records shall be based upon either vendor provided as-shipped analyses or upon analyses of as-received samples. The record shall be maintained for a minimum of five years and shall be made available to the Department upon request. [Rule 62-213.440(1)(b)2.b., F.A.C. and Permit No. AC44-221256/PSD-FL-135]

Other Requirements

A.22. NSR Applicability. If the permittee requests relaxation of any federally enforceable limits for these units, then the Department will determine whether the NSR requirements of Rule 62-212.400, F.A.C. shall apply, as though the construction permit AC44-221256 had not been issued. [Permit No. AC44-221256/PSD-FL-135]

A.23. BACT Review. Best available control technology (BACT) will be re-evaluated if the permittee requests an increase in or exceeds the permitted hours of operation. Selective catalytic reduction for NO_x control will be required at a minimum for BACT if deemed technologically feasible. In no event shall the BACT control installation and compliance testing occur later than 30 months from the date that the permittee requested to exceed the permitted hours of operation or actually exceeded the permitted hours of operation. [Permit No. AC44-221256/ PSD-FL-135]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection B. Emissions Unit 007

The specific conditions in this section apply to the following emissions unit:

EU No.	Brief Description
007	23.5 MW Simple Cycle Combustion Turbine [CT-1]

Emissions unit 007 (EU007) is a General Electric (GE) Frame 5 model PG5341 combustion turbine (CT) equipped with water injection for fuel oil firing. The unit has a rated capacity of 23.5 MW at ISO conditions. NOx emissions are controlled by a water injection system. The water to fuel ratio is continuously monitored. EU007 has a stack height of 35 feet with a 12.2 feet exit diameter, a 910 °F exit temperature, and 1,020,201 acfm actual volumetric flow rate. This turbine began operation January 1, 1996.

{Permitting notes: This emissions unit is regulated under Rule 62-210.300, F.A.C., Permits Required; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800, F.A.C.; NSPS - 40 CFR 60 Subpart A; Rule 62-212.400, F.A.C., Prevention of Significant Deterioration.}

Essential Potential to Emit (PTE) Parameters

B.1. Permitted Capacity. The maximum allowable heat input rate is as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
007	312*	No. 2 fuel oil

*at an ambient temperature of 59°F

Heat input may vary depending on ambient conditions and the CT’s characteristics. The approved manufacturer’s curves shall be used to establish heat input rates over a range of temperatures for the purpose of compliance determination. [Rules 62-4.160(2), 62-204.800, and 62-210.200(PTE), F.A.C.; and, Permit No. AC44-245399/PSD-FL-120]

B.2. Method of Operation. The only fuel to be burned in this unit is No. 2 fuel oil. The sulfur content of the fuel shall not exceed 0.05 percent by weight. [Rules 62-4.160(2), 62-213.410 and 62-213.440(1), F.A.C.; and, Permit No. AC44-245399/PSD-FL-210]

B.3. Hours of Operation/Fuel Consumption. The maximum No. 2 fuel oil consumption allowed to be burned in EU007 is 7.1 million gallons per year, which is equivalent to 2,888.5 hours per year at full-load. EU007 may operate for more than 2,888.5 hours per year if operating at part-load. [Rule 62-210.200(PTE), F.A.C.; Permit No. AC44-245399/PSD-FL-210]

B.4. Emissions Unit Operating Rate Limitation After Testing. See the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

Emission Limitations and Standards

{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

Unless otherwise specified, the averaging times for Specific Conditions B.5. – B.9. are based on the specified averaging time of the applicable test method.

B.5. NOx Emissions. For each turbine, NOx emissions shall not exceed any of the following limits:

a. Nitrogen oxides emissions, expressed as NOx, shall not exceed:

STD = 0.0075(14.4)/Y + F

where:

STD = allowable NOx emissions concentration (percent by volume at 15 percent oxygen and on a dry basis),

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection B. Emissions Unit 007

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and
F = NOx emission allowance for fuel-bound nitrogen as defined in 40 CFR 60.332(a)(3). F shall be defined according to the nitrogen content of the fuel as follows:

Table with 2 columns: Fuel-bound nitrogen (% by weight) and F (NOx % by volume). Rows include N <= 0.015, 0.015 < N <= 0.1, 0.1 < N <= 0.25, and N > 0.25.

where: N = the nitrogen content of the fuel (percent by weight);

- b. 75 ppmvd, based on a 1-hour average at 15% O2;
c. 96 lbs./hour, based on a 1-hour average at 15% O2; and,
d. 138 TPY.

[40 CFR 60.332; Permit No. AC44-245399/PSD-FL-210 and BACT dated 9/27/1995]

B.6. PM/PM10 Emissions. PM/PM10 emissions shall not exceed:

- a. 18 lbs./hour, based on a 1-hour average; and,
b. 43 TPY.

[Permit No. AC44-245399/PSD-FL-210 and BACT dated 9/27/1995]

B.7. CO Emissions. CO emissions shall not exceed:

- a. 20 ppm @ 15% O2 at 100% load, and 136 ppm @ 15% O2 at 50% load;
b. 64 lbs. per hour, based on a 1-hour average; and,
c. 152 TPY.

[Permit No. AC44-245399/PSD-FL-210 and BACT dated 9/27/1995]

B.8. VE Emissions. VE shall be limited to 20 percent opacity. [Permit No. AC44-245399/PSD-FL-210]

B.9. SO2 Emissions.

- a. BACT Limit. SO2 emissions shall be controlled by limiting the sulfur content of the fuel to a maximum of 0.05 percent by weight. [Permit No. AC44-245399/PSD-FL-210 and BACT dated 9/27/1995]
b. NSPS Limit. The owner or operator shall not burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8,000 ppmw). [40 CFR 60.333]

Excess Emissions

Rule 62-210.700 (Excess Emissions), F.A.C. cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.

B.10. Excess Emissions Allowed. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rules 62-210.700(1), F.A.C.]

B.11. Excess Emissions Allowed. The permittee shall provide a general description of the procedures to be followed during periods of start up, shutdown, malfunction, or load change to ensure that the best operational practices to minimize emissions will be adhered to and the duration of any excess emissions will be minimized. The description may be updated as needed by submitting such update to the Department within thirty days of implementation. [Permit No. AC44 245399/PSD-FL-210]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection B. Emissions Unit 007

- B.12. Excess Emissions Prohibited.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348]
- B.13. Excess Emissions Defined.** For purposes of the reports required under this permit, excess emissions are defined as any calculated average emission rate, as determined pursuant to Specific Condition **B.10.** which exceeds the applicable emission limits in Specific Conditions **B.5.** through **B.8.** [Permit No. AC44 - 245399/PSD-FL-210]
- B.14. NSPS Excess Emissions.** The owner or operator shall define excess emissions of the NSPS standards in accordance with the regulations of 40 CFR 60.334(j) [40 CFR 60.334(j)]

Monitoring of Operations

- B.15. Fuel Oil Monitoring.** The No. 2 fuel oil shall be monitored for the sulfur content. The frequency of the determination shall be in accordance with the requirements of 40 CFR 60.334. Testing for sulfur content of the fuel oil in the storage tanks shall be conducted upon each occasion that fuel is transferred to the storage tanks. Testing for fuel oil lower heating value shall also be conducted on the same schedule. [Permit No. AC44 245399/PSD-FL-210; 40 CFR 60.334]

Continuous Monitoring Requirements

- B.16. Continuous Monitoring System.** The permittee shall operate, and maintain a continuous monitoring system (CMS) to monitor and record the fuel consumption, the ratio of water to fuel being fired in the turbine, and the electrical output in MW. The system shall be accurate to within ± 5.0 percent. [40 CFR 60.334(a); Permit No. AC44 245399/PSD-FL-210]

Test Methods and Procedures

{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

- B.17. Test Methods.** Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
1	Sample and Velocity Traverses for Stationary Sources
3	Gas analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight
3A	Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources
5B	Method for Determining Particulate Matter Emissions (All PM is assumed to be PM ₁₀ .)
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.}
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
ASTM D4294-98	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy – Dispersive X-ray Fluorescence Spectrometry

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection B. Emissions Unit 007

Method	Description of Method and Comments
ASTM D129-09, D2622-98, D4294-02, D1266-98, D5453-00, or D1552- 01	Fuel Sampling Methods from the American Standards for Testing and Materials

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-297.401 and 62-297.440, F.A.C.; 40 CFR 60.335; and, Permit No. AC44-245399/PSD-FL-210]

- B.18. Common Testing Requirements.** Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]
- B.19. Annual Compliance Tests Required.** During each federal fiscal year (October 1st to September 30th), EU007 shall be tested to demonstrate compliance with the emissions standards for PM, VE, CO, NO_x and SO₂. [Rule 62-297.310(7), F.A.C. and Permit No. AC44-245399/PSD-FL-210]
- B.20. Compliance Tests Prior To Renewal.** Compliance tests shall be performed for PM, VE, CO, NO_x, and SO₂ once every 5 years. The tests shall occur prior to obtaining a renewed operating permit to demonstrate compliance with the emission limits in Specific Conditions **B.5. – B.9.** [Rules 62-210.300(2)(a) and 62-297.310(7)(a), F.A.C.]
- B.21. PM.** Compliance with the PM emission limits shall be demonstrated using EPA Method 5B in accordance with 40 CFR 60, Appendix A, as adopted by reference in Chapter 62-297, F.A.C. [Permit No. AC44-245399/PSD-FL-210]
- B.22. VE.** Compliance with the VE emission limits shall be demonstrated using EPA Method 9 in accordance with 40 CFR 60, Appendix A, as adopted by reference in Chapter 62-297, F.A.C. [Permit No. AC44-245399/PSD-FL-210]
- B.23. CO.** Compliance with the CO emission limits shall be demonstrated using EPA Method 10 in accordance with 40 CFR 60, Appendix A, as adopted by reference in Chapter 62-297, F.A.C. [Permit No. AC44-245399/PSD-FL-210]
- B.24. NO_x.** Compliance with the NO_x emission limits shall be demonstrated using EPA Method 20 in accordance with 40 CFR 60, Appendix A, as adopted by reference in Chapter 62-297, F.A.C. [Permit No. AC44-245399/PSD-FL-210]
- B.25. SO₂.** Compliance with the sulfur content of the fuel oil shall be demonstrated using ASTM D4294 (or equivalent). Compliance with the SO₂ emission limits will be demonstrated if the fuel oil analysis indicates a sulfur content of 0.05% by weight or less. [Permit No. AC44-245399/PSD-FL-210]

Recordkeeping and Reporting Requirements

B.26. Reporting Schedule. The following reports and notifications shall be submitted to the Compliance Authority:

Report	Reporting Deadline	Related Condition(s)
Notice of Excess Emissions	Quarterly	B.14., B 29.

[40 CFR 60.334]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection B. Emissions Unit 007

- B.27. Other Reporting Requirements.** See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.
- B.28. Fuel Oil Recordkeeping.** The permittee shall maintain daily records of fuel oil consumption for the turbine and the heating value for the fuel to demonstrate compliance with the fuel oil firing heat input limitation. All records shall be maintained for a minimum of two years after the date of each record and shall be made available to the Department upon request. [Permit No. AC44-245399/PSD-FL-210]
- B.29. Reporting of Excess Emissions and Monitoring System.** The owner or operator shall submit quarterly reports of excess emissions and monitor downtime as required by 40 CFR 60.334(j) and reports of excess emissions and monitoring system performance report in accordance with 40 CFR 60.7(c). [40 CFR 60.334 and 40 CFR 60.7(c) and (d)]

Other Requirements

- B.30 Federal Rule Requirements.** In addition to the specific conditions listed above, this emissions unit is also subject to the applicable requirements contained in 40 CFR 60, Subpart A – General Provisions and 40 CFR 60, Subpart GG – Standards of Performance for Stationary Gas Turbines, attached to this permit as Appendix NSPS, Subpart A and Appendix NSPS, Subpart GG, respectively. [Rule 62-213.440, F.A.C.]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection C. Emissions Unit 008, 009

The specific conditions in this section apply to the following emissions units:

EU No.	Brief Description
008	19.77 MW Simple Cycle Combustion Turbine [CT-2]
009	19.77 MW Simple Cycle Combustion Turbine [CT-3]

Emissions units 008 and 009 are two refurbished General Electric (Model MS-5001R) 19.77 combustion turbines. Each EU008 and EU009 has a stack height of 43 feet with a 12.6 feet exit diameter, 982° F exit temperature, and a 607,567 acfm actual volumetric flow rate. EU008 (CT-2) had a startup date of June 21, 1998. EU009 (CT-3) had a startup date of August 1, 1998.

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required; NSPS - 40 CFR 60, Subparts A (General Provisions) and GG, (Standards of Performance for Stationary Gas Turbines), adopted and incorporated by reference in Rule 62-204.800, F.A.C.; Rule 212.400, F.A.C., Prevention of Significant Deterioration; and Permit No. 0870003-003-AC, issued January 8, 1998.}

Essential Potential to Emit (PTE) Parameters

C.1. Permitted Capacity. The maximum allowable heat input rate is as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
008	305	No. 2 Fuel Oil
009	305	No. 2 Fuel Oil

[Rules 62-4.160(2), 62-204.800, and 62-210.200(PTE), F.A.C.; Permit No. 0870003-003-AC.]

C.2. Methods of Operation. Only No. 2 fuel oil can be fired in these combustion turbines. [Rule 62-213.410, F.A.C. and Permit No. 0870003-003-AC]

C.3. Hours of Operation. Each emission unit is allowed to operate 4,000 hours per year. The combined operation of both units shall also be limited to 4,000 hours per year. [Rule 62-210.200(PTE), F.A.C. and Permit No. 0870003-003-AC]

C.4. Fuel Consumption. The maximum No. 2 fuel oil consumption allowed to be burned in either EU008 or EU009 is 8,840,000 gallons per year, which is equivalent to 4,000 hours per year of operation at full load. The combined fuel oil consumption for both units shall be limited to 8,840,000 gallons per year. [Permit No. 0870003-003-AC]

C.5. Emissions Unit Operating Rate Limitation After Testing. See the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

Emission Limitations and Standards

{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

Unless otherwise specified, the averaging times for Specific Conditions C.6. – C.11. are based on the specified averaging time of the applicable test method.

C.6. NO_x Emissions. For each turbine, NO_x emissions shall not exceed any of the following limits:

- a. Nitrogen oxides emissions, expressed as NO_x, shall not exceed:

$$STD = 0.0075(14.4)/Y + F$$

where:

$$STD = \text{allowable NO}_x \text{ emissions (percent by volume at 15 percent oxygen and on a dry basis).}$$

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection C. Emissions Unit 008, 009

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

F = NO_x emission allowance for fuel-bound nitrogen as defined in 40 CFR 60.332(a)(4).

F shall be defined according to the nitrogen content of the fuel as follows:

Fuel-bound nitrogen (% by weight)	F (NO _x % by volume)
N≤0.015	0
0.015<N≤0.1	0.04(N)
0.1<N≤0.25	0.004+0.0067(N-0.1)
N>0.25	0.005

where: N = the nitrogen content of the fuel (percent by weight);

- b. 75 ppmvd, based on a 1-hour average at 15% O₂ (iso standard ambient conditions);
- c. 93.8 lb/hour based on a 1-hour average at 15% O₂; and 40° F; and,
- d. 172 TPY from each turbine individually and from both turbines collectively, based on an average hourly concentration of 86 pounds per hour at 85° F ambient temperature and no more than 4,000 hours per year of operation, from either or both turbines combined.

[40 CFR 60.332(a) and (b), Permit No. 0870003-003-AC]

C.7. CO Emissions. For each turbine, CO shall be limited to:

- a. 25.2 lb./hour, based on a 1-hour average; and,
- b. 101TPY, each turbine individually and from both turbines collectively. [Permit No. 0870003-003-AC].

C.8. VE Emissions. Visible emissions shall be limited to 20 percent opacity. [Permit No. 0870003-003-AC]

C.9. SO₂ Emissions.

- a. *SIP Limit.* For each turbine, SO₂ emissions shall be controlled by limiting the sulfur content of the fuel to a maximum of 0.05 percent by weight. [Permit No. 0870003-003-AC]
- b. *NSPS Limit.* The owner or operator shall not burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw). [40 CFR 60.333]

C.10. PM Emissions. For each turbine, PM emissions shall be limited to:

- a. 16.6 lb/hour, based on a 1-hour average; and,
- b. 55 TPY each turbine individually and from both turbines collectively.

[Permit No. 0870003-003-AC]

C.11. PM₁₀ Emissions. For each turbine, PM₁₀ emissions shall be limited to:

- a. 16.6 lb/hour, based on a 1-hour average; and,
- b. 45 TPY each turbine individually and from both turbines collectively.

[Permit No. 0870003-003-AC]

Excess Emissions

Rule 62-210.700 (Excess Emissions), F.A.C. cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.

C.12. Excess Emissions Allowed. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rules 62-210.700(1)]

C.13. Excess Emissions Prohibited: Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup,

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection C. Emissions Unit 008, 009

shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348]

C.14. NSPS Excess Emissions. The owner or operator shall define and report excess emissions in accordance with the regulations of 40 CFR 60.334(j). [40 CFR 60.334(j)]

Monitoring of Operations

C.15. Critical Fuel Parameters. The Permittee shall monitor sulfur content, nitrogen content, and the lower heating value of the fuel being fired in the turbine. The frequency of determination of these values shall be as follows:

- a. If the turbine is supplied its fuel from a bulk storage tank, the values shall be determined on each occasion that fuel is transferred to the storage tank from any other source.
- b. If the turbine is supplied its fuel without intermediate bulk storage, the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Bureau of Air Regulation before they can be used to comply with 40 CFR 60.334(b).

[AC44-245399/PSD-FL-210; 40 CFR 60.334(i); and, Permit No. 0870003-003-AC]

Continuous Monitoring Requirements

C.16. Continuous Monitoring System. The permittee shall operate and maintain a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine. This system shall be accurate to within ± 5.0 percent and shall be approved by the Department. [Permit No. 0870003-003-AC]

Test Methods and Procedures

{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

C.17. Test Methods. Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
1	Sample and Velocity Traverses for Stationary Sources
3	Gas analysis for Carbon Dioxide, Oxygen, Excess Air, and Dry Molecular Weight
3A	Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.}
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
ASTM D6522-00	Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection C. Emissions Unit 008, 009

Method	Description of Method and Comments
ASTM D129-09, D2622-98, D4294-02, D1266-98, D5453-00, or D1552- 01	Fuel Sampling Methods from the American Standards for Testing and Materials

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rule 62-297.401, F.A.C. and Permit No. 0870003-003-AC]

- C.18. Common Testing Requirements.** Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]
- C.19. Annual Compliance Tests Required.** During each federal fiscal year (October 1st to September 30th), each EU008 and EU009 shall be tested to demonstrate compliance with the emissions standards for NO_x, CO and VE. [Rule 62-297.310(7), F.A.C. and Permit No. 0870003-003-AC]
- C.20. Compliance Tests Prior To Renewal.** Compliance tests shall be performed for NO_x, CO, PM and VE once every 5 years. The tests shall occur prior to obtaining a renewed operating permit to demonstrate compliance with the emission limits in Specific Conditions C.6 – C.11. [Rules 62-210.300(2)(a) and 62-297.310(7)(a), F.A.C.]
- C.21. NO_x.** Compliance with the allowable emission limiting standards for NO_x shall be determined by using EPA Method 20 as described in 40 CFR 60, Appendix A adopted by reference in Rule 62-204.800, F.A.C. The NO_x emissions shall be determined at 30, 50, 75 and 100 percent of peak load or at four points in the normal operating range of the gas turbine, including the minimum point in the range and peak load. An annual compliance test shall be performed on the unit if operated for more than 400 hours in the preceding 12-month period. [Permit No. 0870003-003-AC]
- C.22. CO.** Compliance with the CO standard shall be demonstrate with EPA Method 10 as described in 40 CFR 60, Appendix A adopted by reference in Rule 62-204.800, F.A.C. An annual compliance test for CO shall be performed on the unit if operated for more than 400 hours in the preceding 12-month period. [Permit No. 0870003-003-AC]
- C.23. VE.** Compliance with the VE standard shall be demonstrate with EPA Method 9 as described in 40 CFR 60, Appendix A adopted by reference in Rule 62-204.800, F.A.C. [Permit No. 0870003-003-AC]

Recordkeeping and Reporting Requirements

- C.24. Reporting Schedule.** The following reports and notifications shall be submitted to the Compliance Authority:

Report	Reporting Deadline	Related Condition(s)
Notice of Excess Emissions	Quarterly	C.14, C.27, C.28

- C.25. Other Reporting Requirements.** See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.
- C.26. Daily Records.** The permittee shall maintain daily records of the following:

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection C. Emissions Unit 008, 009

- a. Fuel oil consumption; and
 - b. Operating hours.
- [Permit No. 0870003-003-AC]

C.27. Excess Emissions Report. The permittee shall submit a quarterly excess emissions and monitoring systems performance report of the continuous monitoring system for any one-hour period during which the average water to fuel ratio falls below the water-to-fuel ratio determined to demonstrate compliance with Specific Condition C.6. [40 CFR 60.334(j)(1)(i)(A)]

C.28. Excess Emissions – Malfunctions. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C.. A full written report on the malfunctions shall be submitted in a quarterly report. [Rule 62-210.700(6), F.A.C.; Permit No. 0870003-003-AC]

Other Requirements

C.29. Federal Rule Requirements. In addition to the specific conditions listed above, this emissions unit is also subject to the applicable requirements contained in 40 CFR 60, Subpart A – General Provisions and 40 CFR 60, Subpart GG – Standards of Performance for Stationary Gas Turbines, attached to this permit as Appendix NSPS, Subpart A and Appendix NSPS, Subpart GG, respectively. [Rule 62-213.440, F.A.C.]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection D. Emissions Unit 011

The specific conditions in this section apply to the following emissions unit:

EU No.	Brief Description
011	48 MW Simple Cycle Combustion Turbine [CT-4]

Emissions unit 011 (EU011) is a General Electric LM 6000 PC SPRINT Combustion Turbine-Electrical Generator with spray intercooling and water injection. It has a rated capacity of 48 MW at ISO conditions. The maximum heat input to the combustion turbine from firing No. 2 fuel oil is 434 MMBtu per hour (LHV) based on the following: 100% base load, lower heating value of No. 2 fuel oil, and a compressor inlet air temperature of 41° F. The CT is fired with No. 2 fuel oil with a sulfur content not to exceed 0.05 % by weight. NO_x emissions are controlled by a spray cooling and water injection system when operational hours are less than or equal to 2,500 hours (**described in subsection D.2 below**), based on a 12 month rolling total. If operational hours exceed 2,500 hours (**described in subsection D.3 below**) a selective catalytic reduction (SCR) system must be installed to help control NO_x emissions. The water to fuel ratio is continuously monitored. EU011 has a stack height of 60 feet with a 10 feet exit diameter, 837 °F exit temperature and 566,400 acfm actual volumetric flow rate. This turbine began operation July 1, 2006.

{Permitting notes: This emissions unit is regulated under EU011 is regulated under Acid Rain, Phase II; Rule 62-296.470, F.A.C., Clean Air Interstate Rule (CAIR) and Rule 62-210.300, F.A.C., Permits Required; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800(7)(b) 38., F.A.C.; NSPS - 40 CFR 60 Subpart A; Rule 212.400, F.A.C.; Prevention of Significant Deterioration, BACT dated 5/31/2005 for NO_x and PM. The unit is affected by the Acid Rain Program, since it exceeds the requirements of 40 CFR 72.7 by serving a generator with greater than 25 MW. This gas turbine is exempt from the requirements of NSPS - 40 CFR 60, Subpart KKKK since its start of construction was prior to February 18, 2005 the date upon which Subpart KKKK was proposed.}

D.1. COMBUSTION TURBINE (EU011)

The specific conditions in this section (D.1.) apply to EU011 regardless of the number of operation hours.

Essential Potential to Emit (PTE) Parameters

D.1.1. Permitted Capacity. The heat input to the combustion turbine from firing No. 2 fuel oil shall not exceed 434 MMBtu per hour (LHV) based on the following: 100% base load, lower heating value of No. 2 fuel oil, and a compressor inlet air temperature of 41° F. Heat input rates will vary depending upon compressor conditions and the combustion turbine characteristics. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves on file with the Department. [Rules 62-4.160(2), 62-204.800, 62-210.200(PTE), and 62-214.330, F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348]

D.1.2. Simple Cycle, Intermittent Operation. The combustion turbine shall operate only in simple cycle mode not to exceed the permitted hours of operation allowed by this permit. This restriction is based on the permittee’s request, which formed the basis of the PSD applicability and BACT determination and resulted in the emission standards specified in this permit. For any request to convert this unit to combined cycle operation by installing/connecting to heat recovery steam generators, including changes to the fuel quality or quantity related to combined cycle conversion which may cause an increase in short or long-term emissions, the permittee may be required to submit a full PSD permit application complete with a new proposal of the best available control technology as if the unit had never been built. [Permit No. 0870003-007-AC/PSD-FL-348]

{Permitting Note: See III.D.3 for BACT if increased hours of operation.}

D.1.3. Methods of Operation. Only distillate fuel oil with a maximum sulfur content less than or equal to 0.05 percent by weight shall be used in the combustion turbine. [Rule 62-213.410, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

SECTION III. EMISSIONS UNITS AND SPECIFIC CONDITIONS.

Subsection D. Emissions Unit 011

{Permitting note: Pipeline natural gas is currently unavailable to the Keys.}

- D.1.4. Water Injection Technology.** The permittee shall operate, and maintain a water injection system designed to achieve the permitted NO_x emissions standards for the unit. [Permit No. 0870003-007-AC and BACT dated 5/31/2005]
- D.1.5. Operating Procedures.** The Best Available Control Technology (BACT) determinations established by this permit rely on “good operating practices” to minimize emissions. Therefore, all operators and supervisors shall be properly trained to operate and maintain the combustion turbine and pollution control systems in accordance with the guidelines and procedures established by the manufacturer. The training shall include good operating practices as well as methods of minimizing excess emissions. [Permit No. 0870003-007-AC/PSD-FL-348, BACT dated 5/31/2005]
- D.1.6. Emissions Unit Operating Rate Limitation After Testing.** See the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

Excess Emissions

Rule 62-210.700 (Excess Emissions), F.A.C. cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.

- D.1.7. Excess Emissions Allowed.** Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rules 62-210.700(1), F.A.C.]
- D.1.8. Excess Emissions Prohibited.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]
- D.1.9. Definitions.**
- Excess Emissions* are defined as emissions of pollutants in excess of those allowed by any applicable air pollution rule of the Department, or by a permit issued pursuant to any such rule or Chapter 62-4, F.A.C. The term applies only to conditions which occur during startup, shutdown, or malfunction.
 - Startup* is defined as the commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions.
 - Shutdown* is the cessation of the operation of an emissions unit for any purpose.
 - Malfunction* is defined as any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner. [Rule 62-210.200, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]
- D.1.10. Excess Emissions During Startup, Shutdown, Malfunction.**
- During startup and shutdown, visible emissions excluding water vapor shall not exceed 20% opacity for more than 2 hours in any 24-hour block averaging period.
 - During all startups, shutdowns, and malfunctions, the NO_x continuous emissions monitoring System (CEMS) shall monitor and record emissions. Up to 2 hours (120 minutes) of monitoring data during any 24-hour block averaging period may be excluded from continuous compliance demonstrations as a result of startups, shutdowns, and documented malfunctions. However, only data obtained during startups, shutdowns, and documented malfunctions may be used for the 2 hour exclusion period. Other arbitrary high readings may not be excluded from compliance averaging periods.
 - A documented malfunction means a malfunction that is documented within one working day of detection by contacting the Compliance Authority by telephone, facsimile, or electronic mail. In case of

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malfunctions, the permittee shall notify the Compliance Authorities within one working day. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Permit No. 0870003-007-AC/PSD-FL-348]

D.1.11. NSPS Excess Emissions for NO_x and SO₂. The owner or operator shall submit reports of excess emissions and monitor downtime as required by 40 CFR 60.334(j). These provisions include a requirement to correct test data to ISO conditions; however, such correction is not used for compliance determinations with the BACT standards. [40 CFR 60.334 and Permit No. 0870003-007-AC]

Continuous Monitoring Requirements

D.1.12. NO_x CEMS. The permittee shall install, calibrate, operate, and maintain a CEMS to measure and record NO_x and oxygen concentrations in the combustion turbine exhaust stack. A monitor for carbon dioxide may be used in place of the oxygen monitor, but the system shall be capable of correcting the emissions to 15% oxygen. The NO_x monitoring devices shall comply with the requirements of 40 CFR 60.334(b) for 40 CFR Part 75 monitoring systems. The NO_x CEMS shall be used for the purpose of demonstrating continuous compliance with the NO_x emissions limit (24-hour block average concentration limit) specified in condition **D.2.5. if hours of operation ≤ 2500 hours and D.3.6. if hours of operation > 2500 hours.** [Rule 62-212.400, F.A.C. (BACT); 40 CFR 75; and, Permit No. 0870003-007-AC/PSD-FL-348]

D.1.13. NO_x CEMS Data Requirements.

- a. *Data Collection.* Emissions shall be monitored and recorded at all times including startup, operation, shutdown, and malfunction except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments. A valid hour is one in which at least 1 data point is recorded in each quadrant during which the unit was operating.
- b. *Data Reporting:* Data collected by the CEMS shall be used to demonstrate continuous compliance with the emissions standards specified for each 24-hour block averaging period. The block averaging period shall run from midnight to midnight of each day. Emissions shall be reported in units of ppmvd corrected to 15% oxygen for each hour of operation. The compliance averages shall be determined by calculating the arithmetic average of a 24-hour block of all valid hourly emission rates. A minimum of 1 valid hour shall be required to calculate a 24-hour block average. When a monitoring system reports emissions in excess of the standards allowed by this permit, the permittee shall notify the Compliance Authority within one (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. The Department may request a written report summarizing the excess emissions incident. The permittee shall also report excess emissions in a quarterly report as required in specific condition **D.1.12** of this permit.
- c. *Data Exclusion.* As provided in **D.1.6 and D.1.7.**, valid hourly emission rates shall not include periods of start up, shutdown, or documented malfunction as described under the excess emissions requirements of this permit. Up to 2 hours of monitoring data during any 24-hour block averaging period may be excluded from continuous compliance demonstrations as a result of startups, shutdowns, and documented malfunctions.

[Rules 62-4.130, 62-4.160(8), 62-204.800, 62-210.700 and 62-297.520, F.A.C.; 40 CFR 60.7; and, Permit No. 0870003-007-AC/PSD-FL-348].

Test Methods and Procedures

{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

D.1.15. Common Testing Requirements. Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

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D.1.16. Annual Compliance Tests Required. During each federal fiscal year (October 1st to September 30th), EU011 shall be tested to demonstrate compliance with the emissions standards for NO_x, CO, VE and NH₃ (See Specific Condition D.3.13.). If conducted at permitted capacity, NO_x emissions data collected during the annual NO_x continuous monitor RATA required pursuant to 40 CFR 75 may be substituted for the required annual performance test. In the event that the operation of the CT is less than 400 hours per year, annual testing is not required for that year. [Rule 62-297.310(7), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

{Permitting note: Ammonia slip testing is only required after cumulative hours of operation exceed 1,500 hours starting from the initial installation of the SCR catalyst. See Specific Condition D.3.13.}

D.1.17. Compliance Tests Prior To Renewal. Compliance tests shall be performed for NO_x, CO and VE once every 5 years. The tests shall occur prior to obtaining a renewed operating permit to demonstrate compliance with the emission limits in Specific Conditions D.2.4. – D.2.6. (if the cumulative operating hours are ≤ 2,500 hours) and D.3.5. – D.3.7. (if the cumulative operating hours are > 2,500 hours). VOC emission tests are not required prior to permit renewal provided the CO emission standards are met. These tests shall be conducted within the 12-month period prior to renewing the air operation permit. For pollutants required to be tested annually, the permittee may submit the most recent annual compliance test to satisfy the requirements of this provision. Testing for ammonia slip meeting the requirements of Specific Condition D.3.13. will meet the requirements of this condition. [Rules 62-210.300(2)(a) and 62-297.310(7)(a), F.A.C.; and, Permit No. 0870003-007-AC/PSD-FL-348]

D.1.18. After Major Repairs or Replacements. The Department may require that additional compliance testing be conducted within 90 days after major repairs or replacements are performed. [Permit No. 0870003-007-AC/PSD-FL-348]

D.1.19. Combustion Turbine Testing Capacity. Required performance tests for compliance with standards specified in this permit shall be conducted with the combustion turbine operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum heat input rate allowed by the permit, corrected for the average ambient air temperature during the test (with 100 percent represented by a curve depicting heat input vs. ambient temperature). If it is impracticable to test at permitted capacity, the source may be tested at less than permitted capacity. However, subsequent operation is limited by adjusting the entire heat input vs. ambient temperature curve downward by an increment equal to the difference between the maximum permitted heat input (corrected for inlet temperature) and 110 percent of the value reached during the test until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity. Emissions performance tests shall meet all applicable requirements of Chapters 62-204 and 62-297, F.A.C. [Permit No. 0870003-007-AC/PSD-FL-348]

D.1.20. Sampling Facilities. The permittee shall design the combustion turbine stack to accommodate adequate testing and sampling locations in order to determine compliance with the applicable emission limits specified by this permit. Permanent stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C. [Rule 62-204.800, F.A.C.;40 CFR 60.40a(b); and, Permit No. 0870003-007-AC/PSD-FL-348]

Recordkeeping and Reporting Requirements

D.1.21. Reporting Schedule. The following reports and notifications shall be submitted to the Compliance Authority:

Report	Reporting Deadline	Related Condition(s)
Notice of Excess Emissions per 60.7(c)	Within 30 days following end of each quarter	D.1.23.

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Subsection D. Emissions Unit 011

D.1.22. Other Reporting Requirements. See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.

D.1.23. Excess Emissions Reporting.

- a. *NSPS Semi-Annual Reports.* For purposes of reporting emissions in excess of NSPS Subpart GG, excess emissions from the gas turbine are defined as: any operating hour in which the CEMS 4-hr rolling average NO_x concentration exceeds the NSPS NO_x emissions standard identified in Appendix GG; and any monitoring period during which the sulfur content of the fuel being fired in the gas turbine exceeds the NSPS standard identified in Appendix GG. Within thirty (30) days following each calendar semi-annual period, the permittee shall submit a report on any periods of excess emissions that occurred during the previous semi-annual to the Compliance Authority.

{Note: If there are no periods of excess emissions as defined in NSPS Subpart GG, a statement to that effect may be submitted with the SIP Quarterly Report to suffice for the NSPS Semi-Annual Report.}

- b. *SIP Quarterly Report:* Within 30 days following the end of each calendar-quarter, the permittee shall submit a report to the Compliance Authority summarizing periods of NO_x emissions in excess of the BACT permit standards at Specific Condition **D.1.10.** following the NSPS format in 40 CFR 60.7(c), Subpart A. Periods of startup, shutdown and malfunction, shall be monitored, recorded and reported as excess emissions when emission levels exceed the standards specified in this permit. In addition, the report shall summarize the CEMS systems monitor availability for the previous quarter.
[Rules 62-4.130, 62-204.800 and 62-210.700(6), F.A.C.; 40 CFR 60.7 and 60.332(j)(1); and, Permit No. 0870003-007-AC/PSD-FL-348]

D.1.24. Fuel Records. The permittee shall demonstrate compliance with the fuel sulfur limits for fuel oil specified in this permit by maintaining records required by 40 CFR 60.334 and 60.335. [Rule 62-4.160(15), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.1.25. Monthly Operations Summary. By the fifth calendar day of each month, the permittee shall record the hours of operation and amount of fuel fired for the combustion turbine. The information shall be recorded in a written or electronic log and shall summarize the previous month of operation and the previous 12 months of operation. All hours of operation (including hours during startups, shutdowns, and malfunctions) shall be included in the demonstration of compliance with the 12-month fuel usage limitations. Information recorded and stored as an electronic file shall be available for inspection and/or printing within at least one day of a request from the Compliance Authority. [Rule 62-4.160(15), F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348]

D.1.26. Annual Operating Report. The permittee shall submit an annual report that summarizes the actual operating hours and emissions from this facility. [Rule 62-210.370(2), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.1.27. Hours of Operation. Using a component of the gas turbine control system, the permittee shall monitor and record the hours of gas turbine operation. Within five working days following the end of each calendar month, the permittee shall record the total hours of operation (including hours during startups, shutdowns, and malfunctions) for the current month, and the total hours of operation for the current month plus the preceding 11 months. [Rule 62-204.070, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

Other Requirements

D.1.28. Federal Rule Requirements. In addition to the specific conditions listed above, this emissions unit is also subject to the applicable requirements contained in 40 CFR 60, Subpart A – General Provisions and 40 CFR 60, Subpart GG – Standards of Performance for Stationary Gas Turbines, attached to this permit as Appendix NSPS, Subpart A and Appendix NSPS, Subpart GG, respectively. [Rule 62-213.440, F.A.C.]

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D.2. COMBUSTION TURBINE (EU 011) WATER INJECTION ONLY & ≤ 2,500 HOURS

This section of the permit addresses the following emissions unit for the period during which the unit operates for 2,500 hours or less on a rolling 12-month total and with water injection only. Upon reaching the first rolling 12-month total of 2,501, section **III.D.3.** of this permit will supersede all conditions in this section (**III.D.2.**).

Essential Potential to Emit (PTE) Parameters

D.2.1. Hours of Operation. The combustion turbine shall operate no more than 2,500 hours based on a 12-month rolling total without installing a selective catalytic reduction (SCR) system. Exceeding this restriction shall require the installation and operation of an SCR system as required in **III.D.3.** below. [Rule 62-210.200(PTE), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.2.2. Future Selective Catalytic Reduction (SCR). The permittee shall design and build the project to facilitate and not to hamper or preclude the future installation of the SCR system. The combustion turbine may operate without the use of the SCR system for an initial period during which the total hours of operation do not exceed 2,500 during any 12-month rolling total. [Rule 62-212.400, F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]

Emission Limitations and Standards

{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

Unless otherwise specified, the averaging times for Specific Conditions **D.2.3. – D.2.8.** are based on the specified averaging time of the applicable test method.

D.2.3. Sulfuric Acid Mist (SAM) and Sulfur Dioxides (SO₂). Emissions of SAM and SO₂ shall be limited by the use of 0.05 percent sulfur fuel oil (or superior fuel oil) and good combustion techniques as specified in this permit. SAM and SO₂ emissions shall not exceed 6.8 and 29.5 tons per year, respectively. The permittee shall demonstrate compliance with the fuel sulfur limit by maintaining the fuel records specified by this permit. [Rule 62-212.400, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.2.4. CO Emissions. CO emissions shall not exceed:

- a. 30.0 ppmvd @15% O₂; and,
- b. 33.0 pounds per hour.

[Rule 62-212.400, F.A.C. (PSD Avoidance) and Permit No. 0870003-007-AC/PSD-FL-348]

D.2.5. NO_x Emissions. This emissions limit applies during the initial phase of operation when the combustion turbine operates no more than 2,500 hours based on a 12-month rolling total: NO_x emissions from the combustion turbine shall not exceed a BACT emission limit of:

- a. 42 ppmvd @15% O₂ during annual tests; and,
- b. 42.0 ppmvd @15% O₂ on a 24-hour block average while firing fuel oil.

[Rule 62-212.400, F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]

{Permitting Note: Pipeline natural gas is currently unavailable to the Keys. However, for a similar unit operating on natural gas and for a comparable number of hours, a BACT limit would likely be set at 15 ppmvd @ 15% O₂.}

D.2.6. VE Emissions. Visible emissions from the combustion turbine shall not exceed 10% opacity, based on a 6-minute average. [Rule 62-212.400, F.A.C. (PSD Applicability); Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]

D.2.7. PM/PM₁₀ Emissions. Emissions of PM and PM₁₀ shall be limited by the use of 0.05 percent sulfur fuel oil (or superior fuel oil) and good combustion techniques as specified in this permit. This work practice standard

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is established as a means of ensuring compliance with the BACT PM/PM₁₀ emission limits. [Rule 62-212.400, F.A.C. (PSD Applicability); Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]

D.2.8. VOC Emissions. VOC emissions from the combustion turbine shall not exceed:

- a. 16.0 ppmvd corrected to 15% oxygen; and,
- b. 10.0 pounds per hour.

The VOC emissions shall be measured and reported in terms of methane.

[Permit No. 0870003-007-AC/PSD-FL-348]

Test Methods and Procedures

{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

D.2.10. Test Methods. Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
1	Sample and Velocity Traverses for Stationary Sources
3	Gas analysis for Carbon Dioxide, Oxygen, Excess air, And Dry Molecular Weight
3A	Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.}
18	Measurement of Gaseous Organic Compound Emissions by Gas Chromatography
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
25	Determination of Total Gaseous Nonmethane Organic Emissions as Carbon
25A	Method for Determining Gaseous Organic Concentrations (Flame Ionization)
ASTM D6522-00	Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers
ASTM D129-09, D2622-98, D4294-02, D1266-98, D5453-00, or D1552-01	Fuel Sampling Methods from the American Standards for Testing and Materials

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. No other test methods may be used for compliance testing unless prior DEP approval is received, in writing, from the DEP Emissions Monitoring Section Administrator in accordance with an alternate sampling procedure

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specified in Rule 62-297.620, F.A.C. [Rule 62-297.401, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

- D.2.11. Common Testing Requirements.** Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]
- D.2.12. CO.** The permittee shall demonstrate compliance with the CO emissions limit by conducting performance tests and emissions monitoring in accordance with EPA Method 10 and the requirements of this permit. [Rule 62-212.400, F.A.C. (PSD Avoidance) and Permit No. 0870003-007-AC/PSD-FL-348]
- D.2.13. NO_x.** The permittee shall demonstrate compliance with the NO_x emissions limit by conducting performance tests and emissions monitoring in accordance with 40 CFR Part 60 Subpart GG and based on a 24-hour block average for data collected from the continuous emissions monitor. [Rule 62-212.400, F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]
- D.2.14. VE.** The permittee shall demonstrate compliance with the VE emission limit by conducting tests in accordance with EPA Method 9 and the performance testing requirements of this permit. [Rule 62-212.400, F.A.C. (PSD Applicability); Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]
- D.2.15. VOCs.** The permittee shall demonstrate compliance with the VOC emissions limit by conducting initial tests in accordance with EPA Methods 25 and/or 25A and the performance testing requirements of this permit. Optional testing in accordance with EPA Method 18 may be conducted to account for the actual methane fraction of the measured VOC emissions. [Permit No. 0870003-007-AC/PSD-FL-348]

Recordkeeping and Reporting Requirements

- D.2.16. Hours of Operation:** Within ten working days following the first consecutive 12-month period in which the hours of operation exceed 2,500, the permittee shall notify the Compliance Authority. The notification shall include a summary of operation for the last 12 months, and the expected date of initial operation of the SCR system for the control of NO_x as required by **III.D.3.** [Permit No. 0870003-007-AC/PSD-FL-348]

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Subsection D. Emissions Unit 011

D.3.0. COMBUSTION TURBINE (EU 011) WATER INJECTION AND SCR & > 2,500 Hours

This subsection of the permit addresses the following emissions unit upon exceeding 2,500 hours of operation on a 12-month rolling total and thereafter. Upon exceeding 2,500 hours of operation on a 12-month rolling total, the provisions of subsection **III.D.3** will supersede that of subsection **III.D.2.** for the rest of the operating life of the unit. BACT is water injection and SCR.

Essential Potential to Emit (PTE) Parameters

D.3.1. Fuel Limitation. Total fuel usage shall not exceed 13,600,000 gallons of fuel oil during any consecutive 12 months. The permittee shall demonstrate compliance with the fuel sulfur limit by keeping the records specified in this permit [Rule 62-213.410, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.2. Hours of Operation. The combustion turbine may operate 8,760 hours per year. [Rule 62-210.200(PTE), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.3. Selective Catalytic Reduction (SCR). Within two months after exceeding the 12-month rolling total of 2,500 operating hours, the permittee shall install, calibrate, tune, operate and maintain an SCR system designed to achieve the permitted NO_x emissions standards for the unit in conjunction with the water injection system. [Rule 62-212.400, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

Emission Limitations and Standards

{Permitting Note: The attached Table 1, Summary of Air Pollutant Standards, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

Unless otherwise specified, the averaging times for Specific Conditions **D.3.4. – D.3.10.** are based on the specified averaging time of the applicable test method.

D.3.4. Sulfuric Acid Mist (SAM) and Sulfur Dioxides (SO₂). Emissions of SAM and SO₂ shall be limited by the use of 0.05 percent sulfur fuel oil (or superior fuel oil) and good combustion techniques as specified in this permit. SAM and SO₂ emissions shall not exceed 6.9 and 39.9 tons per year, respectively. Compliance with the SO₂ limit provides assurance that SAM emissions stay within permitted limits. The permittee shall demonstrate compliance with the fuel sulfur limit by maintaining the records specified by this permit. [Rule 62-212.400, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348].

D.3.5. CO Emissions. CO emissions from the combustion turbine shall not exceed:

- a. 20.0 ppmvd @15% O₂;
- b. 20.0 lbs per hour.

[Rule 62-212.400, F.A.C. (PSD Avoidance) and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.6. NO_x Emissions.

- a. The combustion turbine and SCR system shall be designed and constructed to meet an emission limit of 5.0 ppmvd @15% O₂. This shall be demonstrated during each initial test following installation of new catalyst.
- b. During normal operation, NO_x emissions shall not exceed 9.0 ppmvd @15% O₂ on a 24-hour block average.

[Rule 62-212.400, F.A.C.; Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]

{Permitting note: The 5.0 ppmvd value reflects BACT. The 9.0 ppmvd value is based on the fuel use limitation that would limit NO_x emissions to less than 40 tons per year. The Department will revise the higher long term limit downward in conjunction with any future applications that will increase fuel use above 13,600,000 gallons per year.}

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- D.3.7. VE Emissions.** VE from the combustion turbine shall not exceed 10% opacity, based on a 6-minute average. [Rule 62-212.400, F.A.C. (PSD Applicability); Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]
- D.3.8. PM/PM₁₀ Emissions.** Emissions of PM and PM₁₀ shall be limited by the use of 0.05 percent sulfur fuel oil (or superior fuel oil) and good combustion techniques as specified in this permit. This work practice standard is established as a means of ensuring compliance with the BACT PM/PM₁₀ emission limits. [Rule 62-212.400, F.A.C. (PSD Applicability); Permit No. 0870003-007-AC/PSD-FL-348; and, BACT dated 5/31/2005]
- D.3.9. Ammonia (NH₃).** The ammonia slip rate shall be limited to 10.0 ppmvd @ 15% O₂. [Rule 62-212.400, F.A.C. (BACT) and Permit No. 0870003-007-AC/PSD-FL-348]
- D.3.10. VOC Emissions.** VOC emissions from the combustion turbine shall not exceed:
- a. 8.0 ppmvd corrected to 15% oxygen; and,
 - b. 5.0 pounds per hour.
- The VOC emissions shall be measured and reported in terms of methane.
[Permit No. 0870003-007-AC/PSD-FL-348]

Test Methods and Procedures

{Permitting Note: The attached Table 2, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

D.3.11. Test Methods. Required tests shall be performed in accordance with the following reference methods:

Method	Description of Method and Comments
1	Sample and Velocity Traverses for Stationary Sources
3	Gas analysis for Carbon Dioxide, Oxygen, Excess air, And Dry Molecular Weight
3A	Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources (Instrumental Analyzer Procedure)
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Note: The method shall be based on a continuous sampling train.}
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
25	Determination of Total Gaseous Nonmethane Organic Emissions as Carbon
25A	Method for Determining Gaseous Organic Concentrations (Flame Ionization)
CTM-027	Conditional EPA Test Method 027, Measurement of Ammonia Slip (or equivalent method)
ASTM D6522-00	Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers

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Method	Description of Method and Comments
ASTM D129-09, D2622-98, D4294-02, D1266-98, D5453-00, or D1552- 01	Fuel Sampling Methods from the American Standards for Testing and Materials

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. No other test methods may be used for compliance testing unless prior DEP approval is received, in writing, from the DEP Emissions Monitoring Section Administrator in accordance with an alternate sampling procedure specified in Rule 62-297.620, F.A.C. [Rule 62-297.401, F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.12. Common Testing Requirements. Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310, F.A.C.]

D.3.13. Ammonia Slip Testing Required. Testing for ammonia slip is required during the first scheduled annual performance tests after the cumulative hours of operation exceed 1,500 actual hours starting from the initial installation of the SCR catalyst. Thereafter, ammonia testing is required during the first scheduled annual performance tests after subsequent cumulative 1,500 hours of operation or after regeneration, replacement or addition to the SCR catalyst system. [Rule 62-297.310(7), F.A.C. and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.14. CO. The permittee shall demonstrate compliance with the CO emissions limit by conducting performance tests and emissions monitoring in accordance with EPA Method 10 and the requirements of this permit. [Rule 62-212.400, F.A.C. (PSD Avoidance) and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.15. NO_x: The permittee shall demonstrate compliance with the NO_x standard by conducting performance tests and emissions monitoring in accordance with 40 CFR Part 60 Subpart GG and based on a 24-hour block average for data collected from the continuous emissions monitor. [Rule 62-212.400, F.A.C. (BACT) and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.16. VE. The permittee shall demonstrate compliance with the VE emissions limit by conducting tests in accordance with EPA Method 9 and the performance testing requirements of this permit. [Rule 62-212.400, F.A.C. (PSD Applicability) and Permit No. 0870003-007-AC/PSD-FL-348]

D.3.17. VOC. The permittee shall demonstrate compliance with these standards by conducting initial tests in accordance with EPA Methods 25 and/or 25A and the performance testing requirements of this permit. Optional testing in accordance with EPA Method 18 may be conducted to account for the actual methane fraction of the measured VOC emissions. [Permit No. 0870003-007-AC/PSD-FL-348]

D.3.18. Sampling Facilities: The permittee shall provide facilities for the combustion turbine stack to accommodate adequate testing and sampling locations in order to determine compliance with the applicable emission limits specified by this permit. Permanent stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C. Keys Energy Services shall advise the Department of any requirements within the cited rule that would be incompatible with the operation of an SCR system or unadvisable due to storm design criteria. [Permit No. 0870003-007-AC/PSD-FL-348]

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Operated by: Keys Energy Services
ORIS Code: 6584

The emissions unit listed below is regulated under Acid Rain, Phase II.

E.U. No.	Brief Description
011	48 MW Simple Cycle Combustion Turbine [CT-4]

The emission units listed below are regulated under Acid Rain New Unit Exemption.

E.U. No.	Brief Description
005	8.8 MW Medium Speed Diesel Generator [Unit #1; EPA ID #D-1]
006	8.8 MW Medium Speed Diesel Generator [Unit #2; EPA ID #D-2]
007	23.5 MW Simple Cycle Combustion Turbine [CT-1]
008	19.77 MW Simple Cycle Combustion Turbine [CT-2]
009	19.77 MW Simple Cycle Combustion Turbine [CT-3]

A.1. The Phase II Acid Rain Part application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain units must comply with the standard requirements and special provisions set forth in the application(s) listed below:

- a. DEP Form No. 62-210.900(1)(a), dated 07/20/09, received 07/24/09;
- b. DEP Form No. 62-210.900(1)(a)2., dated 07/20/09, received 07/24/09
[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO₂) Emission Allowances. SO₂ emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

- a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.
- b. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.
- c. Allowances shall be accounted for under the Federal Acid Rain Program.
[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

A.3. Comments, notes, and justifications. EPA unit ID #1 on the Acid Rain Part application is for the Ralph Garcia Steam Plant (previously designated as E.U. ID No. 001).. It continues to receive SO₂ allowances under the retired unit exemption provisions of the Acid Rain program; however, it is not physical able to ever resume operation as it was removed from the facility in 2005.

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Stock Island Power Plant

Plant Name (from STEP 1)

STEP 3

Read the standard requirements.

Acid Rain Part Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain Part application (including a compliance plan) under 40 CFR Part 72 and Rules 62-214.320 and 330, F.A.C., in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the DEP determines is necessary in order to review an Acid Rain Part application and issue or deny an Acid Rain Part.
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain Part application or a superseding Acid Rain Part issued by the DEP; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR Part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 shall be used to determine compliance by the unit 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.
- (4) For applications including a SO₂ Opt-in unit, a monitoring plan for each SO₂ Opt-in unit must be submitted with this application pursuant to 40 CFR 74.14(a). For renewal applications for SO₂ Opt-in units include an updated monitoring plan if applicable under 40 CFR 75.53(b).

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; 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 Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain 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 Acid Rain 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 Part application, the Acid Rain Part, 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 Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit 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 Acid Rain unit 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 Acid Rain 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 EPA or the DEP:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; 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,

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

<p>Stock Island Power Plant Plant Name (from STEP 1)</p>

**STEP 3,
Continued.**

Recordkeeping and Reporting Requirements (cont)

- (iv) Copies of all documents used to complete an Acid Rain Part 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 Acid Rain source and each Acid Rain 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 Part application, an Acid Rain Part, 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 Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities.

No provision of the Acid Rain Program, an Acid Rain Part application, an Acid Rain Part, 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 Acid Rain source or Acid Rain 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 unit can hold; provided, that the number of allowances held by the unit 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
For SO₂ Opt-in units only.

In column "f" enter the unit ID# for every SO₂ Opt-in unit identified in column "a" of STEP 2.

For column "g" describe the combustion unit and attach information and diagrams on the combustion unit's configuration.

In column "h" enter the hours.

f	g	h (not required for renewal application)
Unit ID#	Description of the combustion unit	Number of hours unit operated in the six months preceding initial application

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Stock Island Power Plant Plant Name (from STEP 1)

STEP 5

For SO₂ Opt-in units only.
(Not required for SO₂ Opt-in renewal applications.)

In column "i" enter the unit ID# for every SO₂ Opt-in unit identified in column "a" (and in column "f").

For columns "j" through "n," enter the information required under 40 CFR 74.20-74.25 and attach all supporting documentation required by 40 CFR 74.20-74.25.

i	j	k	l	m	n
Unit ID#	Baseline or Alternative Baseline under 40 CFR 74.20 (mmBtu)	Actual SO ₂ Emissions Rate under 40 CFR 74.22 (lbs/mmBtu)	Allowable 1985 SO ₂ Emissions Rate under 40 CFR 74.23 (lbs/mmBtu)	Current Allowable SO ₂ Emissions Rate under 40 CFR 74.24 (lbs/mmBtu)	Current Promulgated SO ₂ Emissions Rate under 40 CFR 74.25 (lbs/mmBtu)

STEP 6

For SO₂ Opt-in units only.


Attach additional requirements, certify and sign.

- A. If the combustion source seeks to qualify for a transfer of allowances from the replacement of thermal energy, a thermal energy plan as provided in 40 CFR 74.47 for combustion sources must be attached.
- B. A statement whether the combustion unit was previously an affected unit under 40 CFR 74.
- C. A statement that the combustion unit is not an affected unit under 40 CFR 72.6 and does not have an exemption under 40 CFR 72.7, 72.8, or 72.14.
- D. Attach a complete compliance plan for SO₂ under 40 CFR 72.40.
- E. The designated representative of the combustion unit shall submit a monitoring plan in accordance with 40 CFR 74.61. For renewal application, submit an updated monitoring plan if applicable under 40 CFR 75.53(b).
- F. The following statement must be signed by the designated representative or alternate designated representative of the combustion source: "I certify that the data submitted under 40 CFR Part 74, Subpart C, reflects actual operations of the combustion source and has not been adjusted in any way."

Signature	Date
-----------	------

STEP 7

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

Certification (for designated representative or alternate designated representative only)	
I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain 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 Edward Garcia	Title Director of Generation
Owner Company Name Keys Energy Services	
Phone 305-295-1134	E-mail address Edward.garcia@keysenergy.com
Signature 	Date 7/20/09

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

RECEIVED

JUL 24 2009

Acid Rain New Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(1), F.A.C., and 40 CFR 72.7

This submission is: New Revised

BUREAU OF AIR POLLUTION

STEP 1

Identify the new unit by plant name, state, ORIS or Plant Code (if assigned) and unit ID#.

Plant Name	Stock Island Power Plant	State	Florida	ORIS/Plant Code	7143	Unit ID#	D-1
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
8.8					8.8
MWe	MWe	MWe	MWe	MWe	MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit, and the percent sulfur content by weight of each.

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
No. 2 Ultra Low Sulfur Fuel Oil	0.00041%	No. 2 Ultra Low Sulfur Fuel Oil	0.05%
	%		%
	%		%
	%		%

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2009

STEP 5

Read the special provisions.

Special Provisions

- (1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(1), F.A.C., shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under Rule 62-214.340(1), F.A.C., and (ii) comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (2) For any period for which a unit is exempt under Rule 62-214.340(1), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR Part 70.
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(1), F.A.C., shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.
- (4) On the earliest of the following dates, a unit exempt under Rule 62-214.340(1), F.A.C., shall lose its exemption and become an Acid Rain unit: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain Part application 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(1), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

DEP Form No. 62-210.900(1)(a)2. - Form
Effective: 3/16/08

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Plant Name (from STEP 1) Stock Island Power Plant
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STEP 6

Read the appropriate certification statement; provide name, title, owner company name, phone, and e-mail address; and sign and date.

Certification (for designated representative or alternate designated representative only)

I am authorized to make this submission on behalf of the owners and operators of the acid rain source or Acid Rain 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 <i>Edward Garcia</i>	Title <i>Director of Generation</i>
<i>dba - Keys Energy Services</i>	
Owner Company Name <i>Utility Board of The City of Key West</i>	
Phone <i>305-295-1134</i>	E-mail Address <i>Edward.Garcia@Keysenergy.com</i>
Signature <i>Ed Garcia</i>	Date <i>7/21/08</i>

Certification (for certifying officials only)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

Certification (for additional certifying officials, if applicable)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

RECEIVED

JUL 24 2009

Acid Rain New Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(1), F.A.C., and 40 CFR 72.7

BUREAU OF AIR REGULATION

This submission is: New x Revised

STEP 1

Identify the new unit by plant name, state, ORIS or Plant Code (if assigned) and unit ID#.

Plant Name Stock Island Power Plant	State Florida	ORIS/Plant Code 7144	Unit ID# D-2
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
8.8					8.8
MWe	MWe	MWe	MWe	MWe	MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit, and the percent sulfur content by weight of each.

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
No. 2 Ultra Low Sulfur Fuel Oil	0.00041% %	No. 2 Ultra Low Sulfur Fuel Oil	0.05% %
	%		%
	%		%

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2009

STEP 5

Read the special provisions.

Special Provisions

- The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(1), F.A.C., shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under Rule 62-214.340(1), F.A.C., and (ii) comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- For any period for which a unit is exempt under Rule 62-214.340(1), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR Part 70.
- For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(1), F.A.C., shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.
- On the earliest of the following dates, a unit exempt under Rule 62-214.340(1), F.A.C., shall lose its exemption and become an Acid Rain unit: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain Part application 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(1), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

DEP Form No. 62-210.900(1)(a)2. - Form
Effective: 3/16/08

1

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Plant Name (from STEP 1) Stock Island Power Plant
--

STEP 6

Read the appropriate certification statement; provide name, title, owner company name, phone, and e-mail address; and sign and date.

Certification (for designated representative or alternate designated representative only)

I am authorized to make this submission on behalf of the owners and operators of the acid rain source or Acid Rain 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 <i>Edward Garcia</i>	Title <i>Director of Generation</i> <i>aka - Keys Energy Services</i>
Owner Company Name <i>Utility Board of the City of Key West</i>	
Phone <i>305-295-1134</i>	E-mail Address <i>Edward.Garcia@keysenergy.com</i>
Signature <i>Edward Garcia</i>	Date <i>7/21/09</i>

Certification (for certifying officials only)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

Certification (for additional certifying officials, if applicable)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

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JUL 24 2009

BUREAU OF AIR REGULATION

Acid Rain New Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(1), F.A.C., and 40 CFR 72.7

This submission is: New Revised

STEP 1

Identify the new unit by plant name, state, ORIS or Plant Code (if assigned) and unit ID#.

Plant Name	Stock Island Power Plant	State	Florida	ORIS/Plant Code		Unit ID#	CT-1
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
23.5					23.5
MWe	MWe	MWe	MWe	MWe	MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit, and the percent sulfur content by weight of each.

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
No. 2 Ultra Low Sulfur Fuel Oil	0.00041% %	No. 2 Ultra Low Sulfur Fuel Oil	0.05% %
	%		%
	%		%

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2009

STEP 5

Read the special provisions.

Special Provisions

- (1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(1), F.A.C., shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under Rule 62-214.340(1), F.A.C., and (ii) comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (2) For any period for which a unit is exempt under Rule 62-214.340(1), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR Part 70.
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(1), F.A.C., shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.
- (4) On the earliest of the following dates, a unit exempt under Rule 62-214.340(1), F.A.C., shall lose its exemption and become an Acid Rain unit: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain Part application 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(1), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

DEP Form No. 62-210.900(1)(a)2. - Form
Effective: 3/16/08

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Plant Name (from STEP 1) Stock Island Power Plant
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STEP 6

Read the appropriate certification statement; provide name, title, owner company name, phone, and e-mail address; and sign and date.

Certification (for designated representative or alternate designated representative only)

I am authorized to make this submission on behalf of the owners and operators of the acid rain source or Acid Rain 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 <i>Edward Garcia</i>	Title <i>Director of Generation dba - Keys Energy Services</i>
Owner Company Name <i>Utility Board of The City of Key West</i>	
Phone <i>305-295-1134</i>	E-mail Address <i>Edward.Garcia@Keysenergy.com</i>
Signature <i>Edward Garcia</i>	Date <i>7/21/09</i>

Certification (for certifying officials only)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

Certification (for additional certifying officials, if applicable)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

RECEIVED

JUL 24 2009

Acid Rain New Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(1), F.A.C., and 40 CFR 72.7

This submission is: New Revised

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR REGULATION**

STEP 1

Identify the new unit by plant name, state, ORIS or Plant Code (if assigned) and unit ID#.

Plant Name	Stock Island Power Plant	State	Florida	ORIS/Plant Code		Unit ID#	CT-2
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
19.77					19.77
MWe	MWe	MWe	MWe	MWe	MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit, and the percent sulfur content by weight of each.

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
No. 2 Ultra Low Sulfur Fuel Oil	0.00041%	No. 2 Ultra Low Sulfur Fuel Oil	Less than 0.05%
	%		%
	%		%

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2009

STEP 5

Read the special provisions.

Special Provisions

- (1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(1), F.A.C., shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under Rule 62-214.340(1), F.A.C., and (ii) comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (2) For any period for which a unit is exempt under Rule 62-214.340(1), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR Part 70.
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(1), F.A.C., shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.
- (4) On the earliest of the following dates, a unit exempt under Rule 62-214.340(1), F.A.C., shall lose its exemption and become an Acid Rain unit: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain Part application 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(1), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Plant Name (from STEP 1) Stock Island Power Plant
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STEP 6

Read the appropriate certification statement; provide name, title, owner company name, phone, and e-mail address; and sign and date.

Certification (for designated representative or alternate designated representative only)

I am authorized to make this submission on behalf of the owners and operators of the acid rain source or Acid Rain 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 <i>Edward Garcia</i>	Title <i>Director of Generation</i>
Owner Company Name <i>Utility Board of The City of Key West</i> <i>also Keys Energy Services</i>	
Phone <i>305-295-1134</i>	E-mail Address <i>Edward.Garcia@keysenergy.com</i>
Signature <i>Edward Garcia</i>	Date <i>7/21/09</i>

Certification (for certifying officials only)

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	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

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Name	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

RECEIVED

JUL 24 2009

Acid Rain New Unit Exemption

For more information, see instructions and refer to Rule 62-214.340(1), F.A.C., and 40 CFR 72.7

BUREAU OF AIR REGULATION

This submission is: New Revised

STEP 1

Identify the new unit by plant name, state, ORIS or Plant Code (if assigned) and unit ID#.

Plant Name	Stock Island Power Plant	State	Florida	ORIS/Plant Code		Unit ID#	CT-3
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STEP 2

List to one decimal place the nameplate capacity of each generator served by the unit. Then total these entries and enter the result.

					TOTAL
19.77					19.77
MWe	MWe	MWe	MWe	MWe	MWe

STEP 3

List all fuels currently burned or expected to be burned, by the unit, and the percent sulfur content by weight of each.

Fuel (current)	Sulfur Content (current)	Fuel (expected)	Sulfur Content (expected)
No. 2 Ultra Low Sulfur Fuel Oil	0.00041%	No. 2 Ultra Low Sulfur Fuel Oil	Less than 0.05%
	%		%
	%		%

STEP 4

Identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.7(a).

January 1, 2009

STEP 5

Read the special provisions.

Special Provisions

- (1) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(1), F.A.C., shall (i) comply with the requirements of 40 CFR 72.7(a) for all periods for which the unit is exempt under Rule 62-214.340(1), F.A.C., and (ii) comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
- (2) For any period for which a unit is exempt under Rule 62-214.340(1), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR Part 70.
- (3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(1), F.A.C., shall retain at the source that includes the unit records demonstrating that the requirements of 40 CFR 72.7(a) are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. Such records shall include, for each delivery of fuel to the unit or for fuel delivered to the unit continuously by pipeline, the type of fuel, the sulfur content, and the sulfur content of each sample taken. The owners and operators bear the burden of proof that the requirements of paragraph 40 CFR 72.7(a) are met.
- (4) On the earliest of the following dates, a unit exempt under Rule 62-214.340(1), F.A.C., shall lose its exemption and become an Acid Rain unit: (i) the date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; (ii) the date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or (iii) January 1 of the year following the year in which the annual average sulfur content for gaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)) or for nongaseous fuel burned at the unit exceeds 0.05 percent by weight (as determined under 40 CFR 72.7(d)). Notwithstanding 40 CFR 72.30(b) and (c), the designated representative for a unit that loses its exemption under 40 CFR 72.7 shall submit a complete Acid Rain Part application 60 days after the first date on which the unit is no longer exempt. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(1), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

SECTION IV. ACID RAIN PART.

Federal Acid Rain Provisions

Plant Name (from STEP 1) Stock Island Power Plant
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STEP 6

Read the appropriate certification statement; provide name, title, owner company name, phone, and e-mail address; and sign and date.

Certification (for designated representative or alternate designated representative only)

I am authorized to make this submission on behalf of the owners and operators of the acid rain source or Acid Rain 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 <i>Edward Garcia</i>	Title <i>Director of Generation</i> <i>dba - Keys Energy Services</i>
Owner Company Name <i>Utility Board of The City of Key West</i>	
Phone <i>305-245-1134</i>	E-mail Address <i>Edward.Garcia@Keysenergy.com</i>
Signature <i>E Garcia</i>	Date <i>7/21/09</i>

Certification (for certifying officials only)

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Name	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

Certification (for additional certifying officials, if applicable)

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Name	Title
Owner Company Name	
Phone	E-mail Address
Signature	Date

SECTION V. CAIR PART.
Clean Air Interstate Rule Provisions

Clean Air Interstate Rule (CAIR).

Operated by: Keys Energy Services
Plant: Stock Island Power Plant
ORIS Code: 6584

The emissions unit is regulated under the Clean Air Interstate Rule.

EU No.	EPA Unit ID#	Brief Description
011	CT-4	48.00 MW Simple Cycle Combustion Turbine [CT-4]

1. Clean Air Interstate Rule Application. The Clean Air Interstate Rule Part Form submitted for this facility is a part of this permit. The owners and operators of these CAIR units as identified in this form must comply with the standard requirements and special provisions set forth in the CAIR Part Form (DEP Form No. 62-210.900(1)(b)) dated March 16, 2008, which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]

SECTION V. CAIR PART.
Clean Air Interstate Rule Provisions

STEP 3

**Read the
standard
requirements.**

Plant Name (from STEP 1)	Stock Island Power Plant
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CAIR NO_x ANNUAL TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR NO_x source and each CAIR NO_x unit at the source shall:
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C., and
 - (ii) [Reserved];
- (2) The owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x source and each CAIR NO_x unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HH, shall be used to determine compliance by each CAIR NO_x source with the following CAIR NO_x Emissions Requirements.

NO_x Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x allowances available for compliance deductions for the control period under 40 CFR 96.154(a) in an amount not less than the tons of total NO_x emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with 40 CFR Part 96, Subpart HH.
- (2) A CAIR NO_x unit shall be subject to the requirements under paragraph (1) of the NO_x Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.170(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO_x Requirements, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.
- (4) CAIR NO_x allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FF and GG.
- (5) A CAIR NO_x allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 96.105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR NO_x allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_x unit.

Excess Emissions Requirements.

If a CAIR NO_x source emits NO_x during any control period in excess of the CAIR NO_x emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO_x unit at the source shall surrender the CAIR NO_x allowances required for deduction under 40 CFR 96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the CAIR NO_x source and each CAIR NO_x unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
 - (i) The certificate of representation under 40 CFR 96.113 for the CAIR designated representative for the source and each CAIR NO_x unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
 - (ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program.
 - (iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_x Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program.
- (2) The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source shall submit the reports required under the CAIR NO_x Annual Trading Program, including those under 40 CFR Part 96, Subpart HH.

SECTION V. CAIR PART.
Clean Air Interstate Rule Provisions

Plant Name (from STEP 1)	Stock Island Power Plant
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**STEP 3,
Continued**

Liability.

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

Effect on Other Authorities.

No provision of the CAIR NO_x Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 96.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x source or CAIR NO_x unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR SO₂ TRADING PROGRAM

CAIR Part Requirements.

- (1) The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall:
 - (i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
 - (ii) [Reserved].
- (2) The owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC, for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

- (1) The owners and operators, and the CAIR designated representative, of each CAIR SO₂ source and each SO₂ CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHH, and Rule 62-296.470, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR SO₂ source with the following CAIR SO₂ Emission Requirements.

SO₂ Emission Requirements.

- (1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.
- (2) A CAIR SO₂ unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.
- (3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO₂ Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.
- (4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.
- (5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
- (6) A CAIR SO₂ allowance does not constitute a property right.
- (7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO₂ unit.

Excess Emissions Requirements.

- If a CAIR SO₂ source emits SO₂ during any control period in excess of the CAIR SO₂ emissions limitation, then:
- (1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
 - (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

SECTION V. CAIR PART.
Clean Air Interstate Rule Provisions

Plant Name (from STEP 1)	Stock Island Power Plant
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STEP 3,
Continued

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Department or the Administrator.

(i) The certificate of representation under 40 CFR 96.213 for the CAIR designated representative for the source and each CAIR SO₂ unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.213 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.

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

(2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR SO₂ Trading Program, including those under 40 CFR Part 96, Subpart HHH.

Liability.

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

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

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

Effect on Other Authorities.

No provision of the CAIR SO₂ Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO₂ source or CAIR SO₂ unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR NO_x OZONE SEASON TRADING PROGRAM

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall:

(i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.322 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and

(ii) [Reserved];

(2) The owners and operators of each CAIR NO_x Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO_x Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHHH, and Rule 62-296.470, F.A.C.

(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHHH, shall be used to determine compliance by each CAIR NO_x Ozone Season source with the following CAIR NO_x Ozone Season Emissions Requirements.

NO_x Ozone Season Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under 40 CFR 96.354(a) in an amount not less than the tons of total NO_x emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.

(2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO_x Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.370(b)(1),(2), or (3) and for each control period thereafter.

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

(4) CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.

(5) A CAIR NO_x Ozone Season allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR Part, or an exemption under 40 CFR 96.305 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

SECTION V. CAIR PART.
Clean Air Interstate Rule Provisions

(6) A CAIR NO_x Ozone Season allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_x Ozone Season unit.

**STEP 3,
Continued**

Plant Name (from STEP 1)	Stock Island Power Plant
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Excess Emissions Requirements.

If a CAIR NO_x Ozone Season source emits NO_x during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then:
(1) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under 40 CFR 96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
(i) The certificate of representation under 40 CFR 96.313 for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Ozone Season Trading Program.
(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_x Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Ozone Season Trading Program.
(2) The CAIR designated representative of a CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall submit the reports required under the CAIR NO_x Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

(1) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit shall meet the requirements of the CAIR NO_x Ozone Season Trading Program.
(2) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season source or the CAIR designated representative of a CAIR NO_x Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO_x Ozone Season units at the source.
(3) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season unit or the CAIR designated representative of a CAIR NO_x Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.


No provision of the CAIR NO_x Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x Ozone Season source or CAIR NO_x Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

STEP 4

Certification (for designated representative or alternate designated representative only)

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

I am authorized to make this submission on behalf of the owners and operators of the CAIR source or CAIR 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	Edward Garcia	Title	Director of Generation	
Company Owner Name	Keys Energy Services			
Phone	305-295-1134	E-mail Address	Edward.garcia@keysenergy.com	
Signature			Date	3/26/09

SECTION VI. APPENDICES.

The Following Appendices Are Enforceable Parts of This Permit:

- Appendix A, Glossary.
- Appendix I, List of Insignificant Emissions Units and/or Activities.
- Appendix ICE, Requirements for Internal Combustion Engines.
- Appendix NSPS, Subpart A, General Provisions.
- Appendix NSPS, Subpart GG, Stationary Gas Turbines.
- Appendix NSPS, Subpart IIII, Stationary Compression Ignition Internal Combustion Engines.
- Appendix NESHAP, Subpart A, General Provisions.
- Appendix NESHAP, Subpart ZZZZ, Stationary Reciprocating Internal Combustion Engines.
- Appendix RR, Facility-wide Reporting Requirements.
- Appendix TR, Facility-wide Testing Requirements.
- Appendix TV, Title V General Conditions.
- Appendix U, List of Unregulated Emissions Units and/or Activities.

Abbreviations and Acronyms:

° F: degrees Fahrenheit	lbs/hr: pounds per hour
acfm: actual cubic feet per minute	LONG: Longitude
AOR: Annual Operating Report	MACT: maximum achievable technology
ARMS: Air Resource Management System (Department's database)	mm: millimeter
BACT: best available control technology	MMBtu: million British thermal units
Btu: British thermal units	MSDS: material safety data sheets
CAM: compliance assurance monitoring	MW: megawatt
CEMS: continuous emissions monitoring system	NESHAP: National Emissions Standards for Hazardous Air Pollutants
cfm: cubic feet per minute	NO_x: nitrogen oxides
CFR: Code of Federal Regulations	NSPS: New Source Performance Standards
CO: carbon monoxide	O&M: operation and maintenance
COMS: continuous opacity monitoring system	O₂: oxygen
DARM: Division of Air Resources Management	ORIS: Office of Regulatory Information Systems
DCA: Department of Community Affairs	OS: Organic Solvent
DEP: Department of Environmental Protection	Pb: lead
Department: Department of Environmental Protection	PM: particulate matter
dscfm: dry standard cubic feet per minute	PM₁₀: particulate matter with a mean aerodynamic diameter of 10 microns or less
EPA: Environmental Protection Agency	PSD: prevention of significant deterioration
ESP: electrostatic precipitator (control system for reducing particulate matter)	psi: pounds per square inch
EU: emissions unit	PTE: potential to emit
F.A.C.: Florida Administrative Code	RACT: reasonably available control technology
F.D.: forced draft	RATA: relative accuracy test audit
F.S.: Florida Statutes	RMP: Risk Management Plan
FGR: flue gas recirculation	RO: Responsible Official
Fl: fluoride	SAM: sulfuric acid mist
ft²: square feet	scf: standard cubic feet
ft³: cubic feet	scfm: standard cubic feet per minute
gpm: gallons per minute	SIC: standard industrial classification code
gr: grains	SNCR: selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)
HAP: hazardous air pollutant	SOA: Specific Operating Agreement
Hg: mercury	SO₂: sulfur dioxide
I.D.: induced draft	TPH: tons per hour
ID: identification	TPY: tons per year
ISO: International Standards Organization (refers to those conditions at 288 Kelvin, 60% relative humidity and 101.3 kilopascals pressure.)	UTM: Universal Transverse Mercator coordinate system
kPa: kilopascals	VE: visible emissions
LAT: Latitude	VOC: volatile organic compounds
lb: pound	x: By or times

APPENDIX A

ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers and ID numbers.

Code of Federal Regulations:

Example: [40 CFR 60.334]

Where:	40	refers to	Title 40
	CFR	refers to	Code of Federal Regulations
	60	refers to	Part 60
	60.334	refers to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213.205, F.A.C.]

Where:	62	refers to	Title 62
	62-213	refers to	Chapter 62-213
	62-213.205	refers to	Rule 62-213.205, F.A.C.

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 =	3-digit number code identifying the facility is located in Polk County
0221 =	4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC =	Air Construction Permit
AV =	Air Operation Permit (Title V Source)
105 =	3-digit number code identifying the facility is located in Polk County
0221 =	4-digit number assigned by permit tracking database
001 or 002 =	3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:

PSD =	Prevention of Significant Deterioration Permit
PA =	Power Plant Siting Act Permit
AC53 =	old Air Construction Permit numbering identifying the facility is located in Polk County

APPENDIX I

LIST OF INSIGNIFICANT EMISSIONS UNITS AND/OR ACTIVITIES

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

1. Six internal combustion engines
 - a. Small portable fire pump
 - b. 244 HP Cummins, diesel fired water pump
 - c. Small mobile compressor
 - d. 115 kW portable generator
 - e. 25. kW portable welder
 - f. Detroit Diesel, diesel fired black start
2. Five No. 2 Fuel Oil Storage Tanks
 - a. Two 500,000 gallon tanks
 - b. Two 16,000 gallon tanks
 - c. One 1,904,953 gallon tank
3. Four Fleet Fuel Tanks
 - a. Three 2,000 gallon gasoline tanks
 - b. One 2,000 gallon diesel tank
4. Diesel Fire Pump No. 2 Fuel Oil Storage Tank
5. Compressed hydrogen bottles
6. Lube Oil Storage Tank, 10,000 gallons
7. Waste Oil Storage Area
8. Turbine Oil Storage Area
9. Hazardous Material Containment Area
10. Hazardous Water Containment Area
11. Wastewater Retention Tank
12. Miscellaneous painting activities
13. Miscellaneous welding activities
14. Storage and use of chemicals solely for water treatment
15. Parts washers (4) (hydrocarbon solvent)
16. Oil/Water Separator

APPENDIX ICE
REQUIREMENTS FOR INTERNAL COMBUSTION ENGINES

This Title V facility contains stationary internal combustion engines that have been exempted from the requirement to obtain an air construction permit because they qualify for one of the categorical exemptions listed in Rule 62-210.300(3)(a), Florida Administrative Code (F.A.C.). However, they are included in this permit as regulated emissions units because they are subject to one or more of the following federal rules:

- 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
- 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
- 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The below listed engines are subject to the specified federal rules.

E.U. No.	Brief Description of Engine	Year Built	Displacement	Rule Applicability
-013	2.2 MW Stationary Reciprocating Internal Combustion Engine	(New) TBA	69 L	IIII & ZZZZ

The engines listed above are currently demonstrating compliance with the emissions limitations of the applicable federal rule through the retention of a manufacturer's certification statement. So long as that certification is able to be retained, no additional compliance demonstration is required. At such time that the manufacturer's certification is no longer valid (i.e. due to operation or maintenance practices that are inconsistent with the manufacturer's recommendations), the permittee shall begin demonstrating compliance with the standards listed in the applicable federal rule (included in the appendices as an enforceable part of this permit) in a manner that is prescribed by that rule.

APPENDIX NSPS SUBPART A
GENERAL CONDITIONS

Federal Regulations Adopted by Reference

In accordance with Rule 62-204.800, F.A.C., the following federal regulation in Title 40 of the Code of Federal Regulations (CFR) was adopted by reference. The original federal rule numbering has been retained.

Federal Revision Date: June 13, 2007

Rule Effective Date: October 1, 2007

Standardized Conditions Revision Date: October 9, 2008

40 CFR Part 60, Subpart A - General Provisions

§ 60.1 Applicability.

- (a) Except as provided in subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
- (b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.
- (c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.
- (d) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia. {Not Applicable}*

§ 60.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to Title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

Clean coal technology demonstration project means a project using funds appropriated under the heading 'Department of Energy-Clean Coal Technology', up to a total amount of \$2,500,000,000 for commercial demonstrations of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency.

Commenced means, with respect to the definition of *new source* in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

Construction means fabrication, erection, or installation of an affected facility.

APPENDIX NSPS SUBPART A
GENERAL CONDITIONS

Continuous monitoring system means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.

Electric utility steam generating unit means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

Equivalent method means any method of sampling and analyzing for an air pollutant which has been demonstrated to the Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

Excess Emissions and Monitoring Systems Performance Report is a report that must be submitted periodically by a source in order to provide data on its compliance with stated emission limits and operating parameters, and on the performance of its monitoring systems.

Existing facility means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

Force majeure means, for purposes of §60.8, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Isokinetic sampling means sampling in which the linear velocity of the gas entering the sampling nozzle is equal to that of the undisturbed gas stream at the sample point.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a Title V permit occurs immediately after the EPA takes final action on the final permit.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Monitoring device means the total equipment, required under the monitoring of operations sections in applicable subparts, used to measure and record (if applicable) process parameters.

Nitrogen oxides means all oxides of nitrogen except nitrous oxide, as measured by test methods set forth in this part.

One-hour period means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Owner or operator means any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Particulate matter means any finely divided solid or liquid material, other than uncombined water, as measured by the reference methods specified under each applicable subpart, or an equivalent or alternative method.

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permitting authority means:

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GENERAL CONDITIONS

- (1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or
- (2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Proportional sampling means sampling at a rate that produces a constant ratio of sampling rate to stack gas flow rate.

Reactivation of a very clean coal-fired electric utility steam generating unit means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

- (1) Has not been in operation for the two-year period prior to the enactment of the Clean Air Act Amendments of 1990, and the emissions from such unit continue to be carried in the permitting authority's emissions inventory at the time of enactment;
- (2) Was equipped prior to shut-down with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than 85 percent and a removal efficiency for particulates of no less than 98 percent;
- (3) Is equipped with low-NO_x burners prior to the time of commencement of operations following reactivation; and
- (4) Is otherwise in compliance with the requirements of the Clean Air Act.

Reference method means any method of sampling and analyzing for an air pollutant as specified in the applicable subpart.

Repowering means replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Administrator, in consultation with the Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990. Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy.

Run means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

Shutdown means the cessation of operation of an affected facility for any purpose.

Six-minute period means any one of the 10 equal parts of a one-hour period.

Standard means a standard of performance proposed or promulgated under this part.

Standard conditions means a temperature of 293 K (68F) and a pressure of 101.3 kilopascals (29.92 in Hg).

Startup means the setting in operation of an affected facility for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement: (1) The provisions of this part; and/or (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Volatile Organic Compound means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method, an equivalent method, an alternative method, or which is determined by procedures specified under any subpart.

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994; 72 FR 27442, May 16, 2007]

§ 60.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

- (a) System International (SI) units of measure:

APPENDIX NSPS SUBPART A
GENERAL CONDITIONS

A—ampere
g—gram
Hz—hertz
J—joule
K—degree Kelvin
kg—kilogram
m—meter
m³—cubic meter
mg—milligram—10⁻³ gram
mm—millimeter—10⁻³ meter
Mg—megagram—10⁶ gram
mol—mole
N—newton
ng—nanogram—10⁻⁹ gram
nm—nanometer—10⁻⁹ meter
Pa—pascal
s—second
V—volt
W—watt
Ω—ohm
μg—microgram—10⁻⁶ gram

(b) Other units of measure:

Btu—British thermal unit
°C—degree Celsius (centigrade)
cal—calorie
cfm—cubic feet per minute
cu ft—cubic feet
dcf—dry cubic feet
dcm—dry cubic meter
dscf—dry cubic feet at standard conditions
dscm—dry cubic meter at standard conditions
eq—equivalent
°F—degree Fahrenheit
ft—feet
gal—gallon
gr—grain
g-eq—gram equivalent
hr—hour

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in—inch

k—1,000

l—liter

lpm—liter per minute

lb—pound

meq—milliequivalent

min—minute

ml—milliliter

mol. wt.—molecular weight

ppb—parts per billion

ppm—parts per million

psia—pounds per square inch absolute

psig—pounds per square inch gage

°R—degree Rankine

scf—cubic feet at standard conditions

scfh—cubic feet per hour at standard conditions

scm—cubic meter at standard conditions

sec—second

sq ft—square feet

std—at standard conditions

(c) Chemical nomenclature:

CdS—cadmium sulfide

CO—carbon monoxide

CO₂—carbon dioxide

HCl—hydrochloric acid

Hg—mercury

H₂O—water

H₂S—hydrogen sulfide

H₂SO₄—sulfuric acid

N₂—nitrogen

NO—nitric oxide

NO₂—nitrogen dioxide

NO_x—nitrogen oxides

O₂—oxygen

SO₂—sulfur dioxide

SO₃—sulfur trioxide

SO_x—sulfur oxides

(d) Miscellaneous:

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A.S.T.M.—American Society for Testing and Materials

[42 FR 37000, July 19, 1977; 42 FR 38178, July 27, 1977]

§ 60.4 Address.

All addresses that pertain to Florida have been incorporated. To see the complete list of addresses please go to <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=40:6.0.1.1.1&idno=40>.

Link to an amendment published at 73 FR 18164, Apr. 3, 2008.

- (a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices.

Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, GA 30365.

- (b) Section 111(c) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided, that each specific delegation may except sources from a certain Federal or State reporting requirement). The appropriate mailing address for those States whose delegation request has been approved is as follows:

(K) Bureau of Air Quality Management, Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL 32301.

[40 FR 18169, Apr. 25, 1975]

Editorial Note: For Federal Register citations affecting §60.4 see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 60.5 Determination of construction or modification.

- (a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.
- (b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

[40 FR 58418, Dec. 16, 1975]

§ 60.6 Review of plans.

- (a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.
- (b)
- (1) A separate request shall be submitted for each construction or modification project.
- (2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.
- (c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974]

§ 60.7 Notification and record keeping.

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- (a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:
- (1) A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
 - (2) [Reserved]
 - (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
 - (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
 - (5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with §60.13(c). Notification shall be postmarked not less than 30 days prior to such date.
 - (6) A notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.
 - (7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by §60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.
- (b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- (c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:
- (1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
 - (2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - (3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - (4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- (d) The summary report form shall contain the information and be in the format shown in figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.
- (1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in §60.7(c) need not be submitted unless requested by the Administrator.
 - (2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating

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time for the reporting period, the summary report form and the excess emission report described in §60.7(c) shall both be submitted.

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Figure 1—Summary Report—Gaseous and Opacity Excess Emission and Monitoring System Performance

Pollutant (Circle One—SO₂/NO_x/TRS/H₂S/CO/Opacity)

Reporting period dates: From _____ to _____

Company: _____

Emission Limitation _____

Address: _____

Monitor Manufacturer and Model No. _____

Date of Latest CMS Certification or Audit _____

Process Unit(s) Description: _____

Total source operating time in reporting period¹ _____

Emission data summary ¹		CMS performance summary ¹	
1. Duration of excess emissions in reporting period due to:		1. CMS downtime in reporting period due to:	
a. Startup/shutdown		a. Monitor equipment malfunctions	
b. Control equipment problems		b. Non-Monitor equipment malfunctions	
c. Process problems		c. Quality assurance calibration	
d. Other known causes		d. Other known causes	
e. Unknown causes		e. Unknown causes	
2. Total duration of excess emission		2. Total CMS Downtime	
3. Total duration of excess emissions × (100) [Total source operating time]	% ²	3. [Total CMS Downtime] × (100) [Total source operating time]	% ²

¹For opacity, record all times in minutes. For gases, record all times in hours.

²For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in §60.7(c) shall be submitted.

On a separate page, describe any changes since last quarter in CMS, process or controls. I certify that the information contained in this report is true, accurate, and complete.

Name

Signature

Title

Date

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- (e)
- (1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:
 - (i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;
 - (ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and
 - (iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.
 - (2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.
 - (3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.
- (f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:
- (1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.
 - (2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.
 - (3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated

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authority determines these records are required to more accurately assess the compliance status of the affected source.

- (g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.
- (h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[36 FR 24877, Dec. 28, 1971, as amended at 40 FR 46254, Oct. 6, 1975; 40 FR 58418, Dec. 16, 1975; 45 FR 5617, Jan. 23, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 52 FR 9781, Mar. 26, 1987; 55 FR 51382, Dec. 13, 1990; 59 FR 12428, Mar. 16, 1994; 59 FR 47265, Sep. 15, 1994; 64 FR 7463, Feb. 12, 1999]

§ 60.8 Performance tests.

- (a) Except as specified in paragraphs (a)(1), (a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
 - (1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.
 - (2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.
 - (3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.
 - (4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
- (c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
- (d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational

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problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

- (e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:
- (1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
 - (2) Safe sampling platform(s).
 - (3) Safe access to sampling platform(s).
 - (4) Utilities for sampling and testing equipment.
- (f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train; extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974; 42 FR 57126, Nov. 1, 1977; 44 FR 33612, June 11, 1979; 54 FR 6662, Feb. 14, 1989; 54 FR 21344, May 17, 1989; 64 FR 7463, Feb. 12, 1999; 72 FR 27442, May 16, 2007]

§ 60.9 Availability of information.

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter. (Information submitted voluntarily to the Administrator for the purposes of §§60.5 and 60.6 is governed by §§2.201 through 2.213 of this chapter and not by §2.301 of this chapter.)

§ 60.10 State authority.

The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from:

- (a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.
- (b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.

§ 60.11 Compliance with standards and maintenance requirements.

- (a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by §60.8, unless otherwise specified in the applicable standard.
- (b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
- (c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
- (d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

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(e)

- (1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in §60.8 unless one of the following conditions apply. If no performance test under §60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under §60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in §60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under §60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.
- (2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under §60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.
- (3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in §60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.
- (4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by §60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and §60.8 performance test results.
- (5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under §60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under §60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under §60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under §60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under §60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in §60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

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- (6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by §60.8, the opacity observation results and observer certification required by §60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by §60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with §60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.
 - (7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.
 - (8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in the Federal Register.
- (f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.
- (g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[38 FR 28565, Oct. 15, 1973, as amended at 39 FR 39873, Nov. 12, 1974; 43 FR 8800, Mar. 3, 1978; 45 FR 23379, Apr. 4, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 51 FR 1790, Jan. 15, 1986; 52 FR 9781, Mar. 26, 1987; 62 FR 8328, Feb. 24, 1997; 65 FR 61749, Oct. 17, 2000]

§ 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[39 FR 9314, Mar. 8, 1974]

§ 60.13 Monitoring requirements.

- (a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.
- (b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under §60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.
- (c) If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under §60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under §60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under §60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

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- (1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under §60.8 and as described in §60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under §60.8 is conducted.
 - (2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.
- (d)
- (1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span must, as a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part, must automatically, intrinsic to the opacity monitor, check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and upscale calibration materials is as defined in the applicable version of PS-1 in appendix B of this part. For a COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.
 - (2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.
- (e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:
- (1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.
 - (2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.
- (f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.
- (g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.
- (h)
- (1) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in §60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

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- (2) For continuous monitoring systems other than opacity, 1-hour averages shall be computed as follows, except that the provisions pertaining to the validation of partial operating hours are only applicable for affected facilities that are required by the applicable subpart to include partial hours in the emission calculations:
- (i) Except as provided under paragraph (h)(2)(iii) of this section, for a full operating hour (any clock hour with 60 minutes of unit operation), at least four valid data points are required to calculate the hourly average, *i.e.*, one data point in each of the 15-minute quadrants of the hour.
 - (ii) Except as provided under paragraph (h)(2)(iii) of this section, for a partial operating hour (any clock hour with less than 60 minutes of unit operation), at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.
 - (iii) For any operating hour in which required maintenance or quality-assurance activities are performed:
 - (A) If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at least 15 minutes, is required to calculate the hourly average; or
 - (B) If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.
 - (iv) If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of paragraph (h)(2)(iii) of this section are met, based solely on valid data recorded after the successful calibration.
 - (v) For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.
 - (vi) Except as provided under paragraph (h)(2)(vii) of this section, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.
 - (vii) Owners and operators complying with the requirements of §60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.
 - (viii) When specified in an applicable subpart, hourly averages for certain partial operating hours shall not be computed or included in the emission averages (*e.g.* hours with < 30 minutes of unit operation under §60.47b(d)).
 - (ix) Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (*e.g.*, ppm pollutant and percent O₂ or ng/J of pollutant).
- (3) All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in the applicable subpart. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.
- (i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:
 - (1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.
 - (2) Alternative monitoring requirements when the affected facility is infrequently operated.
 - (3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.
 - (4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.
 - (5) Alternative methods of converting pollutant concentration measurements to units of the standards.
 - (6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.
 - (7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

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- (8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.
- (9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.
- (j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:
- (1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in §60.8 of this subpart or other tests performed following the criteria in §60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).
- (2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., §60.45(g) (2) and (3), §60.73(e), and §60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

[40 FR 46255, Oct. 6, 1975; 40 FR 59205, Dec. 22, 1975, as amended at 41 FR 35185, Aug. 20, 1976; 48 FR 13326, Mar. 30, 1983; 48 FR 23610, May 25, 1983; 48 FR 32986, July 20, 1983; 52 FR 9782, Mar. 26, 1987; 52 FR 17555, May 11, 1987; 52 FR 21007, June 4, 1987; 64 FR 7463, Feb. 12, 1999; 65 FR 48920, Aug. 10, 2000; 65 FR 61749, Oct. 17, 2000; 66 FR 44980, Aug. 27, 2001; 71 FR 31102, June 1, 2006; 72 FR 32714, June 13, 2007]

Editorial Note: At 65 FR 61749, Oct. 17, 2000, §60.13 was amended by revising the words "ng/J of pollutant" to read "ng of pollutant per J of heat input" in the sixth sentence of paragraph (h). However, the amendment could not be incorporated because the words "ng/J of pollutant" do not exist in the sixth sentence of paragraph (h).

§ 60.14 Modification.

- (a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.
- (b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

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- (1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP-42, or other emission factors determined by the Administrator to be superior to AP-42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.
- (2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.
- (c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.
- (d) [Reserved]
- (e) The following shall not, by themselves, be considered modifications under this part:
 - (1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and §60.15.
 - (2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.
 - (3) An increase in the hours of operation.
 - (4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by §60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.
 - (5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.
 - (6) The relocation or change in ownership of an existing facility.
- (f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.
- (g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.
- (h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.
- (i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.
- (j)
 - (1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any

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pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.

- (2) This exemption shall not apply to any new unit that:
- (i) Is designated as a replacement for an existing unit;
 - (ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and
 - (iii) Is located at a different site than the existing unit.
- (k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration project*, for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.
- (l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

[40 FR 58419, Dec. 16, 1975, as amended at 43 FR 34347, Aug. 3, 1978; 45 FR 5617, Jan. 23, 1980; 57 FR 32339, July 21, 1992; 65 FR 61750, Oct. 17, 2000]

§ 60.15 Reconstruction.

- (a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.
- (b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:
- (1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility; and
 - (2) It is technologically and economically feasible to meet the applicable standards set forth in this part.
- (c) "Fixed capital cost" means the capital needed to provide all the depreciable components.
- (d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:
- (1) Name and address of the owner or operator.
 - (2) The location of the existing facility.
 - (3) A brief description of the existing facility and the components which are to be replaced.
 - (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
 - (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.
 - (6) The estimated life of the existing facility after the replacements.
 - (7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.
- (e) The Administrator will determine, within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.
- (f) The Administrator's determination under paragraph (e) shall be based on:
- (1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;
 - (2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;
 - (3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

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- (4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.
- (g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[40 FR 58420, Dec. 16, 1975]

§ 60.16 Priority list.

A list of prioritized major source categories may be found at the following EPA web site:

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div6&view=text&node=40:6.0.1.1.1.1&idno=40>

§ 60.17 Incorporations by reference.

The materials listed below are incorporated by reference in the corresponding sections noted. These incorporations by reference were approved by the Director of the Federal Register on the date listed. These materials are incorporated as they exist on the date of the approval, and a notice of any change in these materials will be published in the Federal Register. The materials are available for purchase at the corresponding address noted below, and all are available for inspection at the Library (C267-01), U.S. EPA, Research Triangle Park, NC or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

- (a) The following materials are available for purchase from at least one of the following addresses: American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, Post Office Box C700, West Conshohocken, PA 19428-2959; or ProQuest, 300 North Zeeb Road, Ann Arbor, MI 48106.
- (1) ASTM A99-76, 82 (Reapproved 1987), Standard Specification for Ferromanganese, incorporation by reference (IBR) approved for §60.261.
 - (2) ASTM A100-69, 74, 93, Standard Specification for Ferrosilicon, IBR approved for §60.261.
 - (3) ASTM A101-73, 93, Standard Specification for Ferrochromium, IBR approved for §60.261.
 - (4) ASTM A482-76, 93, Standard Specification for Ferrochromesilicon, IBR approved for §60.261.
 - (5) ASTM A483-64, 74 (Reapproved 1988), Standard Specification for Silicomanganese, IBR approved for §60.261.
 - (6) ASTM A495-76, 94, Standard Specification for Calcium-Silicon and Calcium Manganese-Silicon, IBR approved for §60.261.
 - (7) ASTM D86-78, 82, 90, 93, 95, 96, Distillation of Petroleum Products, IBR approved for §§60.562-2(d), 60.593(d), 60.593a(d), and 60.633(h).
 - (8) ASTM D129-64, 78, 95, 00, Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §§60.106(j)(2), 60.335(b)(10)(i), and Appendix A: Method 19, 12.5.2.2.3.
 - (9) ASTM D129-00 (Reapproved 2005), Standard Test Method for Sulfur in Petroleum Products (General Bomb Method), IBR approved for §60.4415(a)(1)(i).
 - (10) ASTM D240-76, 92, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, IBR approved for §§60.46(c), 60.296(b), and Appendix A: Method 19, Section 12.5.2.2.3.
 - (11) ASTM D270-65, 75, Standard Method of Sampling Petroleum and Petroleum Products, IBR approved for Appendix A: Method 19, Section 12.5.2.2.1.
 - (12) ASTM D323-82, 94, Test Method for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for §§60.111(l), 60.111a(g), 60.111b(g), and 60.116b(f)(2)(ii).
 - (13) ASTM D388-77, 90, 91, 95, 98a, 99 (Reapproved 2004)^{e1}, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.24(h)(8), 60.41 of subpart D of this part, 60.45(f)(4)(i), 60.45(f)(4)(ii), 60.45(f)(4)(vi), 60.41Da of subpart Da of this part, 60.41b of subpart Db of this part, 60.41c of subpart Dc of this part, and 60.4102.
 - (14) ASTM D388-77, 90, 91, 95, 98a, Standard Specification for Classification of Coals by Rank, IBR approved for §§60.251(b) and (c) of subpart Y of this part.

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- (15) ASTM D396–78, 89, 90, 92, 96, 98, Standard Specification for Fuel Oils, IBR approved for §§60.41b of subpart Db of this part, 60.41c of subpart Dc of this part, 60.111(b) of subpart K of this part, and 60.111a(b) of subpart Ka of this part.
- (16) ASTM D975–78, 96, 98a, Standard Specification for Diesel Fuel Oils, IBR approved for §§60.111(b) of subpart K of this part and 60.111a(b) of subpart Ka of this part.
- (17) ASTM D1072–80, 90 (Reapproved 1994), Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for §60.335(b)(10)(ii).
- (18) ASTM D1072–90 (Reapproved 1999), Standard Test Method for Total Sulfur in Fuel Gases, IBR approved for §60.4415(a)(1)(ii).
- (19) ASTM D1137–53, 75, Standard Method for Analysis of Natural Gases and Related Types of Gaseous Mixtures by the Mass Spectrometer, IBR approved for §60.45(f)(5)(i).
- (20) ASTM D1193–77, 91, Standard Specification for Reagent Water, IBR approved for Appendix A: Method 5, Section 7.1.3; Method 5E, Section 7.2.1; Method 5F, Section 7.2.1; Method 6, Section 7.1.1; Method 7, Section 7.1.1; Method 7C, Section 7.1.1; Method 7D, Section 7.1.1; Method 10A, Section 7.1.1; Method 11, Section 7.1.3; Method 12, Section 7.1.3; Method 13A, Section 7.1.2; Method 26, Section 7.1.2; Method 26A, Section 7.1.2; and Method 29, Section 7.2.2.
- (21) ASTM D1266–87, 91, 98, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §§60.106(j)(2) and 60.335(b)(10)(i).
- (22) ASTM D1266–98 (Reapproved 2003)e1, Standard Test Method for Sulfur in Petroleum Products (Lamp Method), IBR approved for §60.4415(a)(1)(i).
- (23) ASTM D1475–60 (Reapproved 1980), 90, Standard Test Method for Density of Paint, Varnish Lacquer, and Related Products, IBR approved for §60.435(d)(1), Appendix A: Method 24, Section 6.1; and Method 24A, Sections 6.5 and 7.1.
- (24) ASTM D1552–83, 95, 01, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §§60.106(j)(2), 60.335(b)(10)(i), and Appendix A: Method 19, Section 12.5.2.2.3.
- (25) ASTM D1552–03, Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method), IBR approved for §60.4415(a)(1)(i).
- (26) ASTM D1826–77, 94, Standard Test Method for Calorific Value of Gases in Natural Gas Range by Continuous Recording Calorimeter, IBR approved for §§60.45(f)(5)(ii), 60.46(c)(2), 60.296(b)(3), and Appendix A: Method 19, Section 12.3.2.4.
- (27) ASTM D1835–87, 91, 97, 03a, Standard Specification for Liquefied Petroleum (LP) Gases, IBR approved for §§60.41Da of subpart Da of this part, 60.41b of subpart Db of this part, and 60.41c of subpart Dc of this part.
- (28) ASTM D1945–64, 76, 91, 96, Standard Method for Analysis of Natural Gas by Gas Chromatography, IBR approved for §60.45(f)(5)(i).
- (29) ASTM D1946–77, 90 (Reapproved 1994), Standard Method for Analysis of Reformed Gas by Gas Chromatography, IBR approved for §§60.18(f)(3), 60.45(f)(5)(i), 60.564(f)(1), 60.614(e)(2)(ii), 60.614(e)(4), 60.664(e)(2)(ii), 60.664(e)(4), 60.704(d)(2)(ii), and 60.704(d)(4).
- (30) ASTM D2013–72, 86, Standard Method of Preparing Coal Samples for Analysis, IBR approved for Appendix A: Method 19, Section 12.5.2.1.3.
- (31) ASTM D2015–77 (Reapproved 1978), 96, Standard Test Method for Gross Calorific Value of Solid Fuel by the Adiabatic Bomb Calorimeter, IBR approved for §60.45(f)(5)(ii), 60.46(c)(2), and Appendix A: Method 19, Section 12.5.2.1.3.
- (32) ASTM D2016–74, 83, Standard Test Methods for Moisture Content of Wood, IBR approved for Appendix A: Method 28, Section 16.1.1.
- (33) ASTM D2234–76, 96, 97b, 98, Standard Methods for Collection of a Gross Sample of Coal, IBR approved for Appendix A: Method 19, Section 12.5.2.1.1.

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- (34) ASTM D2369–81, 87, 90, 92, 93, 95, Standard Test Method for Volatile Content of Coatings, IBR approved for Appendix A: Method 24, Section 6.2.
- (35) ASTM D2382–76, 88, Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High-Precision Method), IBR approved for §§60.18(f)(3), 60.485(g)(6), 60.485a(g)(6), 60.564(f)(3), 60.614(e)(4), 60.664(e)(4), and 60.704(d)(4).
- (36) ASTM D2504–67, 77, 88 (Reapproved 1993), Noncondensable Gases in C3 and Lighter Hydrocarbon Products by Gas Chromatography, IBR approved for §§60.485(g)(5) and 60.485a(g)(5).
- (37) ASTM D2584–68 (Reapproved 1985), 94, Standard Test Method for Ignition Loss of Cured Reinforced Resins, IBR approved for §60.685(c)(3)(i).
- (38) ASTM D2597–94 (Reapproved 1999), Standard Test Method for Analysis of Demethanized Hydrocarbon Liquid Mixtures Containing Nitrogen and Carbon Dioxide by Gas Chromatography, IBR approved for §60.335(b)(9)(i).
- (39) ASTM D2622–87, 94, 98, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §§60.106(j)(2) and 60.335(b)(10)(i).
- (40) ASTM D2622–05, Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §60.4415(a)(1)(i).
- (41) ASTM D2879–83, 96, 97, Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, IBR approved for §§60.111b(f)(3), 60.116b(e)(3)(ii), 60.116b(f)(2)(i), 60.485(e)(1), and 60.485a(e)(1).
- (42) ASTM D2880–78, 96, Standard Specification for Gas Turbine Fuel Oils, IBR approved for §§60.111(b), 60.111a(b), and 60.335(d).
- (43) ASTM D2908–74, 91, Standard Practice for Measuring Volatile Organic Matter in Water by Aqueous-Injection Gas Chromatography, IBR approved for §60.564(j).
- (44) ASTM D2986–71, 78, 95a, Standard Method for Evaluation of Air, Assay Media by the Monodisperse DOP (Dioctyl Phthalate) Smoke Test, IBR approved for Appendix A: Method 5, Section 7.1.1.1; Method 12, Section 7.1.1.1; and Method 13A, Section 7.1.1.2.
- (45) ASTM D3173–73, 87, Standard Test Method for Moisture in the Analysis Sample of Coal and Coke, IBR approved for Appendix A: Method 19, Section 12.5.2.1.3.
- (46) ASTM D3176–74, 89, Standard Method for Ultimate Analysis of Coal and Coke, IBR approved for §60.45(f)(5)(i) and Appendix A: Method 19, Section 12.3.2.3.
- (47) ASTM D3177–75, 89, Standard Test Method for Total Sulfur in the Analysis Sample of Coal and Coke, IBR approved for Appendix A: Method 19, Section 12.5.2.1.3.
- (48) ASTM D3178–73 (Reapproved 1979), 89, Standard Test Methods for Carbon and Hydrogen in the Analysis Sample of Coal and Coke, IBR approved for §60.45(f)(5)(i).
- (49) ASTM D3246–81, 92, 96, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for §60.335(b)(10)(ii).
- (50) ASTM D3246–05, Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry, IBR approved for §60.4415(a)(1)(ii).
- (51) ASTM D3270–73T, 80, 91, 95, Standard Test Methods for Analysis for Fluoride Content of the Atmosphere and Plant Tissues (Semiautomated Method), IBR approved for Appendix A: Method 13A, Section 16.1.
- (52) ASTM D3286–85, 96, Standard Test Method for Gross Calorific Value of Coal and Coke by the Isoperibol Bomb Calorimeter, IBR approved for Appendix A: Method 19, Section 12.5.2.1.3.
- (53) ASTM D3370–76, 95a, Standard Practices for Sampling Water, IBR approved for §60.564(j).
- (54) ASTM D3792–79, 91, Standard Test Method for Water Content of Water-Reducible Paints by Direct Injection into a Gas Chromatograph, IBR approved for Appendix A: Method 24, Section 6.3.
- (55) ASTM D4017–81, 90, 96a, Standard Test Method for Water in Paints and Paint Materials by the Karl Fischer Titration Method, IBR approved for Appendix A: Method 24, Section 6.4.

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- (56) ASTM D4057–81, 95, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for Appendix A: Method 19, Section 12.5.2.2.3.
- (57) ASTM D4057–95 (Reapproved 2000), Standard Practice for Manual Sampling of Petroleum and Petroleum Products, IBR approved for §60.4415(a)(1).
- (58) ASTM D4084–82, 94, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for §60.334(h)(1).
- (59) ASTM D4084–05, Standard Test Method for Analysis of Hydrogen Sulfide in Gaseous Fuels (Lead Acetate Reaction Rate Method), IBR approved for §§60.4360 and 60.4415(a)(1)(ii).
- (60) ASTM D4177–95, Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, IBR approved for Appendix A: Method 19, Section 12.5.2.2.1.
- (61) ASTM D4177–95 (Reapproved 2000), Standard Practice for Automatic Sampling of Petroleum and Petroleum Products, IBR approved for §60.4415(a)(1).
- (62) ASTM D4239–85, 94, 97, Standard Test Methods for Sulfur in the Analysis Sample of Coal and Coke Using High Temperature Tube Furnace Combustion Methods, IBR approved for Appendix A: Method 19, Section 12.5.2.1.3.
- (63) ASTM D4294–02, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §60.335(b)(10)(i).
- (64) ASTM D4294–03, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, IBR approved for §60.4415(a)(1)(i).
- (65) ASTM D4442–84, 92, Standard Test Methods for Direct Moisture Content Measurement in Wood and Wood-base Materials, IBR approved for Appendix A: Method 28, Section 16.1.1.
- (66) ASTM D4444–92, Standard Test Methods for Use and Calibration of Hand-Held Moisture Meters, IBR approved for Appendix A: Method 28, Section 16.1.1.
- (67) ASTM D4457–85 (Reapproved 1991), Test Method for Determination of Dichloromethane and 1, 1, 1-Trichloroethane in Paints and Coatings by Direct Injection into a Gas Chromatograph, IBR approved for Appendix A: Method 24, Section 6.5.
- (68) ASTM D4468–85 (Reapproved 2000), Standard Test Method for Total Sulfur in Gaseous Fuels by Hydrogenolysis and Rateometric Colorimetry, IBR approved for §§60.335(b)(10)(ii) and 60.4415(a)(1)(ii).
- (69) ASTM D4629–02, Standard Test Method for Trace Nitrogen in Liquid Petroleum Hydrocarbons by Syringe/Inlet Oxidative Combustion and Chemiluminescence Detection, IBR approved for §§60.49b(e) and 60.335(b)(9)(i).
- (70) ASTM D4809–95, Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter (Precision Method), IBR approved for §§60.18(f)(3), 60.485(g)(6), 60.485a(g)(6), 60.564(f)(3), 60.614(d)(4), 60.664(e)(4), and 60.704(d)(4).
- (71) ASTM D4810–88 (Reapproved 1999), Standard Test Method for Hydrogen Sulfide in Natural Gas Using Length of Stain Detector Tubes, IBR approved for §§60.4360 and 60.4415(a)(1)(ii).
- (72) ASTM D5287–97 (Reapproved 2002), Standard Practice for Automatic Sampling of Gaseous Fuels, IBR approved for §60.4415(a)(1).
- (73) ASTM D5403–93, Standard Test Methods for Volatile Content of Radiation Curable Materials, IBR approved for Appendix A: Method 24, Section 6.6.
- (74) ASTM D5453–00, Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence, IBR approved for §60.335(b)(10)(i).
- (75) ASTM D5453–05, Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Motor Fuels and Oils by Ultraviolet Fluorescence, IBR approved for §60.4415(a)(1)(i).
- (76) ASTM D5504–01, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Chemiluminescence, IBR approved for §§60.334(h)(1) and 60.4360.
- (77) ASTM D5762–02, Standard Test Method for Nitrogen in Petroleum and Petroleum Products by Boat-Inlet Chemiluminescence, IBR approved for §60.335(b)(9)(i).

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- (78) ASTM D5865-98, Standard Test Method for Gross Calorific Value of Coal and Coke, IBR approved for §60.45(f)(5)(ii), 60.46(c)(2), and Appendix A: Method 19, Section 12.5.2.1.3.
- (79) ASTM D6216-98, Standard Practice for Opacity Monitor Manufacturers to Certify Conformance with Design and Performance Specifications, IBR approved for Appendix B, Performance Specification 1.
- (80) ASTM D6228-98, Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Flame Photometric Detection, IBR approved for §60.334(h)(1).
- (81) ASTM D6228-98 (Reapproved 2003), Standard Test Method for Determination of Sulfur Compounds in Natural Gas and Gaseous Fuels by Gas Chromatography and Flame Photometric Detection, IBR approved for §§60.4360 and 60.4415.
- (82) ASTM D6348-03, Standard Test Method for Determination of Gaseous Compounds by Extractive Direct Interface Fourier Transform Infrared (FTIR) Spectroscopy, IBR approved for table 7 of Subpart IIII of this part and table 2 of subpart JJJJ of this part.
- (83) ASTM D6366-99, Standard Test Method for Total Trace Nitrogen and Its Derivatives in Liquid Aromatic Hydrocarbons by Oxidative Combustion and Electrochemical Detection, IBR approved for §60.335(b)(9)(i).
- (84) ASTM D6420-99 (Reapproved 2004) Standard Test Method for Determination of Gaseous Organic Compounds by Direct Interface Gas Chromatography-Mass Spectrometry, IBR approved for table 2 of subpart JJJJ of this part.
- (85) ASTM D6522-00, Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for §60.335(a).
- (86) ASTM D6522-00 (Reapproved 2005), Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers, and Process Heaters Using Portable Analyzers, IBR approved for table 2 of subpart JJJJ of this part.
- (87) ASTM D6667-01, Standard Test Method for Determination of Total Volatile Sulfur in Gaseous Hydrocarbons and Liquefied Petroleum Gases by Ultraviolet Fluorescence, IBR approved for §60.335(b)(10)(ii).
- (88) ASTM D6667-04, Standard Test Method for Determination of Total Volatile Sulfur in Gaseous Hydrocarbons and Liquefied Petroleum Gases by Ultraviolet Fluorescence, IBR approved for §60.4415(a)(1)(ii).
- (89) ASTM D6784-02, Standard Test Method for Elemental, Oxidized, Particle-Bound and Total Mercury in Flue Gas Generated from Coal-Fired Stationary Sources (Ontario Hydro Method), IBR approved for Appendix B to part 60, Performance Specification 12A, Section 8.6.2.
- (90) ASTM E168-67, 77, 92, General Techniques of Infrared Quantitative Analysis, IBR approved for §§60.485a(d)(1), 60.593(b)(2), 60.593a(b)(2), and 60.632(f).
- (91) ASTM E169-63, 77, 93, General Techniques of Ultraviolet Quantitative Analysis, IBR approved for §§60.485a(d)(1), 60.593(b)(2), 60.593a(b)(2), and 60.632(f).
- (92) ASTM E260-73, 91, 96, General Gas Chromatography Procedures, IBR approved for §§60.485a(d)(1), 60.593(b)(2), 60.593a(b)(2), and 60.632(f).
- (b) The following material is available for purchase from the Association of Official Analytical Chemists, 1111 North 19th Street, Suite 210, Arlington, VA 22209.
 - (1) AOAC Method 9, Official Methods of Analysis of the Association of Official Analytical Chemists, 11th edition, 1970, pp. 11-12, IBR approved January 27, 1983 for §§60.204(b)(3), 60.214(b)(3), 60.224(b)(3), 60.234(b)(3).
- (c) The following material is available for purchase from the American Petroleum Institute, 1220 L Street NW., Washington, DC 20005.
 - (1) API Publication 2517, Evaporation Loss from External Floating Roof Tanks, Second Edition, February 1980, IBR approved January 27, 1983, for §§60.111(i), 60.111a(f), 60.111a(f)(1) and 60.116b(e)(2)(i).
- (d) The following material is available for purchase from the Technical Association of the Pulp and Paper Industry (TAPPI), Dunwoody Park, Atlanta, GA 30341.
 - (1) TAPPI Method T624 os-68, IBR approved January 27, 1983 for §60.285(d)(3).

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- (e) The following material is available for purchase from the Water Pollution Control Federation (WPCF), 2626 Pennsylvania Avenue NW., Washington, DC 20037.
 - (1) Method 209A, Total Residue Dried at 103–105 °C, in Standard Methods for the Examination of Water and Wastewater, 15th Edition, 1980, IBR approved February 25, 1985 for §60.683(b).
- (f) The following material is available for purchase from the following address: Underwriter's Laboratories, Inc. (UL), 333 Pfingsten Road, Northbrook, IL 60062.
 - (1) UL 103, Sixth Edition revised as of September 3, 1986, Standard for Chimneys, Factory-built, Residential Type and Building Heating Appliance.
- (g) The following material is available for purchase from the following address: West Coast Lumber Inspection Bureau, 6980 SW. Barnes Road, Portland, OR 97223.
 - (1) West Coast Lumber Standard Grading Rules No. 16, pages 5–21 and 90 and 91, September 3, 1970, revised 1984.
- (h) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016–5990.
 - (1) ASME QRO–1–1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators, IBR approved for §§60.56a, 60.54b(a), 60.54b(b), 60.1185(a), 60.1185(c)(2), 60.1675(a), and 60.1675(c)(2).
 - (2) ASME PTC 4.1–1964 (Reaffirmed 1991), Power Test Codes: Test Code for Steam Generating Units (with 1968 and 1969 Addenda), IBR approved for §§60.46b of subpart Db of this part, 60.58a(h)(6)(ii), 60.58b(i)(6)(ii), 60.1320(a)(3) and 60.1810(a)(3).
 - (3) ASME Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th Edition (1971), IBR approved for §§60.58a(h)(6)(ii), 60.58b(i)(6)(ii), 60.1320(a)(4), and 60.1810(a)(4).
 - (4) ANSI/ASME PTC 19.10–1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], IBR approved for Tables 1 and 3 of subpart EEEE, Tables 2 and 4 of subpart FFFF, Table 2 of subpart JJJJ, and §§60.4415(a)(2) and 60.4415(a)(3) of subpart KKKK of this part.
- (i) Test Methods for Evaluating Solid Waste, Physical/Chemical Methods,” EPA Publication SW–846 Third Edition (November 1986), as amended by Updates I (July 1992), II (September 1994), IIA (August, 1993), IIB (January 1995), and III (December 1996). This document may be obtained from the U.S. EPA, Office of Solid Waste and Emergency Response, Waste Characterization Branch, Washington, DC 20460, and is incorporated by reference for appendix A to part 60, Method 29, Sections 7.5.34; 9.2.1; 9.2.3; 10.2; 10.3; 11.1.1; 11.1.3; 13.2.1; 13.2.2; 13.3.1; and Table 29–3.
- (j) “Standard Methods for the Examination of Water and Wastewater,” 16th edition, 1985. Method 303F: “Determination of Mercury by the Cold Vapor Technique.” This document may be obtained from the American Public Health Association, 1015 18th Street, NW., Washington, DC 20036, and is incorporated by reference for appendix A to part 60, Method 29, Sections 9.2.3; 10.3; and 11.1.3.
- (k) This material is available for purchase from the American Hospital Association (AHA) Service, Inc., Post Office Box 92683, Chicago, Illinois 60675–2683. You may inspect a copy at EPA's Air and Radiation Docket and Information Center (Docket A–91–61, Item IV–J–124), Room M–1500, 1200 Pennsylvania Ave., NW., Washington, DC.
 - (1) An Ounce of Prevention: Waste Reduction Strategies for Health Care Facilities. American Society for Health Care Environmental Services of the American Hospital Association. Chicago, Illinois. 1993. AHA Catalog No. 057007. ISBN 0–87258–673–5. IBR approved for §60.35e and §60.55c.
- (l) This material is available for purchase from the National Technical Information Services, 5285 Port Royal Road, Springfield, Virginia 22161. You may inspect a copy at EPA's Air and Radiation Docket and Information Center (Docket A–91–61, Item IV–J–125), Room M–1500, 1200 Pennsylvania Ave., NW., Washington, DC.
 - (1) OMB Bulletin No. 93–17: Revised Statistical Definitions for Metropolitan Areas. Office of Management and Budget, June 30, 1993. NTIS No. PB 93–192–664. IBR approved for §60.31e.
- (m) This material is available for purchase from at least one of the following addresses: The Gas Processors Association, 6526 East 60th Street, Tulsa, OK, 74145; or Information Handling Services, 15 Inverness Way East, PO Box 1154, Englewood, CO 80150–1154. You may inspect a copy at EPA's Air and Radiation Docket and Information Center, Room B108, 1301 Constitution Ave., NW., Washington, DC 20460.

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- (1) Gas Processors Association Method 2377-86, Test for Hydrogen Sulfide and Carbon Dioxide in Natural Gas Using Length of Stain Tubes, IBR approved for §§60.334(h)(1), 60.4360, and 60.4415(a)(1)(ii).
 - (2) [Reserved]
 - (n) This material is available for purchase from IHS Inc., 15 Inverness Way East, Englewood, CO 80112.
 - (1) International Organization for Standards 8178-4: 1996(E), Reciprocating Internal Combustion Engines—Exhaust Emission Measurement—Part 4: Test Cycles for Different Engine Applications, IBR approved for §60.4241(b).
 - (2) [Reserved]
- [48 FR 3735, Jan. 27, 1983]

Editorial Note: For Federal Register citations affecting §60.17, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 60.18 General control device requirements.

- (a) *Introduction.* This section contains requirements for control devices used to comply with applicable subparts of parts 60 and 61. The requirements are placed here for administrative convenience and only apply to facilities covered by subparts referring to this section.
- (b) *Flares.* Paragraphs (c) through (f) apply to flares.
- (c)
 - (1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.
 - (2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).
 - (3) An owner/operator has the choice of adhering to either the heat content specifications in paragraph (c)(3)(ii) of this section and the maximum tip velocity specifications in paragraph (c)(4) of this section, or adhering to the requirements in paragraph (c)(3)(i) of this section.
 - (i)
 - (A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, V_{max} , as determined by the following equation:
$$V_{max} = (X_{H_2} - K_1) * K_2$$

Where:
 V_{max} = Maximum permitted velocity, m/sec.
 K_1 = Constant, 6.0 volume-percent hydrogen.
 K_2 = Constant, 3.9(m/sec)/volume-percent hydrogen.
 X_{H_2} = The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77. (Incorporated by reference as specified in §60.17).

 - (B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (f)(4) of this section.
 - (ii) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f)(3) of this section.
 - (4)
 - (i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4) of this section, less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (c)(4) (ii) and (iii) of this section.

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- (ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).
- (iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity, V_{max} , as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.
- (5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{max} , as determined by the method specified in paragraph (f)(6).
- (6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.
- (d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.
- (e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.
- (f)
 - (1) Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.
 - (2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.
 - (3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^n C_i H_i$$

where:

H_T = Net heating value of the sample, MJ/scm; where the net enthalpy per mole of off gas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant} \cdot 1.740 \times 10^{-7} \left(\frac{1}{\text{ppm}} \right) \left(\frac{\text{g mole}}{\text{scm}} \right) \left(\frac{\text{MJ}}{\text{kcal}} \right)$$

where the standard temperature for $\left(\frac{\text{g mole}}{\text{scm}} \right)$ is 20°C;

- C_i = Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77 or 90 (Reapproved 1994) (Incorporated by reference as specified in §60.17); and
- H_i = Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382-76 or 88 or D4809-95 (incorporated by reference as specified in §60.17) if published values are not available or cannot be calculated.
- (4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.
- (5) The maximum permitted velocity, V_{max} , for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation.

$$\text{Log}_{10}(V_{max}) = (H_T + 28.8) / 31.7$$

V_{max} = Maximum permitted velocity, M/sec

28.8 = Constant

31.7 = Constant

H_T = The net heating value as determined in paragraph (f)(3).

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(6) The maximum permitted velocity, V_{\max} , for air-assisted flares shall be determined by the following equation.

$$V_{\max} = 8.706 + 0.7084 (H_T)$$

V_{\max} = Maximum permitted velocity, m/sec

8.706 = Constant

0.7084 = Constant

H_T = The net heating value as determined in paragraph (f)(3).

[51 FR 2701, Jan. 21, 1986, as amended at 63 FR 24444, May 4, 1998; 65 FR 61752, Oct. 17, 2000]

§ 60.19 General notification and reporting requirements.

- (a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.
- (c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (f)
 - (1)
 - (i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.
 - (ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
 - (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or

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deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[59 FR 12428, Mar. 16, 1994, as amended at 64 FR 7463, Feb. 12, 1998]

APPENDIX NSPS SUBPART GG
STANDARDS OF PERFORMANCE FOR STATIONARY GAS TURBINES

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart GG—Standards of Performance for Stationary Gas Turbines

§ 60.330 *Applicability and designation of affected facility.*

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

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after October 3, 1977, is subject to the requirements of this part except as provided in paragraphs (e) and (j) of §60.332.

[44 FR 52798, Sept. 10, 1979, as amended at 52 FR 42434, Nov. 5, 1987; 65 FR 61759, Oct. 17, 2000]

§ 60.331 *Definitions.*

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

(a) *Stationary gas turbine* means any simple cycle gas turbine, regenerative cycle gas turbine or any gas turbine portion of a combined cycle steam/electric generating system that is not self propelled. It may, however, be mounted on a vehicle for portability.

(b) *Simple cycle gas turbine* means any stationary gas turbine which does not recover heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine, or which does not recover heat from the gas turbine exhaust gases to heat water or generate steam.

(c) *Regenerative cycle gas turbine* means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine.

(d) *Combined cycle gas turbine* means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to heat water or generate steam.

(e) *Emergency gas turbine* means any stationary gas turbine which operates as a mechanical or electrical power source only when the primary power source for a facility has been rendered inoperable by an emergency situation.

(f) *Ice fog* means an atmospheric suspension of highly reflective ice crystals.

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

(h) *Efficiency* means the gas turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output based on the lower heating value of the fuel.

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

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

(k) *Fire-fighting turbine* means any stationary gas turbine that is used solely to pump water for extinguishing fires.

(l) *Turbines employed in oil/gas production or oil/gas transportation* means any stationary gas turbine used to provide power to extract crude oil/natural gas from the earth or to move crude oil/natural gas, or products refined from these substances through pipelines.

(m) A *Metropolitan Statistical Area* or *MSA* as defined by the Department of Commerce.

(n) *Offshore platform gas turbines* means any stationary gas turbine located on a platform in an ocean.

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- (o) *Garrison facility* means any permanent military installation.
- (p) *Gas turbine model* means a group of gas turbines having the same nominal air flow, combustor inlet pressure, combustor inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.
- (q) *Electric utility stationary gas turbine* means any stationary gas turbine constructed for the purpose of supplying more than one-third of its potential electric output capacity to any utility power distribution system for sale.
- (r) *Emergency fuel* is a fuel fired by a gas turbine only during circumstances, such as natural gas supply curtailment or breakdown of delivery system, that make it impossible to fire natural gas in the gas turbine.
- (s) *Unit operating hour* means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.
- (t) *Excess emissions* means a specified averaging period over which either:
- (1) The NO_x emissions are higher than the applicable emission limit in §60.332;
 - (2) The total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in §60.333; or
 - (3) The recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.
- (u) *Natural gas* means a naturally occurring fluid mixture of hydrocarbons (e.g. , methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Natural gas contains 20.0 grains or less of total sulfur per 100 standard cubic feet. Equivalents of this in other units are as follows: 0.068 weight percent total sulfur, 680 parts per million by weight (ppmw) total sulfur, and 338 parts per million by volume (ppmv) at 20 degrees Celsius total sulfur. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.
- (v) *Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.
- (w) *Lean premix stationary combustion turbine* means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture for combustion in the combustor. Mixing may occur before or in the combustion chamber. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.
- (x) *Diffusion flame stationary combustion turbine* means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.
- (y) *Unit operating day* means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41359, July 8, 2004]

§ 60.332 Standard for nitrogen oxides.

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

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

$$STD = 0.0075 \frac{(14.4)}{Y} + F$$

where:

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

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

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

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

$$STD = 0.0150 \frac{(14.4)}{Y} + F$$

where:

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

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

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

(3) The use of F in paragraphs (a)(1) and (2) of this section is optional. That is, the owner or operator may choose to apply a NO_x allowance for fuel-bound nitrogen and determine the appropriate F-value in accordance with paragraph (a)(4) of this section or may accept an F-value of zero.

(4) If the owner or operator elects to apply a NO_x emission allowance for fuel-bound nitrogen, F shall be defined according to the nitrogen content of the fuel during the most recent performance test required under §60.8 as follows:

Fuel-bound nitrogen (percent by weight)	F (NO _x percent by volume)
N ≤ .015	0
0.015 < N ≤ 0.1	0.04 (N)
0.1 < N ≤ 0.25	0.004 + 0.0067(N - 0.1)
N > 0.25	0.005

Where:

N = the nitrogen content of the fuel (percent by weight).

or:

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Manufacturers may develop and submit to EPA custom fuel-bound nitrogen allowances for each gas turbine model they manufacture. These fuel-bound nitrogen allowances shall be substantiated with data and must be approved for use by the Administrator before the initial performance test required by §60.8. Notices of approval of custom fuel-bound nitrogen allowances will be published in the Federal Register.

- (b) Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of paragraph (a)(1) of this section.
- (c) Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hour) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired, shall comply with the provisions of paragraph (a)(2) of this section.
- (d) Stationary gas turbines with a manufacturer's rated base load at ISO conditions of 30 megawatts or less except as provided in §60.332(b) shall comply with paragraph (a)(2) of this section.
- (e) Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hour) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired and that have commenced construction prior to October 3, 1982 are exempt from paragraph (a) of this section.
- (f) Stationary gas turbines using water or steam injection for control of NO_x emissions are exempt from paragraph (a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine.
- (g) Emergency gas turbines, military gas turbines for use in other than a garrison facility, military gas turbines installed for use as military training facilities, and fire fighting gas turbines are exempt from paragraph (a) of this section.
- (h) Stationary gas turbines engaged by manufacturers in research and development of equipment for both gas turbine emission control techniques and gas turbine efficiency improvements are exempt from paragraph (a) on a case-by-case basis as determined by the Administrator.
- (i) Exemptions from the requirements of paragraph (a) of this section will be granted on a case-by-case basis as determined by the Administrator in specific geographical areas where mandatory water restrictions are required by governmental agencies because of drought conditions. These exemptions will be allowed only while the mandatory water restrictions are in effect.
- (j) Stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour that commenced construction, modification, or reconstruction between the dates of October 3, 1977, and January 27, 1982, and were required in the September 10, 1979, Federal Register (44 FR 52792) to comply with paragraph (a)(1) of this section, except electric utility stationary gas turbines, are exempt from paragraph (a) of this section.
- (k) Stationary gas turbines with a heat input greater than or equal to 10.7 gigajoules per hour (10 million Btu/hour) when fired with natural gas are exempt from paragraph (a)(2) of this section when being fired with an emergency fuel.
- (l) Regenerative cycle gas turbines with a heat input less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) are exempt from paragraph (a) of this section.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41359, July 8, 2004]

§ 60.333 Standard for sulfur dioxide.

On and after the date on which the performance test required to be conducted by §60.8 is completed, every owner or operator subject to the provision of this subpart shall comply with one or the other of the following conditions:

- (a) No owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis.

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(b) No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw).

[44 FR 52798, Sept. 10, 1979, as amended at 69 FR 41360, July 8, 2004]

§ 60.334 Monitoring of operations.

(a) Except as provided in paragraph (b) of this section, the owner or operator of any stationary gas turbine subject to the provisions of this subpart and using water or steam injection to control NO_x emissions shall install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine.

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

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

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

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

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

(2) As specified in §60.13(e)(2), during each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

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

(i) For each unit operating hour in which a valid hourly average, as described in paragraph (b)(2) of this section, is obtained for both NO_x and diluent, the data acquisition and handling system must calculate and record the hourly NO_x emissions in the units of the applicable NO_x emission standard under §60.332(a), *i.e.*, percent NO_x by volume, dry basis, corrected to 15 percent O₂ and International Organization for Standardization (ISO) standard conditions (if required as given in §60.335(b)(1)). For any hour in which the hourly average O₂ concentration exceeds 19.0 percent O₂, a diluent cap value of 19.0 percent O₂ may be used in the emission calculations.

(ii) A worst case ISO correction factor may be calculated and applied using historical ambient data. For the purpose of this calculation, substitute the maximum humidity of ambient air (H₀), minimum ambient temperature (T_a), and minimum combustor inlet absolute pressure (P₀) into the ISO correction equation.

(iii) If the owner or operator has installed a NO_x CEMS to meet the requirements of part 75 of this chapter, and is continuing to meet the ongoing requirements of part 75 of this chapter, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology provided for at 40 CFR part 75, subpart D, is not required for purposes of identifying excess emissions. Instead, periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in §60.7(c).

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(c) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which does not use steam or water injection to control NO_x emissions, the owner or operator may, but is not required to, for purposes of determining excess emissions, use a CEMS that meets the requirements of paragraph (b) of this section. Also, if the owner or operator has previously submitted and received EPA, State, or local permitting authority approval of a procedure for monitoring compliance with the applicable NO_x emission limit under §60.332, that approved procedure may continue to be used.

(d) The owner or operator of any new turbine constructed after July 8, 2004, and which uses water or steam injection to control NO_x emissions may elect to use either the requirements in paragraph (a) of this section for continuous water or steam to fuel ratio monitoring or may use a NO_xCEMS installed, certified, operated, maintained, and quality-assured as described in paragraph (b) of this section.

(e) The owner or operator of any new turbine that commences construction after July 8, 2004, and which does not use water or steam injection to control NO_x emissions, may, but is not required to, elect to use a NO_xCEMS installed, certified, operated, maintained, and quality-assured as described in paragraph (b) of this section. Other acceptable monitoring approaches include periodic testing approved by EPA or the State or local permitting authority or continuous parameter monitoring as described in paragraph (f) of this section.

(f) The owner or operator of a new turbine that commences construction after July 8, 2004, which does not use water or steam injection to control NO_x emissions may, but is not required to, perform continuous parameter monitoring as follows:

(1) For a diffusion flame turbine without add-on selective catalytic reduction controls (SCR), the owner or operator shall define at least four parameters indicative of the unit's NO_x formation characteristics and shall monitor these parameters continuously.

(2) For any lean premix stationary combustion turbine, the owner or operator shall continuously monitor the appropriate parameters to determine whether the unit is operating in low-NO_x mode.

(3) For any turbine that uses SCR to reduce NO_x emissions, the owner or operator shall continuously monitor appropriate parameters to verify the proper operation of the emission controls.

(4) For affected units that are also regulated under part 75 of this chapter, if the owner or operator elects to monitor NO_x emission rate using the methodology in appendix E to part 75 of this chapter, or the low mass emissions methodology in §75.19 of this chapter, the requirements of this paragraph (f) may be met by performing the parametric monitoring described in section 2.3 of appendix E or in §75.19(c)(1)(iv)(H) of this chapter.

(g) The steam or water to fuel ratio or other parameters that are continuously monitored as described in paragraphs (a), (d) or (f) of this section shall be monitored during the performance test required under §60.8, to establish acceptable values and ranges. The owner or operator may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. The owner or operator shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s) as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations and other relevant information shall be included in the monitoring plan. For affected units that are also subject to part 75 of this chapter and that use the low mass emissions methodology in §75.19 of this chapter or the NO_x emission measurement methodology in appendix E to part 75, the owner or operator may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a quality-assurance plan, as described in §75.19 (e)(5) or in section 2.3 of appendix E and section 1.3.6 of appendix B to part 75 of this chapter.

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

(1) Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in paragraph (h)(3) of this section. The sulfur content of the fuel must be determined using total sulfur methods described in §60.335(b)(10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see §60.17), which measure the major sulfur compounds may be used; and

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(2) Shall monitor the nitrogen content of the fuel combusted in the turbine, if the owner or operator claims an allowance for fuel bound nitrogen (*i.e.*, if an F-value greater than zero is being or will be used by the owner or operator to calculate STD in §60.332). The nitrogen content of the fuel shall be determined using methods described in §60.335(b)(9) or an approved alternative.

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

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

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

(4) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and for which a custom fuel monitoring schedule has previously been approved, the owner or operator may, without submitting a special petition to the Administrator, continue monitoring on this schedule.

(i) The frequency of determining the sulfur and nitrogen content of the fuel shall be as follows:

(1) *Fuel oil.* For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (*i.e.*, flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). If an emission allowance is being claimed for fuel-bound nitrogen, the nitrogen content of the oil shall be determined and recorded once per unit operating day.

(2) *Gaseous fuel.* Any applicable nitrogen content value of the gaseous fuel shall be determined and recorded once per unit operating day. For owners and operators that elect not to demonstrate sulfur content using options in paragraph (h)(3) of this section, and for which the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel shall be determined and recorded once per unit operating day.

(3) *Custom schedules.* Notwithstanding the requirements of paragraph (i)(2) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (i)(3)(i) and (i)(3)(ii) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in §60.333.

(i) The two custom sulfur monitoring schedules set forth in paragraphs (i)(3)(i)(A) through (D) and in paragraph (i)(3)(ii) of this section are acceptable, without prior Administrative approval:

(A) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (i)(3)(i)(B), (C), or (D) of this section, as applicable.

(B) If none of the 30 daily measurements of the fuel's total sulfur content exceeds 0.4 weight percent (4000 ppmw), subsequent sulfur content monitoring may be performed at 12 month intervals. If any of the samples taken at 12-month intervals has a total sulfur content between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), follow the procedures in paragraph (i)(3)(i)(C) of this section. If any measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section.

(C) If at least one of the 30 daily measurements of the fuel's total sulfur content is between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), but none exceeds 0.8 weight percent (8000 ppmw), then:

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(1) Collect and analyze a sample every 30 days for three months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(2) of this section.

(2) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(3) of this section.

(3) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, continue to monitor at this frequency.

(D) If a sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), immediately begin daily monitoring according to paragraph (i)(3)(i)(A) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than 0.8 weight percent (8000 ppmw), are obtained. At that point, the applicable procedures of paragraph (i)(3)(i)(B) or (C) of this section shall be followed.

(ii) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

(A) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf (*i.e.* , the maximum total sulfur content of natural gas as defined in §60.331(u)), no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

(B) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds 0.4 weight percent (4000 ppmw), then the minimum required sampling frequency shall be one sample at 12 month intervals.

(C) If any sample result exceeds 0.4 weight percent sulfur (4000 ppmw), but none exceeds 0.8 weight percent sulfur (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(C) of this section.

(D) If the sulfur content of any of the 720 hourly samples exceeds 0.8 weight percent (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(D) of this section.

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

(1) Nitrogen oxides.

(i) For turbines using water or steam to fuel ratio monitoring:

(A) An excess emission shall be any unit operating hour for which the average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.332, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine shall also be considered an excess emission.

(B) A period of monitor downtime shall be any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.

(C) Each report shall include the average steam or water to fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), gas turbine load, and (if applicable) the nitrogen content of the fuel during each excess emission. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

(ii) If the owner or operator elects to take an emission allowance for fuel bound nitrogen, then excess emissions and periods of monitor downtime are as described in paragraphs (j)(1)(ii)(A) and (B) of this section.

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(A) An excess emission shall be the period of time during which the fuel-bound nitrogen (N) is greater than the value measured during the performance test required in §60.8 and used to determine the allowance. The excess emission begins on the date and hour of the sample which shows that N is greater than the performance test value, and ends with the date and hour of a subsequent sample which shows a fuel nitrogen content less than or equal to the performance test value.

(B) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour that a required sample is taken, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

(iii) For turbines using NO_x and diluent CEMS:

(A) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NO_x concentration exceeds the applicable emission limit in §60.332(a)(1) or (2). For the purposes of this subpart, a "4-hour rolling average NO_x concentration" is the arithmetic average of the average NO_x concentration measured by the CEMS for a given hour (corrected to 15 percent O₂ and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO_x concentrations immediately preceding that unit operating hour.

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

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

(iv) For owners or operators that elect, under paragraph (f) of this section, to monitor combustion parameters or parameters that document proper operation of the NO_x emission controls:

(A) An excess emission shall be a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.

(B) A period of monitor downtime shall be a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

(2) Sulfur dioxide. If the owner or operator is required to monitor the sulfur content of the fuel under paragraph (h) of this section:

(i) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

(ii) If the option to sample each delivery of fuel oil has been selected, the owner or operator shall immediately switch to one of the other oil sampling options (*i.e.* , daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The owner or operator shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to paragraph (j)(2)(i) of this section. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option.

(iii) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

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

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(4) *Emergency fuel.* Each period during which an exemption provided in §60.332(k) is in effect shall be included in the report required in §60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported.

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

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41360, July 8, 2004; 71 FR 9457, Feb. 24, 2006]

§ 60.335 Test methods and procedures.

(a) The owner or operator shall conduct the performance tests required in §60.8, using either

(1) EPA Method 20,

(2) ASTM D6522-00 (incorporated by reference, see §60.17), or

(3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to this part, to determine NO_x and diluent concentration.

(4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(5) Notwithstanding paragraph (a)(4) of this section, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the following conditions are met:

(i) You may perform a stratification test for NO_x and diluent pursuant to

(A) [Reserved]

(B) The procedures specified in section 6.5.6.1(a) through (e) appendix A to part 75 of this chapter.

(ii) Once the stratification sampling is completed, the owner or operator may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NO_x concentrations, normalized to 15 percent O₂, is within ±10 percent of the mean normalized concentration for all traverse points, then you may use 3 points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The 3 points shall be located along the measurement line that exhibited the highest average normalized NO_x concentration during the stratification test; or

(B) If each of the individual traverse point NO_x concentrations, normalized to 15 percent O₂, is within ±5 percent of the mean normalized concentration for all traverse points, then you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.

(6) Other acceptable alternative reference methods and procedures are given in paragraph (c) of this section.

(b) The owner or operator shall determine compliance with the applicable nitrogen oxides emission limitation in §60.332 and shall meet the performance test requirements of §60.8 as follows:

(1) For each run of the performance test, the mean nitrogen oxides emission concentration (NO_{xo}) corrected to 15 percent O₂ shall be corrected to ISO standard conditions using the following equation. Notwithstanding this requirement, use of the ISO correction equation is optional for: Lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices:

$$NO_x = (NO_{x_o})(P_r/P_o)^{0.5} e^{19} (H_o - 0.00633)(288^\circ K/T_a)^{1.53}$$

Where:

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NO_x = emission concentration of NO_x at 15 percent O_2 and ISO standard ambient conditions, ppm by volume, dry basis,

NO_{x0} = mean observed NO_x concentration, ppm by volume, dry basis, at 15 percent O_2 ,

P_r = reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, mm Hg,

P_o = observed combustor inlet absolute pressure at test, mm Hg,

H_o = observed humidity of ambient air, g H_2O /g air,

e = transcendental constant, 2.718, and

T_a = ambient temperature, °K.

(2) The 3-run performance test required by §60.8 must be performed within ± 5 percent at 30, 50, 75, and 90-to-100 percent of peak load or at four evenly-spaced load points in the normal operating range of the gas turbine, including the minimum point in the operating range and 90-to-100 percent of peak load, or at the highest achievable load point if 90-to-100 percent of peak load cannot be physically achieved in practice. If the turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel. Notwithstanding these requirements, performance testing is not required for any emergency fuel (as defined in §60.331).

(3) For a combined cycle turbine system with supplemental heat (duct burner), the owner or operator may elect to measure the turbine NO_x emissions after the duct burner rather than directly after the turbine. If the owner or operator elects to use this alternative sampling location, the applicable NO_x emission limit in §60.332 for the combustion turbine must still be met.

(4) If water or steam injection is used to control NO_x with no additional post-combustion NO_x control and the owner or operator chooses to monitor the steam or water to fuel ratio in accordance with §60.334(a), then that monitoring system must be operated concurrently with each EPA Method 20, ASTM D6522-00 (incorporated by reference, see §60.17), or EPA Method 7E run and shall be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.332 NO_x emission limit.

(5) If the owner operator elects to claim an emission allowance for fuel bound nitrogen as described in §60.332, then concurrently with each reference method run, a representative sample of the fuel used shall be collected and analyzed, following the applicable procedures described in §60.335(b)(9). These data shall be used to determine the maximum fuel nitrogen content for which the established water (or steam) to fuel ratio will be valid.

(6) If the owner or operator elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately (as described in paragraph (b)(7) of this section) or as part of the initial performance test of the affected unit.

(7) If the owner or operator elects to install and certify a NO_x CEMS under §60.334(e), then the initial performance test required under §60.8 may be done in the following alternative manner:

(i) Perform a minimum of 9 reference method runs, with a minimum time per run of 21 minutes, at a single load level, between 90 and 100 percent of peak (or the highest physically achievable) load.

(ii) Use the test data both to demonstrate compliance with the applicable NO_x emission limit under §60.332 and to provide the required reference method data for the RATA of the CEMS described under §60.334(b).

(iii) The requirement to test at three additional load levels is waived.

(8) If the owner or operator elects under §60.334(f) to monitor combustion parameters or parameters indicative of proper operation of NO_x emission controls, the appropriate parameters shall be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in §60.334(g).

(9) To determine the fuel bound nitrogen content of fuel being fired (if an emission allowance is claimed for fuel bound nitrogen), the owner or operator may use equipment and procedures meeting the requirements of:

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(i) For liquid fuels, ASTM D2597-94 (Reapproved 1999), D6366-99, D4629-02, D5762-02 (all of which are incorporated by reference, *see* §60.17); or

(ii) For gaseous fuels, shall use analytical methods and procedures that are accurate to within 5 percent of the instrument range and are approved by the Administrator.

(10) If the owner or operator is required under §60.334(i)(1) or (3) to periodically determine the sulfur content of the fuel combusted in the turbine, a minimum of three fuel samples shall be collected during the performance test. Analyze the samples for the total sulfur content of the fuel using:

(i) For liquid fuels, ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference, *see* §60.17); or

(ii) For gaseous fuels, ASTM D1072-80, 90 (Reapproved 1994); D3246-81, 92, 96; D4468-85 (Reapproved 2000); or D6667-01 (all of which are incorporated by reference, *see* §60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the prior approval of the Administrator.

(11) The fuel analyses required under paragraphs (b)(9) and (b)(10) of this section may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) Instead of using the equation in paragraph (b)(1) of this section, manufacturers may develop ambient condition correction factors to adjust the nitrogen oxides emission level measured by the performance test as provided in §60.8 to ISO standard day conditions.

[69 FR 41363, July 8, 2004, as amended at 71 FR 9458, Feb. 24, 2006]

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STANDARDS OF PERFORMANCE FOR STATIONARY COMPRESSION IGNITION INTERNAL
COMBUSTION ENGINES

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

Source: 71 FR 39172, July 11, 2006, unless otherwise noted.

What This Subpart Covers

§ 60.4200 *Am I subject to this subpart?*

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) as specified in paragraphs (a)(1) through (3) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) Manufacturers of stationary CI ICE with a displacement of less than 30 liters per cylinder where the model year is:

(i) 2007 or later, for engines that are not fire pump engines,

(ii) The model year listed in table 3 to this subpart or later model year, for fire pump engines.

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005 where the stationary CI ICE are:

(i) Manufactured after April 1, 2006 and are not fire pump engines, or

(ii) Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006.

(3) Owners and operators of stationary CI ICE that modify or reconstruct their stationary CI ICE after July 11, 2005.

(b) The provisions of this subpart are not applicable to stationary CI ICE being tested at a stationary CI ICE test cell/stand.

(c) If you are an owner or operator of an area source subject to this subpart, you are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart applicable to area sources.

(d) Stationary CI ICE may be eligible for exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C (or the exemptions described in 40 CFR part 89, subpart J and 40 CFR part 94, subpart J, for engines that would need to be certified to standards in those parts), except that owners and operators, as well as manufacturers, may be eligible to request an exemption for national security.

Emission Standards for Manufacturers

§ 60.4201 *What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine manufacturer?*

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 89.112, 40 CFR 89.113, 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same model year and maximum engine power.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 through 2010 model year non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

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(c) Stationary CI internal combustion engine manufacturers must certify their 2011 model year and later non-emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 40 CFR 1039.102, 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, and 40 CFR 1039.115, as applicable, for all pollutants, for the same maximum engine power.

(d) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the certification emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine power.

§ 60.4202 What emission standards must I meet for emergency engines if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section.

(1) For engines with a maximum engine power less than 37 KW (50 HP):

(i) The certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants for model year 2007 engines, and

(ii) The certification emission standards for new nonroad CI engines in 40 CFR 1039.104, 40 CFR 1039.105, 40 CFR 1039.107, 40 CFR 1039.115, and table 2 to this subpart, for 2008 model year and later engines.

(2) For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants beginning in model year 2007.

(b) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power greater than 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (b)(1) through (2) of this section.

(1) For 2007 through 2010 model years, the emission standards in table 1 to this subpart, for all pollutants, for the same maximum engine power.

(2) For 2011 model year and later, the certification emission standards for new nonroad CI engines for engines of the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants.

(c) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines to the certification emission standards for new marine CI engines in 40 CFR 94.8, as applicable, for all pollutants, for the same displacement and maximum engine power.

(d) Beginning with the model years in table 3 to this subpart, stationary CI internal combustion engine manufacturers must certify their fire pump stationary CI ICE to the emission standards in table 4 to this subpart, for all pollutants, for the same model year and NFPA nameplate power.

§ 60.4203 How long must my engines meet the emission standards if I am a stationary CI internal combustion engine manufacturer?

Engines manufactured by stationary CI internal combustion engine manufacturers must meet the emission standards as required in §§60.4201 and 60.4202 during the useful life of the engines.

Emission Standards for Owners and Operators

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§ 60.4204 What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of less than 10 liters per cylinder must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder must comply with the emission standards in 40 CFR 94.8(a)(1).

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in §60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) Owners and operators of non-emergency stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in paragraphs (c)(1) and (2) of this section.

(1) Reduce nitrogen oxides (NO_x) emissions by 90 percent or more, or limit the emissions of NO_x in the stationary CI internal combustion engine exhaust to 1.6 grams per KW-hour (g/KW-hr) (1.2 grams per HP-hour (g/HP-hr)).

(2) Reduce particulate matter (PM) emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

§ 60.4205 What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of pre-2007 model year emergency stationary CI ICE with a displacement of less than 10 liters per cylinder that are not fire pump engines must comply with the emission standards in table 1 to this subpart. Owners and operators of pre-2007 model year non-emergency stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards in 40 CFR 94.8(a)(1).

(b) Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.

(c) Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants.

(d) Owners and operators of emergency stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must meet the requirements in paragraphs (d)(1) and (2) of this section.

(1) Reduce NO_x emissions by 90 percent or more, or limit the emissions of NO_x in the stationary CI internal combustion engine exhaust to 1.6 grams per KW-hour (1.2 grams per HP-hour).

(2) Reduce PM emissions by 60 percent or more, or limit the emissions of PM in the stationary CI internal combustion engine exhaust to 0.15 g/KW-hr (0.11 g/HP-hr).

§ 60.4206 How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine?

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine.

Fuel Requirements for Owners and Operators

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§ 60.4207 *What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart?*

- (a) Beginning October 1, 2007, owners and operators of stationary CI ICE subject to this subpart that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(a).
- (b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.
- (c) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart may petition the Administrator for approval to use remaining non-compliant fuel that does not meet the fuel requirements of paragraphs (a) and (b) of this section beyond the dates required for the purpose of using up existing fuel inventories. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.
- (d) Owners and operators of pre-2011 model year stationary CI ICE subject to this subpart that are located in areas of Alaska not accessible by the Federal Aid Highway System may petition the Administrator for approval to use any fuels mixed with used lubricating oil that do not meet the fuel requirements of paragraphs (a) and (b) of this section. Owners and operators must demonstrate in their petition to the Administrator that there is no other place to use the lubricating oil. If approved, the petition will be valid for a period of up to 6 months. If additional time is needed, the owner or operator is required to submit a new petition to the Administrator.
- (e) Stationary CI ICE that have a national security exemption under §60.4200(d) are also exempt from the fuel requirements in this section.

Other Requirements for Owners and Operators

§ 60.4208 *What is the deadline for importing or installing stationary CI ICE produced in the previous model year?*

- (a) After December 31, 2008, owners and operators may not install stationary CI ICE (excluding fire pump engines) that do not meet the applicable requirements for 2007 model year engines.
- (b) After December 31, 2009, owners and operators may not install stationary CI ICE with a maximum engine power of less than 19 KW (25 HP) (excluding fire pump engines) that do not meet the applicable requirements for 2008 model year engines.
- (c) After December 31, 2014, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 19 KW (25 HP) and less than 56 KW (75 HP) that do not meet the applicable requirements for 2013 model year non-emergency engines.
- (d) After December 31, 2013, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 56 KW (75 HP) and less than 130 KW (175 HP) that do not meet the applicable requirements for 2012 model year non-emergency engines.
- (e) After December 31, 2012, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 130 KW (175 HP), including those above 560 KW (750 HP), that do not meet the applicable requirements for 2011 model year non-emergency engines.
- (f) After December 31, 2016, owners and operators may not install non-emergency stationary CI ICE with a maximum engine power of greater than or equal to 560 KW (750 HP) that do not meet the applicable requirements for 2015 model year non-emergency engines.
- (g) In addition to the requirements specified in §§60.4201, 60.4202, 60.4204, and 60.4205, it is prohibited to import stationary CI ICE with a displacement of less than 30 liters per cylinder that do not meet the applicable requirements specified in paragraphs (a) through (f) of this section after the dates specified in paragraphs (a) through (f) of this section.

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(h) The requirements of this section do not apply to owners or operators of stationary CI ICE that have been modified, reconstructed, and do not apply to engines that were removed from one existing location and reinstalled at a new location.

§ 60.4209 What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in §60.4211.

(a) If you are an owner or operator of an emergency stationary CI internal combustion engine, you must install a non-resettable hour meter prior to startup of the engine.

(b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in §60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

Compliance Requirements

§ 60.4210 What are my compliance requirements if I am a stationary CI internal combustion engine manufacturer?

(a) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of less than 10 liters per cylinder to the emission standards specified in §60.4201(a) through (c) and §60.4202(a), (b) and (d) using the certification procedures required in 40 CFR part 89, subpart B, or 40 CFR part 1039, subpart C, as applicable, and must test their engines as specified in those parts. For the purposes of this subpart, engines certified to the standards in table 1 to this subpart shall be subject to the same requirements as engines certified to the standards in 40 CFR part 89. For the purposes of this subpart, engines certified to the standards in table 4 to this subpart shall be subject to the same requirements as engines certified to the standards in 40 CFR part 89, except that engines with NFPA nameplate power of less than 37 KW (50 HP) certified to model year 2011 or later standards shall be subject to the same requirements as engines certified to the standards in 40 CFR part 1039.

(b) Stationary CI internal combustion engine manufacturers must certify their stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder to the emission standards specified in §60.4201(d) and §60.4202(c) using the certification procedures required in 40 CFR part 94 subpart C, and must test their engines as specified in 40 CFR part 94.

(c) Stationary CI internal combustion engine manufacturers must meet the requirements of 40 CFR 1039.120, 40 CFR 1039.125, 40 CFR 1039.130, 40 CFR 1039.135, and 40 CFR part 1068 for engines that are certified to the emission standards in 40 CFR part 1039. Stationary CI internal combustion engine manufacturers must meet the corresponding provisions of 40 CFR part 89 or 40 CFR part 94 for engines that would be covered by that part if they were nonroad (including marine) engines. Labels on such engines must refer to stationary engines, rather than or in addition to nonroad or marine engines, as appropriate. Stationary CI internal combustion engine manufacturers must label their engines according to paragraphs (c)(1) through (3) of this section.

(1) Stationary CI internal combustion engines manufactured from January 1, 2006 to March 31, 2006 (January 1, 2006 to June 30, 2006 for fire pump engines), other than those that are part of certified engine families under the nonroad CI engine regulations, must be labeled according to 40 CFR 1039.20.

(2) Stationary CI internal combustion engines manufactured from April 1, 2006 to December 31, 2006 (or, for fire pump engines, July 1, 2006 to December 31 of the year preceding the year listed in table 3 to this subpart) must be labeled according to paragraphs (c)(2)(i) through (iii) of this section:

(i) Stationary CI internal combustion engines that are part of certified engine families under the nonroad regulations must meet the labeling requirements for nonroad CI engines, but do not have to meet the labeling requirements in 40 CFR 1039.20.

(ii) Stationary CI internal combustion engines that meet Tier 1 requirements (or requirements for fire pumps) under this subpart, but do not meet the requirements applicable to nonroad CI engines must be labeled according to 40 CFR 1039.20.

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The engine manufacturer may add language to the label clarifying that the engine meets Tier 1 requirements (or requirements for fire pumps) of this subpart.

(iii) Stationary CI internal combustion engines manufactured after April 1, 2006 that do not meet Tier 1 requirements of this subpart, or fire pumps engines manufactured after July 1, 2006 that do not meet the requirements for fire pumps under this subpart, may not be used in the U.S. If any such engines are manufactured in the U.S. after April 1, 2006 (July 1, 2006 for fire pump engines), they must be exported or must be brought into compliance with the appropriate standards prior to initial operation. The export provisions of 40 CFR 1068.230 would apply to engines for export and the manufacturers must label such engines according to 40 CFR 1068.230.

(3) Stationary CI internal combustion engines manufactured after January 1, 2007 (for fire pump engines, after January 1 of the year listed in table 3 to this subpart, as applicable) must be labeled according to paragraphs (c)(3)(i) through (iii) of this section.

(i) Stationary CI internal combustion engines that meet the requirements of this subpart and the corresponding requirements for nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in part 89, 94 or 1039, as appropriate.

(ii) Stationary CI internal combustion engines that meet the requirements of this subpart, but are not certified to the standards applicable to nonroad (including marine) engines of the same model year and HP must be labeled according to the provisions in part 89, 94 or 1039, as appropriate, but the words "stationary" must be included instead of "nonroad" or "marine" on the label. In addition, such engines must be labeled according to 40 CFR 1039.20.

(iii) Stationary CI internal combustion engines that do not meet the requirements of this subpart must be labeled according to 40 CFR 1068.230 and must be exported under the provisions of 40 CFR 1068.230.

(d) An engine manufacturer certifying an engine family or families to standards under this subpart that are identical to standards applicable under parts 89, 94, or 1039 for that model year may certify any such family that contains both nonroad (including marine) and stationary engines as a single engine family and/or may include any such family containing stationary engines in the averaging, banking and trading provisions applicable for such engines under those parts.

(e) Manufacturers of engine families discussed in paragraph (d) of this section may meet the labeling requirements referred to in paragraph (c) of this section for stationary CI ICE by either adding a separate label containing the information required in paragraph (c) of this section or by adding the words "and stationary" after the word "nonroad" or "marine," as appropriate, to the label.

(f) Starting with the model years shown in table 5 to this subpart, stationary CI internal combustion engine manufacturers must add a permanent label stating that the engine is for stationary emergency use only to each new emergency stationary CI internal combustion engine greater than or equal to 19 KW (25 HP) that meets all the emission standards for emergency engines in §60.4202 but does not meet all the emission standards for non-emergency engines in §60.4201. The label must be added according to the labeling requirements specified in 40 CFR 1039.135(b). Engine manufacturers must specify in the owner's manual that operation of emergency engines is limited to emergency operations and required maintenance and testing.

(g) Manufacturers of fire pump engines may use the test cycle in table 6 to this subpart for testing fire pump engines and may test at the NFPA certified nameplate HP, provided that the engine is labeled as "Fire Pump Applications Only".

(h) Engine manufacturers, including importers, may introduce into commerce uncertified engines or engines certified to earlier standards that were manufactured before the new or changed standards took effect until inventories are depleted, as long as such engines are part of normal inventory. For example, if the engine manufacturers' normal industry practice is to keep on hand a one-month supply of engines based on its projected sales, and a new tier of standards starts to apply for the 2009 model year, the engine manufacturer may manufacture engines based on the normal inventory requirements late in the 2008 model year, and sell those engines for installation. The engine manufacturer may not circumvent the provisions of §§60.4201 or 60.4202 by stockpiling engines that are built before new or changed standards take effect. Stockpiling of such engines beyond normal industry practice is a violation of this subpart.

(i) The replacement engine provisions of 40 CFR 89.1003(b)(7), 40 CFR 94.1103(b)(3), 40 CFR 94.1103(b)(4) and 40 CFR 1068.240 are applicable to stationary CI engines replacing existing equipment that is less than 15 years old.

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§ 60.4211 *What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?*

- (a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's written instructions or procedures developed by the owner or operator that are approved by the engine manufacturer. In addition, owners and operators may only change those settings that are permitted by the manufacturer. You must also meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you.
- (b) If you are an owner or operator of a pre-2007 model year stationary CI internal combustion engine and must comply with the emission standards specified in §§60.4204(a) or 60.4205(a), or if you are an owner or operator of a CI fire pump engine that is manufactured prior to the model years in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must demonstrate compliance according to one of the methods specified in paragraphs (b)(1) through (5) of this section.
- (1) Purchasing an engine certified according to 40 CFR part 89 or 40 CFR part 94, as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's specifications.
- (2) Keeping records of performance test results for each pollutant for a test conducted on a similar engine. The test must have been conducted using the same methods specified in this subpart and these methods must have been followed correctly.
- (3) Keeping records of engine manufacturer data indicating compliance with the standards.
- (4) Keeping records of control device vendor data indicating compliance with the standards.
- (5) Conducting an initial performance test to demonstrate compliance with the emission standards according to the requirements specified in §60.4212, as applicable.
- (c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's specifications.
- (d) If you are an owner or operator and must comply with the emission standards specified in §60.4204(c) or §60.4205(d), you must demonstrate compliance according to the requirements specified in paragraphs (d)(1) through (3) of this section.
- (1) Conducting an initial performance test to demonstrate initial compliance with the emission standards as specified in §60.4213.
- (2) Establishing operating parameters to be monitored continuously to ensure the stationary internal combustion engine continues to meet the emission standards. The owner or operator must petition the Administrator for approval of operating parameters to be monitored continuously. The petition must include the information described in paragraphs (d)(2)(i) through (v) of this section.
- (i) Identification of the specific parameters you propose to monitor continuously;
- (ii) A discussion of the relationship between these parameters and NO_x and PM emissions, identifying how the emissions of these pollutants change with changes in these parameters, and how limitations on these parameters will serve to limit NO_x and PM emissions;
- (iii) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
- (iv) A discussion identifying the methods and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

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(v) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(3) For non-emergency engines with a displacement of greater than or equal to 30 liters per cylinder, conducting annual performance tests to demonstrate continuous compliance with the emission standards as specified in §60.4213.

(e) Emergency stationary ICE may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State, or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. There is no time limit on the use of emergency stationary ICE in emergency situations. Anyone may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but 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 ICE beyond 100 hours per year. For owners and operators of emergency engines meeting standards under §60.4205 but not §60.4204, any operation other than emergency operation, and maintenance and testing as permitted in this section, is prohibited.

Testing Requirements for Owners and Operators

§ 60.4212 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of less than 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to this subpart must do so according to paragraphs (a) through (d) of this section.

(a) The performance test must be conducted according to the in-use testing procedures in 40 CFR part 1039, subpart F.

(b) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR part 1039 must not exceed the not-to-exceed (NTE) standards for the same model year and maximum engine power as required in 40 CFR 1039.101(e) and 40 CFR 1039.102(g)(1), except as specified in 40 CFR 1039.104(d). This requirement starts when NTE requirements take effect for nonroad diesel engines under 40 CFR part 1039.

(c) Exhaust emissions from stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8, as applicable, must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in 40 CFR 89.112 or 40 CFR 94.8, as applicable, determined from the following equation:

$$\text{NTE requirement for each pollutant} = (1.25) \times (\text{STD}) \quad (\text{Eq. 1})$$

Where:

STD = The standard specified for that pollutant in 40 CFR 89.112 or 40 CFR 94.8, as applicable.

Alternatively, stationary CI ICE that are complying with the emission standards for new CI engines in 40 CFR 89.112 or 40 CFR 94.8 may follow the testing procedures specified in §60.4213 of this subpart, as appropriate.

(d) Exhaust emissions from stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) must not exceed the NTE numerical requirements, rounded to the same number of decimal places as the applicable standard in §60.4204(a), §60.4205(a), or §60.4205(c), determined from the equation in paragraph (c) of this section.

Where:

STD = The standard specified for that pollutant in §60.4204(a), §60.4205(a), or §60.4205(c).

Alternatively, stationary CI ICE that are complying with the emission standards for pre-2007 model year engines in §60.4204(a), §60.4205(a), or §60.4205(c) may follow the testing procedures specified in §60.4213, as appropriate.

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§ 60.4213 What test methods and other procedures must I use if I am an owner or operator of a stationary CI internal combustion engine with a displacement of greater than or equal to 30 liters per cylinder?

Owners and operators of stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder must conduct performance tests according to paragraphs (a) through (d) of this section.

(a) Each performance test must be conducted according to the requirements in §60.8 and under the specific conditions that this subpart specifies in table 7. The test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load.

(b) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §60.8(c).

(c) You must conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must last at least 1 hour.

(d) To determine compliance with the percent reduction requirement, you must follow the requirements as specified in paragraphs (d)(1) through (3) of this section.

(1) You must use Equation 2 of this section to determine compliance with the percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 2})$$

Where:

C_i = concentration of NO_x or PM at the control device inlet,

C_o = concentration of NO_x or PM at the control device outlet, and

R = percent reduction of NO_x or PM emissions.

(2) You must normalize the NO_x or PM concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen (O₂) using Equation 3 of this section, or an equivalent percent carbon dioxide (CO₂) using the procedures described in paragraph (d)(3) of this section.

$$C_{adj} = C_d \frac{5.9}{20.9 - \% O_2} \quad (\text{Eq. 3})$$

Where:

C_{adj} = Calculated NO_x or PM concentration adjusted to 15 percent O₂.

C_d = Measured concentration of NO_x or PM, uncorrected.

5.9 = 20.9 percent O₂ - 15 percent O₂, the defined O₂ correction value, percent.

%O₂ = Measured O₂ concentration, dry basis, percent.

(3) If pollutant concentrations are to be corrected to 15 percent O₂ and CO₂ concentration is measured in lieu of O₂ concentration measurement, a CO₂ correction factor is needed. Calculate the CO₂ correction factor as described in paragraphs (d)(3)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, Section 5.2, and the following equation:

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$$F_o = \frac{0.209}{F_c} \quad (\text{Eq. 4})$$

Where:

F_o = Fuel factor based on the ratio of O_2 volume to the ultimate CO_2 volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is O_2 , percent/100.

F_d = Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dm^3/J ($dscf/10^6$ Btu).

F_c = Ratio of the volume of CO_2 produced to the gross calorific value of the fuel from Method 19, dm^3/J ($dscf/10^6$ Btu).

(ii) Calculate the CO_2 correction factor for correcting measurement data to 15 percent O_2 , as follows:

$$X_{CO_2} = \frac{5.9}{F_o} \quad (\text{Eq. 5})$$

Where:

X_{CO_2} = CO_2 correction factor, percent.

5.9 = 20.9 percent O_2 - 15 percent O_2 , the defined O_2 correction value, percent.

(iii) Calculate the NO_x and PM gas concentrations adjusted to 15 percent O_2 using CO_2 as follows:

$$C_{adj} = C_d \frac{X_{CO_2}}{\%CO_2} \quad (\text{Eq. 6})$$

Where:

C_{adj} = Calculated NO_x or PM concentration adjusted to 15 percent O_2 .

C_d = Measured concentration of NO_x or PM, uncorrected.

$\%CO_2$ = Measured CO_2 concentration, dry basis, percent.

(e) To determine compliance with the NO_x mass per unit output emission limitation, convert the concentration of NO_x in the engine exhaust using Equation 7 of this section:

$$ER = \frac{C_d \times 1.912 \times 10^{-3} \times Q \times T}{KW\text{-hour}} \quad (\text{Eq. 7})$$

Where:

ER = Emission rate in grams per KW-hour.

C_d = Measured NO_x concentration in ppm.

1.912×10^{-3} = Conversion constant for ppm NO_x to grams per standard cubic meter at 25 degrees Celsius.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

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KW-hour = Brake work of the engine, in KW-hour.

(f) To determine compliance with the PM mass per unit output emission limitation, convert the concentration of PM in the engine exhaust using Equation 8 of this section:

$$ER = \frac{C_{adj} \times Q \times T}{KW\text{-hour}} \quad (\text{Eq. 8})$$

Where:

ER = Emission rate in grams per KW-hour.

C_{adj} = Calculated PM concentration in grams per standard cubic meter.

Q = Stack gas volumetric flow rate, in standard cubic meter per hour.

T = Time of test run, in hours.

KW-hour = Energy output of the engine, in KW.

Notification, Reports, and Records for Owners and Operators

§ 60.4214 What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine?

(a) Owners and operators of non-emergency stationary CI ICE that are greater than 2,237 KW (3,000 HP); or have a displacement of greater than or equal to 10 liters per cylinder, or are pre-2007 model year engines that are greater than 130 KW (175 HP) and not certified, must meet the requirements of paragraphs (a)(1) and (2) of this section.

(1) Submit an initial notification as required in §60.7(a)(1). The notification must include the information in paragraphs (a)(1)(i) through (v) of this section.

(i) Name and address of the owner or operator;

(ii) The address of the affected source;

(iii) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(iv) Emission control equipment; and

(v) Fuel used.

(2) Keep records of the information in paragraphs (a)(2)(i) through (iv) of this section.

(i) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(ii) Maintenance conducted on the engine.

(iii) If the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards.

(iv) If the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards.

(b) If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the

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emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

(c) If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached.

Special Requirements

§ 60.4215 What requirements must I meet for engines used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands?

(a) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are required to meet the applicable emission standards in §60.4205. Non-emergency stationary CI ICE with a displacement of greater than or equal to 30 liters per cylinder, must meet the applicable emission standards in §60.4204(c).

(b) Stationary CI ICE that are used in Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands are not required to meet the fuel requirements in §60.4207.

§ 60.4216 What requirements must I meet for engines used in Alaska?

(a) Prior to December 1, 2010, owners and operators of stationary CI engines located in areas of Alaska not accessible by the Federal Aid Highway System should refer to 40 CFR part 69 to determine the diesel fuel requirements applicable to such engines.

(b) The Governor of Alaska may submit for EPA approval, by no later than January 11, 2008, an alternative plan for implementing the requirements of 40 CFR part 60, subpart IIII, for public-sector electrical utilities located in rural areas of Alaska not accessible by the Federal Aid Highway System. This alternative plan must be based on the requirements of section 111 of the Clean Air Act including any increased risks to human health and the environment and must also be based on the unique circumstances related to remote power generation, climatic conditions, and serious economic impacts resulting from implementation of 40 CFR part 60, subpart IIII. If EPA approves by rulemaking process an alternative plan, the provisions as approved by EPA under that plan shall apply to the diesel engines used in new stationary internal combustion engines subject to this paragraph.

§ 60.4217 What emission standards must I meet if I am an owner or operator of a stationary internal combustion engine using special fuels?

(a) Owners and operators of stationary CI ICE that do not use diesel fuel, or who have been given authority by the Administrator under §60.4207(d) of this subpart to use fuels that do not meet the fuel requirements of paragraphs (a) and (b) of §60.4207, may petition the Administrator for approval of alternative emission standards, if they can demonstrate that they use a fuel that is not the fuel on which the manufacturer of the engine certified the engine and that the engine cannot meet the applicable standards required in §60.4202 or §60.4203 using such fuels.

(b) [Reserved]

General Provisions

§ 60.4218 What parts of the General Provisions apply to me?

Table 8 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you.

Definitions

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§ 60.4219 What definitions apply to this subpart?

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

Combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system.

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Emergency stationary internal combustion engine means any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. Stationary CI ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.

Engine manufacturer means the manufacturer of the engine. See the definition of "manufacturer" in this section.

Fire pump engine means an emergency stationary internal combustion engine certified to NFPA requirements that is used to provide power to pump water for fire suppression or protection.

Manufacturer has the meaning given in section 216(1) of the Act. In general, this term includes any person who manufactures a stationary engine for sale in the United States or otherwise introduces a new stationary engine into commerce in the United States. This includes importers who import stationary engines for sale or resale.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Model year means either:

(1) The calendar year in which the engine was originally produced, or

(2) The annual new model production period of the engine manufacturer if it is different than the calendar year. This must include January 1 of the calendar year for which the model year is named. It may not begin before January 2 of the previous calendar year and it must end by December 31 of the named calendar year. For an engine that is converted to a stationary engine after being placed into service as a nonroad or other non-stationary engine, model year means the calendar year or new model production period in which the engine was originally produced.

Other internal combustion engine means any internal combustion engine, except combustion turbines, which is not a reciprocating internal combustion engine or rotary internal combustion engine.

Reciprocating internal combustion engine means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work.

Rotary internal combustion engine means any internal combustion engine which uses rotary motion to convert heat energy into mechanical work.

Spark ignition means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto

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combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

Stationary internal combustion engine means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines.

Subpart means 40 CFR part 60, subpart IIII.

Useful life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for useful life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). The values for useful life for stationary CI ICE with a displacement of greater than or equal to 10 liters per cylinder and less than 30 liters per cylinder are given in 40 CFR 94.9(a).

Table I to Subpart IIII of Part 60—Emission Standards for Stationary Pre-2007 Model Year Engines With a Displacement of <10 Liters per Cylinder and 2007–2010 Model Year Engines >2,237 KW (3,000 HP) and With a Displacement of <10 Liters per Cylinder

[As stated in §§60.4201(b), 60.4202(b), 60.4204(a), and 60.4205(a), you must comply with the following emission standards]

Maximum engine power	Emission standards for stationary pre-2007 model year engines with a displacement of <10 liters per cylinder and 2007–2010 model year engines >2,237 KW (3,000 HP) and with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)				
	NMHC + NO _x	HC	NO _x	CO	PM
KW<8 (HP<11)	10.5 (7.8)			8.0 (6.0)	1.0 (0.75)
8≤KW<19 (11≤HP<25)	9.5 (7.1)			6.6 (4.9)	0.80 (0.60)
19≤KW<37 (25≤HP<50)	9.5 (7.1)			5.5 (4.1)	0.80 (0.60)
37≤KW<56 (50≤HP<75)			9.2 (6.9)		
56≤KW<75 (75≤HP<100)			9.2 (6.9)		
75≤KW<130 (100≤HP<175)			9.2 (6.9)		
130≤KW<225 (175≤HP<300)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
225≤KW<450 (300≤HP<600)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
450≤KW≤560 (600≤HP≤750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)
KW>560 (HP>750)		1.3 (1.0)	9.2 (6.9)	11.4 (8.5)	0.54 (0.40)

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**STANDARDS OF PERFORMANCE FOR STATIONARY COMPRESSION IGNITION INTERNAL
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Table 2 to Subpart IIII of Part 60—Emission Standards for 2008 Model Year and Later Emergency Stationary CI ICE <37 KW (50 HP) With a Displacement of <10 Liters per Cylinder

[As stated in §60.4202(a)(1), you must comply with the following emission standards]

Engine power	Emission standards for 2008 model year and later emergency stationary CI ICE <37 KW (50 HP) with a displacement of <10 liters per cylinder in g/KW-hr (g/HP-hr)			
	Model year(s)	NO _x + NMHC	CO	PM
KW<8 (HP<11)	2008+	7.5 (5.6)	8.0 (6.0)	0.40 (0.30)
8≤KW<19 (11≤HP<25)	2008+	7.5 (5.6)	6.6 (4.9)	0.40 (0.30)
19≤KW<37 (25≤HP<50)	2008+	7.5 (5.6)	5.5 (4.1)	0.30 (0.22)

Table 3 to Subpart IIII of Part 60—Certification Requirements for Stationary Fire Pump Engines

[As stated in §60.4202(d), you must certify new stationary fire pump engines beginning with the following model years:]

Engine power	Starting model year engine manufacturers must certify new stationary fire pump engines according to §60.4202(d)
KW<75 (HP<100)	2011
75≤KW<130 (100≤HP<175)	2010
130≤KW≤560 (175≤HP≤750)	2009
KW>560 (HP>750)	2008

Table 4 to Subpart IIII of Part 60—Emission Standards for Stationary Fire Pump Engines

[As stated in §§60.4202(d) and 60.4205(c), you must comply with the following emission standards for stationary fire pump engines]

Maximum engine power	Model year(s)	NMHC + NO _x	CO	PM
KW<8 (HP<11)	2010 and earlier	10.5 (7.8)	8.0 (6.0)	1.0 (0.75)
	2011+	7.5 (5.6)		0.40 (0.30)
8≤KW<19 (11≤HP<25)	2010 and earlier	9.5 (7.1)	6.6 (4.9)	0.80 (0.60)
	2011+	7.5 (5.6)		0.40 (0.30)
19≤KW<37 (25≤HP<50)	2010 and earlier	9.5 (7.1)	5.5 (4.1)	0.80 (0.60)
	2011+	7.5 (5.6)		0.30 (0.22)
37≤KW<56 (50≤HP<75)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2011+ ¹	4.7 (3.5)		0.40 (0.30)
56≤KW<75 (75≤HP<100)	2010 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)

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	2011+ ¹	4.7 (3.5)		0.40 (0.30)
75≤KW<130 (100≤HP<175)	2009 and earlier	10.5 (7.8)	5.0 (3.7)	0.80 (0.60)
	2010+ ²	4.0 (3.0)		0.30 (0.22)
130≤KW<225 (175≤HP<300)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+ ³	4.0 (3.0)		0.20 (0.15)
225≤KW<450 (300≤HP<600)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+ ³	4.0 (3.0)		0.20 (0.15)
450≤KW≤560 (600≤HP≤750)	2008 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2009+	4.0 (3.0)		0.20 (0.15)
KW>560 (HP>750)	2007 and earlier	10.5 (7.8)	3.5 (2.6)	0.54 (0.40)
	2008+	6.4 (4.8)		0.20 (0.15)

¹For model years 2011–2013, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 revolutions per minute (rpm) may comply with the emission limitations for 2010 model year engines.

²For model years 2010–2012, manufacturers, owners and operators of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2009 model year engines.

³In model years 2009–2011, manufacturers of fire pump stationary CI ICE in this engine power category with a rated speed of greater than 2,650 rpm may comply with the emission limitations for 2008 model year engines.

Table 5 to Subpart IIII of Part 60—Labeling and Recordkeeping Requirements for New Stationary Emergency Engines

[You must comply with the labeling requirements in §60.4210(f) and the recordkeeping requirements in §60.4214(b) for new emergency stationary CI ICE beginning in the following model years:]

Engine power	Starting model year
19≤KW<56 (25≤HP<75)	2013
56≤KW<130 (75≤HP<175)	2012
KW≥130 (HP≥175)	2011

Table 6 to Subpart IIII of Part 60—Optional 3-Mode Test Cycle for Stationary Fire Pump Engines

[As stated in §60.4210(g), manufacturers of fire pump engines may use the following test cycle for testing fire pump engines:]

Mode No.	Engine speed ¹	Torque (percent) ²	Weighting factors
1	Rated	100	0.30
2	Rated	75	0.50
3	Rated	50	0.20

¹Engine speed: ±2 percent of point.

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STANDARDS OF PERFORMANCE FOR STATIONARY COMPRESSION IGNITION INTERNAL COMBUSTION ENGINES

²Torque: NFPA certified nameplate HP for 100 percent point. All points should be ±2 percent of engine percent load value.

Table 7 to Subpart III of Part 60—Requirements for Performance Tests for Stationary CI ICE With a Displacement of ≥30 Liters per Cylinder

[As stated in §60.4213, you must comply with the following requirements for performance tests for stationary CI ICE with a displacement of ≥30 liters per cylinder:]

For each	Complying with the requirement to	You must	Using	According to the following requirements
1. Stationary CI internal combustion engine with a displacement of ≥30 liters per cylinder	a. Reduce NO _x emissions by 90 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O ₂ at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O ₂ concentration must be made at the same time as the measurements for NO _x concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and,	(3) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(c) Measurements to determine moisture content must be made at the same time as the measurements for NO _x concentration.
		iv. Measure NO _x at the inlet and outlet of the control device	(4) Method 7E of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) NO _x concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	b. Limit the concentration of NO _x in the stationary CI internal combustion engine exhaust.	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary internal combustion engine exhaust at the sampling port location; and,	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O ₂ concentration must be made at the same time as the measurement for NO _x concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port	(3) Method 4 of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03	(c) Measurements to determine moisture content must be made at the same time as the measurement for NO _x concentration.

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		location; and,	(incorporated by reference, see §60.17)	
		iv. Measure NO _x at the exhaust of the stationary internal combustion engine	(4) Method 7E of 40 CFR part 60, appendix A, Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03 (incorporated by reference, see §60.17)	(d) NO _x concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	c. Reduce PM emissions by 60 percent or more	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O ₂ at the inlet and outlet of the control device;	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O ₂ concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content at the inlet and outlet of the control device; and	(3) Method 4 of 40 CFR part 60, appendix A	(c) Measurements to determine and moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the inlet and outlet of the control device	(4) Method 5 of 40 CFR part 60, appendix A	(d) PM concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
	d. Limit the concentration of PM in the stationary CI internal combustion engine exhaust	i. Select the sampling port location and the number of traverse points;	(1) Method 1 or 1A of 40 CFR part 60, appendix A	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary internal combustion engine exhaust at the sampling port location; and	(2) Method 3, 3A, or 3B of 40 CFR part 60, appendix A	(b) Measurements to determine O ₂ concentration must be made at the same time as the measurements for PM concentration.
		iii. If necessary, measure moisture content of the stationary internal combustion engine exhaust at the sampling port location; and	(3) Method 4 of 40 CFR part 60, appendix A	(c) Measurements to determine moisture content must be made at the same time as the measurements for PM concentration.
		iv. Measure PM at the exhaust of the stationary internal combustion engine	(4) Method 5 of 40 CFR part 60, appendix A	(d) PM concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of

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				the three 1-hour or longer runs.
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Table 8 to Subpart IIII of Part 60—Applicability of General Provisions to Subpart IIII

[As stated in §60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.1	General applicability of the General Provisions	Yes	
§60.2	Definitions	Yes	Additional terms defined in §60.4219.
§60.3	Units and abbreviations	Yes	
§60.4	Address	Yes	
§60.5	Determination of construction or modification	Yes	
§60.6	Review of plans	Yes	
§60.7	Notification and Recordkeeping	Yes	Except that §60.7 only applies as specified in §60.4214(a).
§60.8	Performance tests	Yes	Except that §60.8 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder and engines that are not certified.
§60.9	Availability of information	Yes	
§60.10	State Authority	Yes	
§60.11	Compliance with standards and maintenance requirements	No	Requirements are specified in subpart IIII.
§60.12	Circumvention	Yes	
§60.13	Monitoring requirements	Yes	Except that §60.13 only applies to stationary CI ICE with a displacement of (≥30 liters per cylinder.
§60.14	Modification	Yes	
§60.15	Reconstruction	Yes	
§60.16	Priority list	Yes	
§60.17	Incorporations by reference	Yes	
§60.18	General control device requirements	No	
§60.19	General notification and reporting requirements	Yes	

 NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR STATIONARY
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Title 40: Protection of Environment**PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES*****Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines***

Source: 69 FR 33506, June 15, 2004, unless otherwise noted.

What This Subpart Covers**§ 63.6580 *What is the purpose of subpart ZZZZ?***

Subpart ZZZZ establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emitted from stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and operating limitations.

[73 FR 3603, Jan. 18, 2008]

§ 63.6585 *Am I subject to this subpart?*

You are subject to this subpart if you own or operate a stationary RICE at a major or area source of HAP emissions, except if the stationary RICE is being tested at a stationary RICE test cell/stand.

(a) A stationary RICE is any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

(b) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

(c) An area source of HAP emissions is a source that is not a major source.

(d) If you are an owner or operator of an area source subject to this subpart, your status as an entity subject to a standard or other requirements under this subpart does not subject you to the obligation to obtain a permit under 40 CFR part 70 or 71, provided you are not required to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a) for a reason other than your status as an area source under this subpart. Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart as applicable.

(e) If you are an owner or operator of a stationary RICE used for national security purposes, you may be eligible to request an exemption from the requirements of this subpart as described in 40 CFR part 1068, subpart C.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3603, Jan. 18, 2008]

§ 63.6590 *What parts of my plant does this subpart cover?*

This subpart applies to each affected source.

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

(1) *Existing stationary RICE.*

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- (i) For stationary RICE with a site rating of more than 500 brake horsepower (HP) located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before December 19, 2002.
- (ii) For stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
- (iii) For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006.
- (iv) A change in ownership of an existing stationary RICE does not make that stationary RICE a new or reconstructed stationary RICE.
- (2) *New stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after December 19, 2002.
- (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
- (iii) A stationary RICE located at an area source of HAP emissions is new if you commenced construction of the stationary RICE on or after June 12, 2006.
- (3) *Reconstructed stationary RICE.* (i) A stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after December 19, 2002.
- (ii) A stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.
- (iii) A stationary RICE located at an area source of HAP emissions is reconstructed if you meet the definition of reconstruction in §63.2 and reconstruction is commenced on or after June 12, 2006.
- (b) *Stationary RICE subject to limited requirements.* (1) An affected source which meets either of the criteria in paragraph (b)(1)(i) through (ii) of this section does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of §63.6645(h).
- (i) The stationary RICE is a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions; or
- (ii) The stationary RICE is a new or reconstructed limited use stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions.
- (2) A new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis must meet the initial notification requirements of §63.6645(h) and the requirements of §§63.6625(c), 63.6650(g), and 63.6655(c). These stationary RICE do not have to meet the emission limitations and operating limitations of this subpart.
- (3) A stationary RICE which is an existing spark ignition 4 stroke rich burn (4SRB) stationary RICE located at an area source, an existing spark ignition 4SRB stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source, an existing spark ignition 2 stroke lean burn (2SLB) stationary RICE, an existing spark ignition 4 stroke lean burn (4SLB) stationary RICE, an existing compression ignition (CI) stationary RICE, an existing emergency stationary RICE, an existing limited use stationary RICE, or an existing stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, does not have to meet the requirements of this subpart and of subpart A of this part. No initial notification is necessary.
- (c) *Stationary RICE subject to Regulations under 40 CFR Part 60.* An affected source that is a new or reconstructed stationary RICE located at an area source, or is a new or reconstructed stationary RICE located at a major source of HAP

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emissions and is a spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of less than 500 brake HP, a spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of less than 250 brake HP, or a 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake HP, a stationary RICE with a site rating of less than or equal to 500 brake HP which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP, or a compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake HP, must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008]

§ 63.6595 When do I have to comply with this subpart?

(a) *Affected Sources.* (1) If you have an existing stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than June 15, 2007.

(2) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart no later than August 16, 2004.

(3) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions after August 16, 2004, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(4) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(5) If you start up your new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(6) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions before January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart no later than January 18, 2008.

(7) If you start up your new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, you must comply with the applicable emission limitations and operating limitations in this subpart upon startup of your affected source.

(b) *Area sources that become major sources.* If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, the compliance dates in paragraphs (b)(1) and (2) of this section apply to you.

(1) Any stationary RICE for which construction or reconstruction is commenced after the date when your area source becomes a major source of HAP must be in compliance with this subpart upon startup of your affected source.

(2) Any stationary RICE for which construction or reconstruction is commenced before your area source becomes a major source of HAP must be in compliance with the provisions of this subpart that are applicable to RICE located at major sources within 3 years after your area source becomes a major source of HAP.

(c) If you own or operate an affected source, you must meet the applicable notification requirements in §63.6645 and in 40 CFR part 63, subpart A.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3604, Jan. 18, 2008]

Emission and Operating Limitations

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§ 63.6600 *What emission limitations and operating limitations must I meet if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?*

- (a) If you own or operate an existing, new, or reconstructed spark ignition 4SRB stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 1a to this subpart and the operating limitations in Table 1b to this subpart which apply to you.
- (b) If you own or operate a new or reconstructed 2SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, a new or reconstructed 4SLB stationary RICE with a site rating of more than 500 brake HP located at major source of HAP emissions, or a new or reconstructed CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.
- (c) If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the emission limitations in Tables 1a and 2a to this subpart or operating limitations in Tables 1b and 2b to this subpart: an existing 2SLB stationary RICE, an existing 4SLB stationary RICE, or an existing CI stationary RICE; a stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis; an emergency stationary RICE; or a limited use stationary RICE.

[73 FR 3605, Jan. 18, 2008]

§ 63.6601 *What emission limitations must I meet if I own or operate a 4SLB stationary RICE with a site rating of greater than or equal to 250 brake HP and less than 500 brake HP located at a major source of HAP emissions?*

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at major source of HAP emissions manufactured on or after January 1, 2008, you must comply with the emission limitations in Table 2a to this subpart and the operating limitations in Table 2b to this subpart which apply to you.

[73 FR 3605, Jan. 18, 2008]

General Compliance Requirements

§ 63.6605 *What are my general requirements for complying with this subpart?*

- (a) You must be in compliance with the emission limitations and operating limitations in this subpart that apply to you at all times, except during periods of startup, shutdown, and malfunction.
- (b) If you must comply with emission limitations and operating limitations, you must operate and maintain your stationary RICE, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction.

Testing and Initial Compliance Requirements

§ 63.6610 *By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions?*

If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions you are subject to the requirements of this section.

- (a) You must conduct the initial performance test or other initial compliance demonstrations in Table 4 to this subpart that apply to you within 180 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions in §63.7(a)(2).
- (b) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you must

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demonstrate initial compliance with either the proposed emission limitations or the promulgated emission limitations no later than February 10, 2005 or no later than 180 days after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(c) If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004 and own or operate stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, and you chose to comply with the proposed emission limitations when demonstrating initial compliance, you must conduct a second performance test to demonstrate compliance with the promulgated emission limitations by December 13, 2007 or after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(d) An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (d)(1) through (5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

(2) The test must not be older than 2 years.

(3) The test must be reviewed and accepted by the Administrator.

(4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.

(5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3605, Jan. 18, 2008]

§ 63.6611 *By what date must I conduct the initial performance tests or other initial compliance demonstrations if I own or operate a 4SLB SI stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions?*

If you own or operate a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must conduct an initial performance test within 240 days after the compliance date that is specified for your stationary RICE in §63.6595 and according to the provisions specified in Table 4 to this subpart, as appropriate.

[73 FR 3605, Jan. 18, 2008]

§ 63.6615 *When must I conduct subsequent performance tests?*

If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of this subpart.

§ 63.6620 *What performance tests and other procedures must I use?*

(a) You must conduct each performance test in Tables 3 and 4 of this subpart that applies to you.

(b) Each performance test must be conducted according to the requirements in §63.7(e)(1) and under the specific conditions that this subpart specifies in Table 4. The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

(c) You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in §63.7(e)(1).

(d) You must conduct three separate test runs for each performance test required in this section, as specified in §63.7(e)(3). Each test run must last at least 1 hour.

(e)(1) You must use Equation 1 of this section to determine compliance with the percent reduction requirement:

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$$\frac{C_i - C_o}{C_i} \times 100 = R \quad (\text{Eq. 1})$$

Where:

C_i= concentration of CO or formaldehyde at the control device inlet,

C_o= concentration of CO or formaldehyde at the control device outlet, and

R = percent reduction of CO or formaldehyde emissions.

(2) You must normalize the carbon monoxide (CO) or formaldehyde concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO₂). If pollutant concentrations are to be corrected to 15 percent oxygen and CO₂ concentration is measured in lieu of oxygen concentration measurement, a CO₂ correction factor is needed. Calculate the CO₂ correction factor as described in paragraphs (e)(2)(i) through (iii) of this section.

(i) Calculate the fuel-specific F_o value for the fuel burned during the test using values obtained from Method 19, section 5.2, and the following equation:

$$F_o = \frac{0.209 F_d}{F_c} \quad (\text{Eq. 2})$$

Where:

F_o= Fuel factor based on the ratio of oxygen volume to the ultimate CO₂ volume produced by the fuel at zero percent excess air.

0.209 = Fraction of air that is oxygen, percent/100.

F_d= Ratio of the volume of dry effluent gas to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu).

F_c= Ratio of the volume of CO₂ produced to the gross calorific value of the fuel from Method 19, dsm³/J (dscf/10⁶ Btu).

(ii) Calculate the CO₂ correction factor for correcting measurement data to 15 percent oxygen, as follows:

$$X_{co_2} = \frac{5.9}{F_o} \quad (\text{Eq. 3})$$

Where:

X_{co₂}= CO₂ correction factor, percent.

5.9 = 20.9 percent O₂ - 15 percent O₂, the defined O₂ correction value, percent.

(iii) Calculate the NO_x and SO₂ gas concentrations adjusted to 15 percent O₂ using CO₂ as follows:

$$C_{adj} = C_d \frac{X_{co_2}}{\%CO_2} \quad (\text{Eq. 4})$$

Where:

%CO₂= Measured CO₂ concentration measured, dry basis, percent.

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(f) If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitation to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Administrator for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Administrator.

(g) If you petition the Administrator for approval of operating limitations, your petition must include the information described in paragraphs (g)(1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limitations;

(2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters, and how limitations on these parameters will serve to limit HAP emissions;

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

(h) If you petition the Administrator for approval of no operating limitations, your petition must include the information described in paragraphs (h)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary RICE and any emission control device which could change intentionally (*e.g.*, operator adjustment, automatic controller adjustment, etc.) or unintentionally (*e.g.*, wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of whether establishing limitations on the parameters would serve to limit HAP emissions;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of how you could establish upper and/or lower values for the parameters which would establish limits on the parameters in operating limitations;

(5) For the parameters, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible or unreasonable to adopt the parameters as operating limitations.

(i) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided.

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§ 63.6625 What are my monitoring, installation, operation, and maintenance requirements?

(a) If you elect to install a CEMS as specified in Table 5 of this subpart, you must install, operate, and maintain a CEMS to monitor CO and either oxygen or CO₂ at both the inlet and the outlet of the control device according to the requirements in paragraphs (a)(1) through (4) of this section.

(1) Each CEMS must be installed, operated, and maintained according to the applicable performance specifications of 40 CFR part 60, appendix B.

(2) You must conduct an initial performance evaluation and an annual relative accuracy test audit (RATA) of each CEMS according to the requirements in §63.8 and according to the applicable performance specifications of 40 CFR part 60, appendix B as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.

(3) As specified in §63.8(c)(4)(ii), each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period. You must have at least two data points, with each representing a different 15-minute period, to have a valid hour of data.

(4) The CEMS data must be reduced as specified in §63.8(g)(2) and recorded in parts per million or parts per billion (as appropriate for the applicable limitation) at 15 percent oxygen or the equivalent CO₂ concentration.

(b) If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of this subpart, you must install, operate, and maintain each CPMS according to the requirements in §63.8.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your stationary RICE in a manner which reasonably minimizes HAP emissions.

(d) If you are operating a new or reconstructed emergency 4SLB stationary RICE with a site rating of greater than or equal to 250 and less than or equal to 500 brake HP located at a major source of HAP emissions, you must install a non-resettable hour meter prior to the startup of the engine.

[69 FR 33506, June 15, 2004, as amended at 73 FR 3606, Jan. 18, 2008]

§ 63.6630 How do I demonstrate initial compliance with the emission limitations and operating limitations?

(a) You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 5 of this subpart.

(b) During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of this subpart that applies to you.

(c) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in §63.6645.

Continuous Compliance Requirements**§ 63.6635 How do I monitor and collect data to demonstrate continuous compliance?**

(a) If you must comply with emission and operating limitations, you must monitor and collect data according to this section.

(b) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously at all times that the stationary RICE is operating.

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(c) You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods.

§ 63.6640 How do I demonstrate continuous compliance with the emission limitations and operating limitations?

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 1a and 1b and Tables 2a and 2b of this subpart that apply to you according to methods specified in Table 6 of this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 1a and 1b and Tables 2a and 2b of this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in §63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE.

(c) [Reserved]

(d) Consistent with §§63.6(e) and 63.7(e)(1), deviations from the emission or operating limitations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Administrator's satisfaction that you were operating in accordance with §63.6(e)(1). For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations.

Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR §94.11(a).

(e) You must also report each instance in which you did not meet the requirements in Table 8 to this subpart that apply to you. If you own or operate any stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart: An existing 2SLB stationary RICE, an existing 4SLB stationary RICE, an existing CI stationary RICE, an existing emergency stationary RICE, an existing limited use emergency stationary RICE, or an existing stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in Table 8 to this subpart, except for the initial notification requirements: a new or reconstructed stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new or reconstructed emergency stationary RICE, or a new or reconstructed limited use stationary RICE.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3606, Jan. 18, 2008]

Notifications, Reports, and Records

§ 63.6645 What notifications must I submit and when?

(a) If you own or operate a stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions or a new or reconstructed 4SLB stationary RICE with a site rating of greater than or equal to 250 HP located at a major source of HAP emissions, you must submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified.

(b) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart, you must submit an Initial Notification not later than December 13, 2004.

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(c) If you start up your new or reconstructed stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(d) As specified in §63.9(b)(2), if you start up your stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions before the effective date of this subpart and you are required to submit an initial notification, you must submit an Initial Notification not later than July 16, 2008.

(e) If you start up your new or reconstructed stationary RICE with a site rating of equal to or less than 500 brake HP located at a major source of HAP emissions on or after March 18, 2008 and you are required to submit an initial notification, you must submit an Initial Notification not later than 120 days after you become subject to this subpart.

(f) If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with §63.6590(b), your notification should include the information in §63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions).

(g) If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1).

(h) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 to this subpart, you must submit a Notification of Compliance Status according to §63.9(h)(2)(ii).

(1) For each initial compliance demonstration required in Table 5 to this subpart that does not include a performance test, you must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration.

(2) For each initial compliance demonstration required in Table 5 to this subpart that includes a performance test conducted according to the requirements in Table 3 to this subpart, you must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to §63.10(d)(2).

[73 FR 3606, Jan. 18, 2008]

§ 63.6650 What reports must I submit and when?

(a) You must submit each report in Table 7 of this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), you must submit each report by the date in Table 7 of this subpart and according to the requirements in paragraphs (b)(1) through (5) of this section.

(1) The first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.6595.

(2) The first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.6595.

(3) Each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6

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(a)(3)(iii)(A), you may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.

(c) The Compliance report must contain the information in paragraphs (c)(1) through (6) of this section.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) If you had a startup, shutdown, or malfunction during the reporting period, the compliance report must include the information in §63.10(d)(5)(i).

(5) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period.

(6) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(d) For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in this subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section.

(1) The total operating time of the stationary RICE at which the deviation occurred during the reporting period.

(2) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(e) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section.

(1) The date and time that each malfunction started and stopped.

(2) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period.

(5) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period.

(8) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE.

(9) A brief description of the stationary RICE.

(10) A brief description of the CMS.

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(11) The date of the latest CMS certification or audit.

(12) A description of any changes in CMS, processes, or controls since the last reporting period.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you are operating as a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 7 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (b)(1) through (b)(5) of this section. You must report the data specified in (g)(1) through (g)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

§ 63.6655 What records must I keep?

(a) If you must comply with the emission and operating limitations, you must keep the records described in paragraphs (a)(1) through (a)(3), (b)(1) through (b)(3) and (c) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in §63.10(b)(2)(xiv).

(2) The records in §63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii).

(b) For each CEMS or CPMS, you must keep the records listed in paragraphs (b)(1) through (3) of this section.

(1) Records described in §63.10(b)(2)(vi) through (xi).

(2) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3).

(3) Requests for alternatives to the relative accuracy test for CEMS or CPMS as required in §63.8(f)(6)(i), if applicable.

(c) If you are operating a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, you must keep the records of your daily fuel usage monitors.

(d) You must keep the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.

§ 63.6660 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

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(b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record readily accessible in hard copy or electronic form on-site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). You can keep the records off-site for the remaining 3 years.

Other Requirements and Information***§ 63.6665 What parts of the General Provisions apply to me?***

Table 8 to this subpart shows which parts of the General Provisions in §§63.1 through 63.15 apply to you. If you own or operate any stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions (except new or reconstructed 4SLB engines greater than or equal to 250 and less than or equal to 500 brake HP), a stationary RICE located at an area source of HAP emissions, or any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with any of the requirements of the General Provisions: An existing 2SLB RICE, an existing 4SLB stationary RICE, an existing CI stationary RICE, an existing stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, an existing emergency stationary RICE, or an existing limited use stationary RICE. If you own or operate any of the following RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, you do not need to comply with the requirements in the General Provisions except for the initial notification requirements: A new stationary RICE that combusts landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, a new emergency stationary RICE, or a new limited use stationary RICE.

[73 FR 3606, Jan. 18, 2008]

§ 63.6670 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the Administrator of the U.S. EPA and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

- (1) Approval of alternatives to the non-opacity emission limitations and operating limitations in §63.6600 under §63.6(g).
- (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90.
- (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90.
- (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.
- (5) Approval of a performance test which was conducted prior to the effective date of the rule, as specified in §63.6610(b).

§ 63.6675 What definitions apply to this subpart?

Terms used in this subpart are defined in the Clean Air Act (CAA); in 40 CFR 63.2, the General Provisions of this part; and in this section as follows:

Area source means any stationary source of HAP that is not a major source as defined in part 63.

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Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary RICE.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

Compression ignition means relating to a type of stationary internal combustion engine that is not a spark ignition engine.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: After processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless or whether or not such failure is permitted by this subpart.
- (4) Fails to satisfy the general duty to minimize emissions established by §63.6(e)(1)(i).

Diesel engine means any stationary RICE in which a high boiling point liquid fuel injected into the combustion chamber ignites when the air charge has been compressed to a temperature sufficiently high for auto-ignition. This process is also known as compression ignition.

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

Dual-fuel engine means any stationary RICE in which a liquid fuel (typically diesel fuel) is used for compression ignition and gaseous fuel (typically natural gas) is used as the primary fuel.

Emergency stationary RICE means any stationary RICE whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc. Stationary RICE used for peak shaving are not considered emergency stationary RICE. Stationary ICE used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed prior to June 12, 2006, may also operate an additional 50 hours per year in non-emergency situations. Emergency stationary RICE with a site-rating of more than 500 brake HP located at a major source of HAP emissions that were installed on or after June 12, 2006, must comply with requirements specified in 40 CFR 60.4243(d).

Four-stroke engine means any type of engine which completes the power cycle in two crankshaft revolutions, with intake and compression strokes in the first revolution and power and exhaust strokes in the second revolution.

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Gaseous fuel means a material used for combustion which is in the gaseous state at standard atmospheric temperature and pressure conditions.

Gasoline means any fuel sold in any State for use in motor vehicles and motor vehicle engines, or nonroad or stationary engines, and commonly or commercially known or sold as gasoline.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

Hazardous air pollutants (HAP) means any air pollutants listed in or pursuant to section 112(b) of the CAA.

ISO standard day conditions means 288 degrees Kelvin (15 degrees Celsius), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

Lean burn engine means any two-stroke or four-stroke spark ignited engine that does not meet the definition of a rich burn engine.

Limited use stationary RICE means any stationary RICE that operates less than 100 hours per year.

Liquefied petroleum gas means any liquefied hydrocarbon gas obtained as a by-product in petroleum refining of natural gas production.

Liquid fuel means any fuel in liquid form at standard temperature and pressure, including but not limited to diesel, residual/crude oil, kerosene/naphtha (jet fuel), and gasoline.

Major Source, as used in this subpart, shall have the same meaning as in §63.2, except that:

- (1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;
- (2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated;
- (3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and
- (4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in §63.1271 of subpart HHH of this part, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. Natural gas may be field or pipeline quality.

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Non-selective catalytic reduction (NSCR) means an add-on catalytic nitrogen oxides (NO_x) control device for rich burn engines that, in a two-step reaction, promotes the conversion of excess oxygen, NO_x, CO, and volatile organic compounds (VOC) into CO₂, nitrogen, and water.

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (*i.e.*, remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst means an add-on catalytic control device that controls CO and VOC by oxidation.

Peaking unit or engine means any standby engine intended for use during periods of high demand that are not emergencies.

Percent load means the fractional power of an engine compared to its maximum manufacturer's design capacity at engine site conditions. Percent load may range between 0 percent to above 100 percent.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in §63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to §63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to §63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Propane means a colorless gas derived from petroleum and natural gas, with the molecular structure C₃H₈.

Responsible official means responsible official as defined in 40 CFR 70.2.

Rich burn engine means any four-stroke spark ignited engine where the manufacturer's recommended operating air/fuel ratio divided by the stoichiometric air/fuel ratio at full load conditions is less than or equal to 1.1. Engines originally manufactured as rich burn engines, but modified prior to December 19, 2002 with passive emission control technology for NO_x(such as pre-combustion chambers) will be considered lean burn engines. Also, existing engines where there are no manufacturer's recommendations regarding air/fuel ratio will be considered a rich burn engine if the excess oxygen content of the exhaust at full load conditions is less than or equal to 2 percent.

Site-rated HP means the maximum manufacturer's design capacity at engine site conditions.

Spark ignition means relating to either: A gasoline-fueled engine; or any other type of engine a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines.

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Stationary reciprocating internal combustion engine (RICE) means any reciprocating internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work and which is not mobile. Stationary RICE differ from mobile RICE in that a stationary RICE is not a non-road engine as defined at 40 CFR 1068.30, and is not used to propel a motor vehicle or a vehicle used solely for competition.

Stationary RICE test cell/stand means an engine test cell/stand, as defined in subpart P of this part, that tests stationary RICE.

Stoichiometric means the theoretical air-to-fuel ratio required for complete combustion.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Subpart means 40 CFR part 63, subpart ZZZZ.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

Two-stroke engine means a type of engine which completes the power cycle in single crankshaft revolution by combining the intake and compression operations into one stroke and the power and exhaust operations into a second stroke. This system requires auxiliary scavenging and inherently runs lean of stoichiometric.

[69 FR 33506, June 15, 2004, as amended at 71 FR 20467, Apr. 20, 2006; 73 FR 3607, Jan. 18, 2008]

Table I to Subpart ZZZZ of Part 63—Emission Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

[As stated in §63.6600, you must comply with the following emission limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions at 100 percent load plus or minus 10 percent]

For each...	You must meet the following emission limitations...
1. 4SRB stationary RICE	a. reduce formaldehyde emissions by 76 percent or more. If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may reduce formaldehyde emissions by 75 percent or more until June 15, 2007;
	or
	b. limit the concentration of formaldehyde in the stationary RICE exhaust 350 ppbvd or less at 15 percent O ₂ .

[73 FR 3607, Jan. 18, 2008]

Table I to Subpart ZZZZ of Part 63—Operating Limitations for Existing, New, and Reconstructed Spark Ignition, 4SRB Stationary RICE >500 HP Located at a Major Source of HAP Emissions

[As stated in §§63.6600, 63.6630 and 63.6640, you must comply with the following operating emission limitations for existing, new and reconstructed 4SRB stationary RICE >500 HP located at a major source of HAP emissions]

For each...	You must meet the following operating limitation...
1. 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and using NSCR;	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst measured during the initial performance test; and

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or	
4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and using NSCR.	b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F.
2. 4SRB stationary RICE complying with the requirement to reduce formaldehyde emissions by 76 percent or more (or by 75 percent or more, if applicable) and not using NSCR; or	Comply with any operating limitations approved by the Administrator.
4SRB stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust to 350 ppbvd or less at 15 percent O ₂ and not using NSCR.	

[73 FR 3607, Jan. 18, 2008]

Table 2a to Subpart ZZZZ of Part 63—Emission Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and 4SLB Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

[As stated in §§63.6600 and 63.6601, you must comply with the following emission limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary RICE at 100 percent load plus or minus 10 percent]

For each...	You must meet the following emission limitation...
1. 2SLB stationary RICE	a. reduce CO emissions by 58 percent or more;
	or
	b. limit concentration of formaldehyde in the stationary RICE exhaust to 12 ppmvd or less at 15 percent O ₂ . If you commenced construction or reconstruction between December 19, 2002 and June 15, 2004, you may limit concentration of formaldehyde to 17 ppmvd or less at 15 percent O ₂ until June 15, 2007.
2. 4SLB stationary RICE	a. reduce CO emissions by 93 percent or more;
	or
	b. limit concentration of formaldehyde in the stationary RICE exhaust to 14 ppmvd or less at 15 percent O ₂ .
3. CI stationary RICE	a. reduce CO emissions by 70 percent or more;
	or
	b. limit concentration of formaldehyde in the stationary RICE exhaust to 580 ppbvd or less at 15 percent O ₂ .

[73 FR 3608, Jan. 18, 2008]

Table 2b to Subpart ZZZZ of Part 63—Operating Limitations for New and Reconstructed 2SLB and Compression Ignition Stationary RICE >500 HP and 4SLB Burn Stationary RICE ≥250 HP Located at a Major Source of HAP Emissions

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[As stated in §§63.6600, 63.6601, 63.6630, and 63.6640, you must comply with the following operating limitations for new and reconstructed lean burn and new and reconstructed compression ignition stationary]

For each...	You must meet the following operating limitation...
1. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using an oxidation catalyst	a. maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured during the initial performance test; and b. maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F.
2. 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to reduce CO emissions and not using an oxidation catalyst; or 2SLB and 4SLB stationary RICE and CI stationary RICE complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and not using an oxidation catalyst	Comply with any operating limitations approved by the Administrator.

[73 FR 3608, Jan. 18, 2008]

Table 3 to Subpart ZZZZ of Part 63—Subsequent Performance Tests

[As stated in §§63.6615 and 63.6620, you must comply with the following subsequent performance test requirements]

For each . . .	Complying with the requirement to . . .	You must . . .
1. 2SLB and 4SLB stationary RICE and CI stationary RICE	Reduce CO emissions and not using a CEMS	Conduct subsequent performance tests semiannually. ¹
2. 4SRB stationary RICE with a brake horsepower ≥5,000	Reduce formaldehyde emissions	Conduct subsequent performance tests semiannually. ¹
3. Stationary RICE (all stationary RICE subcategories and all brake horsepower ratings)	Limit the concentration of formaldehyde in the stationary RICE exhaust	Conduct subsequent performance tests semiannually. ¹

¹After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

Table 4 to Subpart ZZZZ of Part 63—Requirements for Performance Tests

[As stated in §§63.6610, 63.6611, 63.6620, and 63.6640, you must comply with the following requirements for performance tests for stationary RICE]

For each . . .	Complying with the requirement to . . .	You must . . .	Using . . .	According to the following requirements . . .
1. 2SLB, 4SLB, and CI stationary RICE	a. Reduce CO emissions	i. Measure the O ₂ at the inlet and outlet of the control device; and	(1) Portable CO and O ₂ analyzer	(a) Using ASTM D6522-00 (2005) ³ (incorporated by reference, see §63.14). Measurements to determine O ₂ must be made at the same time as the measurements for

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				CO concentration.
		ii. Measure the CO at the inlet and the outlet of the control device	(1) Portable CO and O ₂ analyzer	(a) Using ASTM D6522-00 (2005) ^a (incorporated by reference, see §63.14) or Method 10 of 40 CFR, appendix A. The CO concentration must be at 15 percent O ₂ , dry basis.
2. 4SRB stationary RICE	a. Reduce formaldehyde emissions	i. Select the sampling port location and the number of traverse points; and	(1) Method 1 or 1A of 40 CFR part 60, appendix A §63.7(d)(1)(i)	(a) Sampling sites must be located at the inlet and outlet of the control device.
		ii. Measure O ₂ at the inlet and outlet of the control device; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522-00 (2005).	(a) Measurements to determine O ₂ concentration must be made at the same time as the measurements for formaldehyde concentration.
		iii. Measure moisture content at the inlet and outlet of the control device; and	(1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration.
		iv. Measure formaldehyde at the inlet and the outlet of the control device	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03 ^b , provided in ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	(a) Formaldehyde concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1-hour or longer runs.
3. Stationary RICE	a. Limit the concentration of formaldehyde in the stationary RICE exhaust	i. Select the sampling port location and the number of traverse points; and	(1) Method 1 or 1A of 40 CFR part 60, appendix A §63.7(d)(1)(i)	(a) If using a control device, the sampling site must be located at the outlet of the control device.
		ii. Determine the O ₂ concentration of the stationary RICE exhaust at the sampling port location; and	(1) Method 3 or 3A or 3B of 40 CFR part 60, appendix A, or ASTM Method D6522-00 (2005)	(a) Measurements to determine O ₂ concentration must be made at the same time and location as the measurements for formaldehyde concentration.
		iii. Measure moisture content of the stationary RICE exhaust at the sampling port location; and	(1) Method 4 of 40 CFR part 60, appendix A, or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D 6348-03	(a) Measurements to determine moisture content must be made at the same time and location as the measurements for formaldehyde concentration.
		iv. Measure formaldehyde at the exhaust of the	(1) Method 320 or 323 of 40 CFR part 63, appendix A; or ASTM D6348-03 ^b , provided in	(a) Formaldehyde concentration must be at 15 percent O ₂ , dry basis. Results of this test consist of

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		stationary RICE	ASTM D6348–03 Annex A5 (Analyte Spiking Technique), the percent R must be greater than or equal to 70 and less than or equal to 130	the average of the three 1-hour or longer runs.
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^aYou may also use Methods 3A and 10 as options to ASTM–D6522–00 (2005). You may obtain a copy of ASTM–D6522–00 (2005) from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

^bYou may obtain a copy of ASTM–D6348–03 from at least one of the following addresses: American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428–2959, or University Microfilms International, 300 North Zeeb Road, Ann Arbor, MI 48106.

[73 FR 3609, Jan. 18, 2008]

Table 5 to Subpart ZZZZ of Part 63—Initial Compliance With Emission Limitations and Operating Limitations

[As stated in §§63.6625 and 63.6630, you must initially comply with the emission and operating limitations as required by the following]

For each . . .	Complying with the requirement to . . .	You have demonstrated initial compliance if . . .
1. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and using oxidation catalyst, and using a CPMS	i. the average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
2. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and not using oxidation catalyst	i. The average reduction of emissions of CO determined from the initial performance test achieves the required CO percent reduction; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
3. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions, and using a CEMS	i. You have installed a CEMS to continuously monitor CO and either O ₂ or CO ₂ at both the inlet and outlet of the oxidation catalyst according to the requirements in §63.6625(a); and
		ii. You have conducted a performance evaluation of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B; and
		iii. The average reduction of CO calculated using §63.6620 equals or exceeds the required percent reduction. The initial test comprises the first 4-hour period after successful validation of the CEMS. Compliance is based on the average percent reduction achieved

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		during the 4-hour period.
4. 4SRB stationary RICE	a. Reduce formaldehyde emissions and using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
5. 4SRB stationary RICE	a. Reduce formaldehyde emissions and not using NSCR	i. The average reduction of emissions of formaldehyde determined from the initial performance test is equal to or greater than the required formaldehyde percent reduction; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.
6. Stationary RICE	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and
		ii. You have installed a CPMS to continuously monitor catalyst inlet temperature according to the requirements in §63.6625(b); and
		iii. You have recorded the catalyst pressure drop and catalyst inlet temperature during the initial performance test.
7. Stationary RICE	a. Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. The average formaldehyde concentration, corrected to 15 percent O ₂ , dry basis, from the three test runs is less than or equal to the formaldehyde emission limitation; and
		ii. You have installed a CPMS to continuously monitor operating parameters approved by the Administrator (if any) according to the requirements in §63.6625(b); and
		iii. You have recorded the approved operating parameters (if any) during the initial performance test.

Table 6 to Subpart ZZZZ of Part 63—Continuous Compliance With Emission Limitations and Operating Limitations

[As stated in §63.6640, you must continuously comply with the emissions and operating limitations as required by the following]

For each . . .	Complying with the requirement to . . .	You must demonstrate continuous compliance by . . .
1. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ¹ ; and
		ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and

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		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
2. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and not using an oxidation catalyst, and using a CPMS	i. Conducting semiannual performance tests for CO to demonstrate that the required CO percent reduction is achieved ¹ ; and
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.
3. 2SLB and 4SLB stationary RICE and CI stationary RICE	a. Reduce CO emissions and using a CEMS	i. Collecting the monitoring data according to §63.6625(a), reducing the measurements to 1-hour averages, calculating the percent reduction of CO emissions according to §63.6620; and
		ii. Demonstrating that the catalyst achieves the required percent reduction of CO emissions over the 4-hour averaging period; and
		iii. Conducting an annual RATA of your CEMS using PS 3 and 4A of 40 CFR part 60, appendix B, as well as daily and periodic data quality checks in accordance with 40 CFR part 60, appendix F, procedure 1.
4. 4SRB stationary RICE	a. Reduce formaldehyde emissions and using NSCR	i. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		iv. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
5. 4SRB stationary RICE	a. Reduce formaldehyde emissions and not using NSCR	i. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		ii. reducing these data to 4-hour rolling averages;
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

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6. 4SRB stationary RICE with a brake horsepower $\geq 5,000$	Reduce formaldehyde emissions	Conducting semiannual performance tests for formaldehyde to demonstrate that the required formaldehyde percent reduction is achieved ¹ .
7. Stationary RICE	Limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit ¹ ; and
		ii. Collecting the catalyst inlet temperature data according to §63.6625(b); and
		iii. Reducing these data to 4-hour rolling averages; and
		iv. Maintaining the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and
		v. Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test.
8. Stationary RICE	Limit the concentration of formaldehyde in the stationary RICE exhaust and not using oxidation catalyst or NSCR	i. Conducting semiannual performance tests for formaldehyde to demonstrate that your emissions remain at or below the formaldehyde concentration limit ¹ ; and
		ii. Collecting the approved operating parameter (if any) data according to §63.6625(b); and
		ii. Reducing these data to 4-hour rolling averages; and
		iii. Maintaining the 4-hour rolling averages within the operating limitations for the operating parameters established during the performance test.

¹After you have demonstrated compliance for two consecutive tests, you may reduce the frequency of subsequent performance tests to annually. If the results of any subsequent annual performance test indicate the stationary RICE is not in compliance with the CO or formaldehyde emission limitation, or you deviate from any of your operating limitations, you must resume semiannual performance tests.

Table 7 to Subpart ZZZZ of Part 63—Requirements for Reports

[As stated in §63.6650, you must comply with the following requirements for reports]

You must submit a(n)	The report must contain . . .	You must submit the report . . .
1. Compliance report	a. If there are no deviations from any emission limitations or operating limitations that apply to you, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or	i. Semiannually according to the requirements in §63.6650(b).

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	b. If you had a deviation from any emission limitation or operating limitation during the reporting period, the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e); or	i. Semiannually according to the requirements in §63.6650(b).
	c. If you had a startup, shutdown or malfunction during the reporting period, the information in §63.10(d)(5)(i)	i. Semiannually according to the requirements in §63.6650(b).
2. An immediate startup, shutdown, and malfunction report if actions addressing the startup, shutdown, or malfunction were inconsistent with your startup, shutdown, or malfunction plan during the reporting period	a. Actions taken for the event; and	i. By fax or telephone within 2 working days after starting actions inconsistent with the plan.
	b. The information in §63.10(d)(5)(ii).	i. By letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authorities. (§63.10(d)(5)(ii))
3. Report	a. The fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas or digester gas, is equivalent to 10 percent or more of the gross heat input on an annual basis; and	i. Annually, according to the requirements in §63.6650.
	b. The operating limits provided in your federally enforceable permit, and any deviations from these limits; and	i. See item 3.a.i.
	c. Any problems or errors suspected with the meters	i. See item 3.a.i.

Table 8 to Subpart ZZZZ of Part 63—Applicability of General Provisions to Subpart ZZZZ

[As stated in §63.6665, you must comply with the following applicable general provisions]

General provisions citation	Subject of citation	Applies to subpart	Explanation
§63.1	General applicability of the General Provisions	Yes	
§63.2	Definitions	Yes	Additional terms defined in §63.6675.
§63.3	Units and abbreviations	Yes	
§63.4	Prohibited activities and circumvention	Yes	
§63.5	Construction and reconstruction	Yes	
§63.6(a)	Applicability	Yes	
§63.6(b)(1)–(4)	Compliance dates for new and reconstructed sources	Yes	

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§63.6(b)(5)	Notification	Yes	
§63.6(b)(6)	[Reserved]		
§63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major sources	Yes	
§63.6(c)(1)–(2)	Compliance dates for existing sources	Yes	
§63.6(c)(3)–(4)	[Reserved]		
§36.6(c)(5)	Compliance dates for existing area sources that become major sources	Yes	
§63.6(d)	[Reserved]		
§63.6(e)(1)	Operation and maintenance	Yes	
§63.6(e)(2)	[Reserved]		
§63.6(e)(3)	Startup, shutdown, and malfunction plan	Yes	
§63.6(f)(1)	Applicability of standards except during startup shutdown malfunction (SSM)	Yes	
§63.6(f)(2)	Methods for determining compliance	Yes	
§63.6(f)(3)	Finding of compliance	Yes	
§63.6(g)(1)–(3)	Use of alternate standard	Yes	
§63.6(h)	Opacity and visible emission standards	No	Subpart ZZZZ does not contain opacity or visible emission standards.
§63.6(i)	Compliance extension procedures and criteria	Yes	
§63.6(j)	Presidential compliance exemption	Yes	
§63.7(a)(1)–(2)	Performance test dates	Yes	Subpart ZZZZ contains performance test dates at §§63.6610 and 63.6611.
§63.7(a)(3)	CAA section 114 authority	Yes	
§63.7(b)(1)	Notification of performance test	Yes	
§63.7(b)(2)	Notification of rescheduling	Yes	
§63.7(c)	Quality assurance/test plan	Yes	
§63.7(d)	Testing facilities	Yes	
§63.7(e)(1)	Conditions for conducting performance tests	Yes	
§63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart ZZZZ specifies test methods at §63.6620.

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§63.7(e)(3)	Test run duration	Yes	
§63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§63.7(f)	Alternative test method provisions	Yes	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§63.7(h)	Waiver of tests	Yes	
§63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart ZZZZ contains specific requirements for monitoring at §63.6625.
§63.8(a)(2)	Performance specifications	Yes	
§63.8(a)(3)	[Reserved]		
§63.8(a)(4)	Monitoring for control devices	No	
§63.8(b)(1)	Monitoring	Yes	
§63.8(b)(2)–(3)	Multiple effluents and multiple monitoring systems	Yes	
§63.8(c)(1)	Monitoring system operation and maintenance	Yes	
§63.8(c)(1)(i)	Routine and predictable SSM	Yes	
§63.8(c)(1)(ii)	SSM not in Startup Shutdown Malfunction Plan	Yes	
§63.8(c)(1)(iii)	Compliance with operation and maintenance requirements	Yes	
§63.8(c)(2)–(3)	Monitoring system installation	Yes	
§63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart ZZZZ does not require Continuous Opacity Monitoring System (COMS).
§63.8(c)(5)	COMS minimum procedures	No	Subpart ZZZZ does not require COMS.
§63.8(c)(6)–(8)	CMS requirements	Yes	Except that subpart ZZZZ does not require COMS.
§63.8(d)	CMS quality control	Yes	
§63.8(e)	CMS performance evaluation	Yes	Except for §63.8(e)(5)(ii), which applies to COMS.
§63.8(f)(1)–(5)	Alternative monitoring method	Yes	
§63.8(f)(6)	Alternative to relative accuracy test	Yes	
§63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§63.6635 and 63.6640.

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§63.9(a)	Applicability and State delegation of notification requirements	Yes	
§63.9(b)(1)–(5)	Initial notifications	Yes	Except that §63.9(b)(3) is reserved.
§63.9(c)	Request for compliance extension	Yes	
§63.9(d)	Notification of special compliance requirements for new sources	Yes	
§63.9(e)	Notification of performance test	Yes	
§63.9(f)	Notification of visible emission (VE)/opacity test	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.9(g)(1)	Notification of performance evaluation	Yes	
§63.9(g)(2)	Notification of use of COMS data	No	Subpart ZZZZ does not contain opacity or VE standards.
§63.9(g)(3)	Notification that criterion for alternative to RATA is exceeded	Yes	If alternative is in use.
§63.9(h)(1)–(6)	Notification of compliance status	Yes	Except that notifications for sources using a CEMS are due 30 days after completion of performance evaluations. §63.9(h)(4) is reserved.
§63.9(i)	Adjustment of submittal deadlines	Yes	
§63.9(j)	Change in previous information	Yes	
§63.10(a)	Administrative provisions for record keeping/reporting	Yes	
§63.10(b)(1)	Record retention	Yes	
§63.10(b)(2)(i)–(v)	Records related to SSM	Yes	
§63.10(b)(2)(vi)–(xi)	Records	Yes	
§63.10(b)(2)(xii)	Record when under waiver	Yes	
§63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§63.10(b)(3)	Records of applicability determination	Yes	
§63.10(c)	Additional records for sources using CEMS	Yes	Except that §63.10(c)(2)–(4) and (9) are reserved.
§63.10(d)(1)	General reporting requirements	Yes	
§63.10(d)(2)	Report of performance test results	Yes	
§63.10(d)(3)	Reporting opacity or VE observations	No	Subpart ZZZZ does not contain opacity or VE standards.

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§63.10(d)(4)	Progress reports	Yes	
§63.10(d)(5)	Startup, shutdown, and malfunction reports	Yes	
§63.10(e)(1) and (2)(i)	Additional CMS reports	Yes	
§63.10(e)(2)(ii)	COMS-related report	No	Subpart ZZZZ does not require COMS.
§63.10(e)(3)	Excess emission and parameter exceedances reports	Yes	Except that §63.10(e)(3)(i)(C) is reserved.
§63.10(e)(4)	Reporting COMS data	No	Subpart ZZZZ does not require COMS.
§63.10(f)	Waiver for recordkeeping/reporting	Yes	
§63.11	Flares	No	
§63.12	State authority and delegations	Yes	
§63.13	Addresses	Yes	
§63.14	Incorporation by reference	Yes	
§63.15	Availability of information	Yes	

[73 FR 3610, Jan. 18, 2008]

APPENDIX RR
FACILITY-WIDE REPORTING REQUIREMENTS
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RR1. Reporting Schedule. This table summarizes information for convenience purposes only. It does not supersede any of the terms or conditions of this permit.

Report	Reporting Deadline(s)	Related Condition(s)
Plant Problems/Permit Deviations	Immediately upon occurrence (See RR2.d.)	RR2, RR3
Malfunction Excess Emissions Report	Quarterly (if requested)	RR3
Semi-Annual Monitoring Report	Every 6 months	RR4
Annual Operating Report	April 1	RR5
Annual Emissions Fee Form and Fee	March 1	RR6
Annual Statement of Compliance	Within 60 days after the end of each calendar year (or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement); and Within 60 days after submittal of a written agreement for transfer of responsibility, or Within 60 days after permanent shutdown.	RR7
Notification of Administrative Permit Corrections	As needed	RR8
Notification of Startup after Shutdown for More than One Year	Minimum of 60 days prior to the intended startup date or, if emergency startup, as soon as possible after the startup date is ascertained	RR9
Permit Renewal Application	225 days prior to the expiration date of permit	TV17
Test Reports	Maximum 45 days following compliance tests	TR8

{Permitting Note: See permit Section III. Emissions Units and Specific Conditions, for any additional Emission Unit-specific reporting requirements.}

RR2. Reports of Problems.

- a. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.
- b. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - (1) A description of and cause of noncompliance; and
 - (2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- c. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes

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aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

- d. "Immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of Rule 62-4.160(15) and 40 CFR 70.6(a)(3)(iii)(B), "promptly" or "prompt" shall have the same meaning as "immediately". [Rule 62-4.130, Rule 62-4.160(8), Rule 62-4.160(15), and Rule 62-213.440(1)(b), F.A.C.; 40 CFR 70.6(a)(3)(iii)(B)]

RR3. Reports of Deviations from Permit Requirements. The permittee shall report in accordance with the requirements of Rule 62-210.700(6), F.A.C. (below), and Rule 62-4.130, F.A.C. (condition RR2.), deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. *Rule 62-210.700(6):* In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. (See condition RR2.). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rules 62-213.440(1)(b)3.b., and 62-210.700(6)F.A.C.]

RR4. Semi-Annual Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports. [Rule 62-213.440(1)(b)3.a., F.A.C.]

RR5. Annual Operating Report.

- a. The permittee shall submit to the Compliance Authority, each calendar year, on or before April 1, a completed DEP Form No 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year.
- b. Emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C. [Rules 62-210.370(2) & (3), and 62-213.440(3)(a)2., F.A.C.]

RR6. Annual Emissions Fee Form and Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

- a. If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to \$50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.
- b. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.
- c. A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee. [Rules 62-213.205(1), (1)(g), (1)(i) & (1)(j), F.A.C.]

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RR7. Annual Statement of Compliance.

- a. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:
 - (1) Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and
 - (2) Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.
- b. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.
- c. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.
[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

RR8. Notification of Administrative Permit Corrections.

- a. A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
 - (1) Typographical errors noted in the permit;
 - (2) Name, address or phone number change from that in the permit;
 - (3) A change requiring more frequent monitoring or reporting by the permittee;
 - (4) A change in ownership or operational control of a facility, subject to the following provisions:
 - (a) The Department determines that no other change in the permit is necessary;
 - (b) The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
 - (c) The new permittee has notified the Department of the effective date of sale or legal transfer.
 - (5) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
 - (6) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and
 - (7) Any other similar minor administrative change at the source.
- b. Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- c. After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.

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- d. For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

[Rule 62-210.360, F.A.C.]

- RR9. Notification of Startup.** The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.
- a. The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.
- b. If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

- RR10. Report Submission.** The permittee shall submit all compliance related notifications and reports required of this permit to the Compliance Authority. {See front of permit for address and phone number.}

- RR11. EPA Report Submission.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: Air, Pesticides & Toxics Management Division, United States Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, GA 30303-8960. Phone: 404/562-9077.

- RR12. Acid Rain Report Submission.** Acid Rain Program Information shall be submitted, as necessary, to: Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #5510, Tallahassee, Florida 32399-2400. Phone: 850/488-6140. Fax: 850/922-6979.

- RR13. Report Certification.** All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C. [Rule 62-213.440(1)(b)3.c, F.A.C.]

- RR14. Certification by Responsible Official (RO).** In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]

- RR15. Confidential Information.** Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. Any permittee may claim confidentiality of any data or other information by complying with this procedure. [Rules 62-213.420(2), and 62-213.440(1)(d)6., F.A.C.]

- RR16. Forms and Instructions.** The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, by contacting the appropriate permitting authority or by accessing the Department's web site at: <http://www.dep.state.fl.us/air/rules/forms.htm>.
- a. Major Air Pollution Source Annual Emissions Fee Form (Effective 10/12/2008).
- b. Statement of Compliance Form (Effective 06/02/2002).
- c. Responsible Official Notification Form (Effective 06/02/2002).

[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

APPENDIX TR
FACILITY-WIDE TESTING REQUIREMENTS
(Version Dated 9/12/2008)

Unless otherwise specified in the permit, the following testing requirements apply to each emissions unit for which testing is required. The terms "stack" and "duct" are used interchangeably in this appendix.

- TR1.** Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]
- TR2.** Operating Rate During Testing. Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. [Rule 62-297.310(2), F.A.C.]
- TR3.** Calculation of Emission Rate. For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
- TR4.** Applicable Test Procedures.
- a. Required Sampling Time.
- (1) Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
 - (2) Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
 - (a) For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
 - (b) The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.
 - (c) The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an

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- applicable opacity standard shall be twelve minutes.
- b. *Minimum Sample Volume.* Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. *Required Flow Rate Range.* For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
 - d. *Calibration of Sampling Equipment.* Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.

TABLE 297.310-1 CALIBRATION SCHEDULE			
ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass	5° F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5° F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/- 0.001" mean of at least three readings; Max. deviation between readings, 0.004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, when 5% change observed, annually	Spirometer or calibrated wet test or dry gas test meter	2%
	2. One Point: Semiannually		
	3. Check after each test series		

- e. *Allowed Modification to EPA Method 5.* When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]

TR5. Determination of Process Variables.

- a. *Required Equipment.* The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables,

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such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

- b. *Accuracy of Equipment.* Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

- TR6. Sampling Facilities.** Permittees that are required to sample mass emissions from point sources shall install stack sampling ports and provide sampling facilities that meet the requirements of this condition. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must also comply with all applicable Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.
- a. *Permanent Test Facilities.* The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.
- b. *Temporary Test Facilities.* The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.
- c. *Sampling Ports.*
- (1) All sampling ports shall have a minimum inside diameter of 3 inches.
 - (2) The ports shall be capable of being sealed when not in use.
 - (3) The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
 - (4) For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.
 - (5) On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.
- d. *Work Platforms.*
- (1) Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
 - (2) On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
 - (3) On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.
 - (4) All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toe board, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

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- e. *Access to Work Platform.*
 - (1) Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.
 - (2) Walkways over free-fall areas shall be equipped with safety rails and toe boards.
- f. *Electrical Power.*
 - (1) A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.
 - (2) If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.
- g. *Sampling Equipment Support.*
 - (1) A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.
 - (a) The bracket shall be a standard 3 inch × 3 inch × one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.
 - (b) A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.
 - (c) The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.
 - (2) A complete monorail or dual rail arrangement may be substituted for the eyebolt and bracket.
 - (3) When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

TR7. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

- a. *General Compliance Testing.*
 - (1) The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
 - (2) For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.
 - (3) The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
 - (a) Did not operate; or
 - (b) In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

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- (4) During each federal fiscal year (October 1 – September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
 - (a) Visible emissions, if there is an applicable standard;
 - (b) Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
 - (c) Each NESHAP pollutant, if there is an applicable emission standard.
 - (5) An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
 - (6) For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
 - (7) For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to paragraph 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
 - (8) Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.
 - (9) The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
 - (10) An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to subsection 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to subparagraph 62-213.300(2)(a)1., A.C., or paragraph 62-213.430(6)(b), F.A.C.; or units permitted under the General Permit provisions in paragraph 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing.
- b. *Special Compliance Tests.* When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.
 - c. *Waiver of Compliance Test Requirements.* If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of paragraph 62-297.310(7)(b), F.A.C., shall apply.

[Rule 62-297.310(7), F.A.C.]

TR8. Test Reports.

- a. The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.
- b. The required test report shall be filed with the Department as soon as practical but no later than 45 days

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- after the last sampling run of each test is completed.
- c. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information.
- (1) The type, location, and designation of the emissions unit tested.
 - (2) The facility at which the emissions unit is located.
 - (3) The owner or operator of the emissions unit.
 - (4) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 - (5) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 - (6) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 - (7) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 - (8) The date, starting time and duration of each sampling run.
 - (9) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 - (10) The number of points sampled and configuration and location of the sampling plane.
 - (11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 - (12) The type, manufacturer and configuration of the sampling equipment used.
 - (13) Data related to the required calibration of the test equipment.
 - (14) Data on the identification, processing and weights of all filters used.
 - (15) Data on the types and amounts of any chemical solutions used.
 - (16) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 - (17) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 - (18) All measured and calculated data required to be determined by each applicable test procedure for each run.
 - (19) The detailed calculations for one run that relate the collected data to the calculated emission rate.
 - (20) The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
 - (21) A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

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Operation

- TV1. General Prohibition.** A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit. [Rule 62-4.030, Florida Administrative Code (F.A.C.)]
- TV2. Validity.** This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department. [Rule 62-4.160(2), F.A.C.]
- TV3. Proper Operation and Maintenance.** The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules. [Rule 62-4.160(6), F.A.C.]
- TV4. Not Federally Enforceable. Health, Safety and Welfare.** To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. [Rule 62-4.050(3), F.A.C.]
- TV5. Continued Operation.** An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, applicable requirements of the CAIR Program, and applicable requirements of the Hg Budget Trading Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. [Rules 62-213.420(1)(b)2., F.A.C.]
- TV6. Changes Without Permit Revision.** Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:
- a. Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
 - b. A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
 - (1) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
 - (2) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
 - c. Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.
[Rule 62-213.410, F.A.C.]
- TV7. Circumvention.** No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]

Compliance

- TV8. Compliance with Chapter 403, F.S., and Department Rules.** Except as provided at Rule 62-213.460, Permit Shield, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules. [Rule 62-4.070(7), F.A.C.]

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- TV9. Compliance with Federal, State and Local Rules.** Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law. [Rule 62-213.300, F.A.C.]
- TV10. Binding and enforceable.** The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions. [Rule 62-4.160(1), F.A.C.]
- TV11. Timely information.** When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly. [Rule 62-4.160(15), F.A.C.]
- TV12. Halting or reduction of source activity.** It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity. [Rule 62-213.440(1)(d)3., F.A.C.]
- TV13. Final permit action.** Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]
- TV14. Sudden and unforeseeable events beyond the control of the source.** A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference. [Rule 62-213.440(1)(d)5., F.A.C.]
- TV15. Permit Shield.** Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this condition or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program or the CAIR Program. [Rule 62-213.460, F.A.C.]
- TV16. Compliance With Federal Rules.** A facility or emissions unit subject to any standard or requirement of 40 CFR, Part 60, 61, 63 or 65, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall comply with such standard or requirement. Nothing in this chapter shall relieve a facility or emissions unit from complying with such standard or requirement, provided, however, that where a facility or emissions unit is subject to a standard established in Rule 62-296, F.A.C., such standard shall also apply. [Rule 62-296.100(3), F.A.C.]

Permit Procedures

- TV17. Permit Revision Procedures.** The permittee shall revise its permit as required by Rules 62-213.400, 62-213.412, 62-213.420, 62-213.430 & 62-4.080, F.A.C.; and, in addition, the Department shall revise permits as provided in Rule 62-4.080, F.A.C. & 40 CFR 70.7(f).
- TV18. Permit Renewal.** The permittee shall renew its permit as required by Rules 62-4.090, 62-213.420(1) and 62-213.430(3), F.A.C. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information

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identified in Rules 62-210.900(1) [Application for Air Permit - Long Form], 62-213.420(3) [Required Information], 62-213.420(6) [CAIR Part Form], F.A.C. Unless a Title V source submits a timely and complete application for permit renewal in accordance with the requirements this rule, the existing permit shall expire and the source's right to operate shall terminate. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. No Title V permit will be issued for a new term except through the renewal process. [Rules 62-213.420 & 62-213.430, F.A.C.]

TV19. Insignificant Emissions Units or Pollutant-Emitting Activities. The permittee shall identify and evaluate insignificant emissions units and activities as set forth in Rule 62-213.430(6), F.A.C.

TV20. Savings Clause. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect. [Rule 62-213.440(1)(d)1., F.A.C.]

TV21. Suspension and Revocation.

- a. Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.
- b. Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
- c. A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:
 - (1) Submitted false or inaccurate information in his application or operational reports.
 - (2) Has violated law, Department orders, rules or permit conditions.
 - (3) Has failed to submit operational reports or other information required by Department rules.
 - (4) Has refused lawful inspection under Section 403.091, F.S.
- d. No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

[Rule 62-4.100, F.A.C.]

TV22. Not federally enforceable. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

TV23. Emissions Unit Reclassification.

- a. Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.
- b. If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

TV24. Transfer of Permits. Per Rule 62-4.160(11), F.A.C., this permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any

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violations occurring prior to the sale or legal transfer of the facility. The permittee shall also comply with the requirements of Rule 62-210.300(7), F.A.C., and use DEP Form No. 62-210.900(7). [Rules 62-4.160(11), 62-4.120, and 62-210.300(7), F.A.C.]

Rights, Title, Liability, and Agreements

TV25. Rights. As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit. [Rule 62-4.160(3), F.A.C.]

TV26. Title. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [Rule 62-4.160(4), (F.A.C.)]

TV27. Liability. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department. [Rule 62-4.160(5), F.A.C.]

TV28. Agreements.

- a. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (1) Have access to and copy any records that must be kept under conditions of the permit;
 - (2) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
 - (3) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- b. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- c. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

[Rules 62-4.160(7), (9), and (10), F.A.C.]

Recordkeeping and Emissions Computation

TV29. Permit. The permittee shall keep this permit or a copy thereof at the work site of the permitted activity. [Rule 62-4.160(12), F.A.C.]

TV30. Recordkeeping.

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These

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materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

- c. Records of monitoring information shall include:
- (1) The date, exact place, and time of sampling or measurements, and the operating conditions at the time of sampling or measurement;
 - (2) The person responsible for performing the sampling or measurements;
 - (3) The dates analyses were performed;
 - (4) The person and company that performed the analyses;
 - (5) The analytical techniques or methods used;
 - (6) The results of such analyses.

[Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]

TV31. Emissions Computation. Pursuant to Rule 62-210.370, F.A.C., the following required methodologies are to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with Rule 62-210.370, F.A.C. Rule 62-210.370, F.A.C., is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

For any of the purposes specified above, the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

- a. *Basic Approach.* The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
- (1) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
 - (2) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
 - (3) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
- b. *Continuous Emissions Monitoring System (CEMS).*
- (1) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
 - (a) The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or,
 - (b) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
 - (2) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
 - (a) A calibrated flowmeter that records data on a continuous basis, if available; or

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- (b) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
- (3) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.
- c. *Mass Balance Calculations.*
 - (1) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
 - (a) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and,
 - (b) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
 - (2) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
 - (3) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.
- d. *Emission Factors.*
 - (1) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
 - (a) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
 - (b) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
 - (c) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
 - (2) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.
- e. *Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.

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- f. *Accounting for Emissions During Periods of Startup and Shutdown.* In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.
- g. *Fugitive Emissions.* In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.
- h. *Recordkeeping.* The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(1) & (2), F.A.C.]

Responsible Official

TV32. Designation and Update. The permittee shall designate and update a responsible official as required by Rule 62-213.202, F.A.C.

Prohibitions and Restrictions

TV33. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

TV34. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F; and with Chapter 62-281, F.A.C.

TV35. Open Burning Prohibited. Unless otherwise authorized by Rule 62-296.320(3) or Chapter 62-256, F.A.C., open burning is prohibited.

APPENDIX U

LIST OF UNREGULATED EMISSIONS UNITS AND/OR ACTIVITIES.

Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

E.U. No.	Brief Description of Emissions Units and Activities
010	Two No. 2 Fuel Oil Storage Tanks - 500,000 gallons each; subject only to 40 CFR 60.116b (a) and (b)
	No. 2 Fuel Oil Storage Tank - 1.9 million gallons; no applicable standards
	Two No. 2 Fuel Oil Storage “day” Tanks - 16,000 gallons each
	Four Vehicular Fleet Fuel Tanks - 2,000 gallons each
	Three Diesel Peaking Generators (2 MW): Unit 10 (formerly E.U. 002, 003 & 004)
	No. 2 Fuel Oil Storage Tank - 1,000,000 gallon; not subject to 40 CFR 60, Subpart Kb*

*On the basis that low sulfur fuel oil has been shown to consistently exert less than 3.5 kilopascals of Reid vapor pressure.

ATTACHMENTS
(INCLUDED FOR CONVENIENCE)

The following attachments are included for convenient reference:

Figure 1, Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance (40 CFR 60, July, 1996).

Table H, Permit Summary.

Table 1, Summary of Air Pollutant Standards and Terms.

Table 2, Summary of Compliance Requirements.

**TABLE H
PERMIT HISTORY**

E.U. No.	Description	Permit No.	Issued	Expiration Date	
001	Steam Turbine (EPA ID #1)	AO44-245479 AC44-61820	05/03/94 12/17/82	04/25/99 06/15/83	RETIRED January, 1998
002	Diesel Peaking Unit #1	AO44-175804	02/20/90	02/20/95	Now in E.U. 010
003	Diesel Peaking Unit #2	AO44-175804	02/20/90	02/20/95	Now in E.U. 010
004	Diesel Peaking Unit #3	AO44-175804	02/20/90	02/20/95	Now in E.U. 010
005 & 006	8.8 MW Medium Speed Diesel Generators D-1 & D-2	AO44-207419	03/19/93	12/31/97	
		AC44-221256/ PSD-FL-135	03/19/93	03/18/94	
		AC4452197/ PSD-FL-135	06/05/89	04/01/91	
007	23.5 MW Simple Cycle Combustion Turbine CT-1	AC44-245399/ PSD-FL-210	09/28/95	12/31/96	
008 & 009	19.8 MW Simple Cycle Combustion Turbines CT-2 & CT-3	0870003-003-AC & 0870003-004-AC	01/08/98 04/13/98	01/08/00 05/19/00	
010	Unregulated Emissions Units	0870003-001-AV	01/01/00	12/31/04	
011	48 MW Combustion Turbine (CT-4)	0870003-007-AC 0870003-009-AC	09/12/05 06/21/07	07/31/07 11/30/07	
All	Company Name Change	0870003-005-AV	07/02/02	12/31/04	
All	Renewal	0870003-006-AV	12/28/04	12/31/09	
All	Revision	0870003-008-AV	01/25/08	12/31/09	Incorporate EU001 into Title V Permit
007 - 009	Revision to authorize Biodiesel	0870003-010-AC	02/24/09	12/31/10	
All	Title V renewal	0870003-011-AV	01/01/10	12/31/14	

ID Number Changes: From: Facility ID No. 52FTM440003; To: Facility ID No. 0870003; From: E.U. ID No. 002, 003, 004; To: E.U. ID No. 010; Note: 010 units are all unregulated units.

Table 1
Summary of Air Pollutant Standards and Terms

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.									
E.U. 005, 006		8.8 MW 85.4 MMBtu/hr Medium Speed Diesel Generators, Two Units							
Emission Limits are for Each Engine									
Pollutant/Parameter	Fuel	Hours/Year	Allowable Emissions			Equivalent Emissions		Regulatory Citations	See Permit Condition
			Standards	lbs/hour	TPY	lbs./hour	TPY		
SO ₂	#2 oil	3740	0.05% fuel	43.6	40.04			BACT	III.A.2, A.7
		Full-load equivalent							
PM	#2 oil	Engine hours	0.1 lbs/MMBtu	8.5	8			BACT	III.A.8
VE	#2 oil		20% opacity					BACT	III.A.9
NO _x	#2 oil		6.0 grams/hp-hour	160.9	150.45			BACT	III.A.6
CO	#2 oil		2.0 grams/hp-hour	53.6	50.15			BACT	III.A.10
Beryllium (Be)	#2 oil			0.00054	1			BACT	III.A.12
VOC	#2 oil		1.0 grams/hp-hour	26.8	25.5			BACT	III.A.11
Notes:									
*Equivalent Emissions provided for information only.									

Table 1

Summary of Air Pollutant Standards and Terms

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.									
E.U. 008, 009		19.77 MW 305 MMBtu/hour Simple Cycle Combustion Turbine, Two Units							
			Pounds/hour apply to each turbine, while TPY limit is for both units combined						
Pollutant/Parameter	Fuel	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citations	See Permit Condition
			Standard(s)	lbs/hour	TPY	lbs./hour	TPY		
SO ₂	#2 oil		0.05% fuel only					AC-0870003-003	III.C.9
PM	#2 oil			16.6	55			AC-0870003-003	III.C.10
CO	#2 oil			25.2	101			AC-0870003-003	III.C.7
NO _x	#2 oil		75 ppm	93.8	172			AC-0870003-003	III.C.6
VE	#2 oil		20%					AC-0870003-003	III.C.8
Notes:									
*Equivalent Emissions provided for information only.									

Table 1

Summary of Air Pollutant Standards and Terms

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.									
E.U. 007		23.5 MW 312 MMBtu/hour Simple Cycle Combustion Turbine CT-1							
Pollutant/Parameter	Fuel	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citations	See Permit Condition
			Standard(s)	lbs/hour	TPY	lbs./hour	TPY		
SO2	#2 oil		0.05% fuel only					AC44-245399 PSD-FL-210	III.B.2., B.9.
PM	#2 oil			18	43			AC44-245399 PSD-FL-210; BACT	III.B.6.
CO	#2 oil		100% load: 20 ppm 50% load: 136 ppm	64	152			AC44-245399 PSD-FL-210; BACT	III.B.7.
NOx	#2 oil		75 ppmvd at 15% O2	96	138			AC44-245399 PSD-FL-210; BACT	III.B.5.
VE	#2 oil		20%					AC44-245399 PSD-FL-210	III.B.8.
Notes:									
		*Equivalent Emissions provided for information only.							

Table 1

Summary of Air Pollutant Standards and Terms

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.									
E.U. 011		48.0 MW 434 MMBtu/hour Simple Cycle Combustion Turbine, Operational Hours ≤ 2,500							
Pollutant/Parameter	Fuel	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citations	See Permit Condition
			Standard(s)	lbs/hour	TPY	lbs./hour	TPY		
SO ₂	#2 oil		0.05% fuel only		29.5			AC-0870003-007	III.D.2.3
PM/PM ₁₀ (Front & Back)	#2 oil		VE =10% as surrogate 0.05% fuel only					AC-0870003-007	III.D.2.7
CO	#2 oil		30 ppmvd @15% O ₂	33.0				AC-0870003-007	III.D.2.4
NO _x	#2 oil		42 ppmvd @15% O ₂					AC-0870003-007	III.D.2.5
VE	#2 oil		10% opacity					AC-0870003-007	III.D.2.6
VOC	#2 oil		16 ppmvd @15% O ₂	10.0				AC-0870003-007	III.D.2.8
SAM	#2 oil		0.05% fuel only	5.4				AC-087-0003-007	III.D.2.3
Notes:									
*Equivalent Emissions provided for information only.									

Table 1

Summary of Air Pollutant Standards and Terms

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.									
E.U. 011		48.0 MW 434 MMBtu/hour Simple Cycle Combustion Turbine, Operational Hours > 2,500							
Pollutant/Parameter	Fuel	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citations	See Permit Condition
			Standard(s)	lbs/hour	TPY	lbs./hour	TPY		
SO2	#2 oil		0.05% fuel only		39.9			AC-0870003-007	III.D.3.4
PM/PM10 (Front & Back)	#2 oil		VE =10% as surrogate 0.05% fuel only					AC-0870003-007	III.D.3.8
CO	#2 oil		20 ppmvd @15% O2	20.0				AC-0870003-007	III.D.3.5
NOx	#2 oil		9 ppmvd @15% O2 24 block average					AC-0870003-007	III.D.3.6
VE	#2 oil		10% opacity					AC-0870003-007	III.D.3.7
VOC	#2 oil		8 ppmvd @15% O2	5.0				AC-0870003-007	III.D.3.10
SAM	#2 oil		0.05% fuel only	5.4				AC-0870003-007	III.D.3.4
NH3	#2 oil		10.0 ppmvd @15% O2					AC-0870003-007	III.D.3.9
Notes:									
*Equivalent Emissions provided for information only.									

Table 2

Summary of Compliance Requirements

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.							
E.U. 005, 006							
8.8 MW 85.4 MMBtu/hour Two Medium Speed Diesel Generators							
Pollutant/ Parameter	Fuel	Compliance Method	Frequency of Sampling		Min. Compliance Test Duration	CMS**	Permit Condition
CO	#2 oil	EPA Method 10	Permit renewal				III.A.16, A.19
VE	#2 oil	DEP Method 9	annual				III. A.16, A.18, A.19
NOx	#2 oil	EPA Method 20	annual				III. A.16, A.18, A.19
SO2	#2 oil	EPA Method 6 or ASTM D 2880-71	annual				III. A.16, A.18, A.19
PM	#2 oil	EPA Method 5	annual				III. A.16, A.18, A.19
VOC	#2 oil	EPA Method 25	permit renewal				III.A.16, A.19
Beryllium	#2 oil	EPA Method 104	permit renewal				III.A.16, A.19
Notes:							
**CMS = continuous monitoring system							

Table 2

Summary of Compliance Requirements

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.

E.U. 007		23.5 MW 312 MMBtu/hour Simple Cycle Combustion Turbine					
Pollutant/ Parameter	Fuel	Compliance Method	Frequency of Sampling		Min. Compliance Test Duration	CMS**	Permit Condition
SO2	No. 2 oil	ASTM4294 or equivalent	After each fuel oil shipment				40 CFR 60.334, III.B.24
PM	No. 2 oil	EPA Method 5B	annual				III.B.12, B.16, B.18, B.19, B.20
VE	No. 2 oil	DEP Method 9	annual				III. B.16, B.18, B.19, B.21
CO	No. 2 oil	EPA Method 10	annual				III B.16, B.18, B.19, B.22
NOx	No. 2 oil	EPA Method 20	annual				III. B.16, B.18, B.19, B.23
Notes:							
*Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.							
**CMS = continuous monitoring system							

Table 2

Summary of Compliance Requirements

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.							
E.U. 008, 009		19.77 MW 305 MMBtu/hour Simple Cycle Combustion Turbine, Two Units					
Pollutant/ Parameter	Fuel	Compliance Method	Frequency of Sampling		Min. Compliance Test Duration	CMS**	Permit Condition
VE	No. 2 oil	DEP Method 9	annual				III.C.15, C.17. C.21
CO	No. 2 oil	EPA Method 10	annual				III. C.15, C.17. C.20
NOx	No. 2 oil	EPA Method 20	annual				III. C.15, C.17. C.19
Notes:							
*Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.							
**CMS = continuous monitoring system							

Table 2

Summary of Compliance Requirements

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.

E.U. 011		48.0 MW 434 MMBtu/hour Simple Cycle Combustion Turbine, Operational Hours ≤ 2,500					
Pollutant/ Parameter	Fuel	Compliance Method	Frequency of Sampling		Min. Compliance Test Duration	CMS**	Permit Condition
SO ₂	No. 2 oil	ASTM4294 or equivalent	After each fuel oil shipment				40 CFR 60.334
PM	No. 2 oil	VE as surrogate					III.D.2.7, D.2.10,
VE	No. 2 oil	EPA Method 9	annual				III. D.2.10, D.2.13, D.1.16
CO	No. 2 oil	EPA Method 10	annual				III. D.2.10, D.2.11, D.1.16
NO _x	No. 2 oil	EPA Method 7E/20 & CFR 60, Subpart GG 24 hr block average of CEMS data	annual			yes	III. D.2.10, D.2.12, D.1.16
VOC	No. 2 oil	EPA Method 25/25A or Method 18	Annual				III. D.2.10, D.2.14, D.1.16
Notes:							
*Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.							
**CMS = continuous monitoring system							

Table 2

Summary of Compliance Requirements

This table summarizes information for convenience purposes only, & does not supersede any terms or conditions of this permit.							
E.U. 011		48.0 MW 434 MMBtu/hour Simple Cycle Combustion Turbine, Operational Hours > 2,500					
Pollutant/ Parameter	Fuel	Compliance Method	Frequency of Sampling		Min. Compliance Test Duration	CMS**	Permit Condition
SO ₂	No. 2 oil	ASTM4294 or equivalent	After each fuel oil shipment				40 CFR 60.334
PM	No. 2 oil	VE as surrogate					III.D.3.11, D.3.8
VE	No. 2 oil	EPA Method 9	annual				III.D.3.16, D.1.16
CO	No. 2 oil	EPA Method 10	annual				III.D.3.14, D.1.16
NO _x	No. 2 oil	EPA Method 7E/20 & CFR 60, Subpart GG 24 hr block average of CEMS data	annual			yes	III.D.3.15, D.1.16
VOC	No. 2 oil	EPA Method 25/25A or Method 18	annual				III.D.3.17, D.1.16
NH ₃	No. 2 oil	Candidate Test Method 027	annual				III.D.3.13, D.1.16
Notes:							
*Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.							
**CMS.= continuous monitoring system							

Friday, Barbara

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Attachments: 0870003-011-AVSignedWrittenNotice.pdf

Dear Sir/ Madam:

Attached is the official **Written Notice of Intent to Issue Air Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0870003.011.AV.D_pdf.zip

Attention: Susan Machinski

Owner/Company Name: KEYS ENERGY SERVICES
Facility Name: STOCK ISLAND POWER PLANT
Project Number: 0870003-011-AV
Permit Status: DRAFT/PROPOSED
Permit Activity: PERMIT RENEWAL
Facility County: MONROE

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Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

Friday, Barbara

From: Exchange Administrator
Sent: Friday, October 16, 2009 10:51 AM
To: Friday, Barbara
Subject: Delivery Status Notification (Relay)
Attachments: ATT253372.txt; KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT;
0870003-011-AV

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

edward.garcia@keysenergy.com

Friday, Barbara

From: Garcia, Edward [Edward.Garcia@KeysEnergy.com]
To: Friday, Barbara
Sent: Friday, October 16, 2009 12:57 PM
Subject: Read: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: Edward.Garcia@KeysEnergy.com
Subject:

was read on 10/16/2009 12:57 PM.

Friday, Barbara

From: Garcia, Edward [Edward.Garcia@KeysEnergy.com]
Sent: Friday, October 16, 2009 1:15 PM
To: Friday, Barbara
Subject: RE: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Mrs. Friday,

I have received your email on the "Intent to Issue" for our Air Permit..Thanks

Edward Garcia
Director - Generation
Keys Energy Services
PO Box 6100
Key West, FL 33041-6100
305.295.1134 (w) 305.295.1145 (f)

 consider the environment before printing this email

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Friday, October 16, 2009 10:51 AM
To: Garcia, Edward
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Dear Sir/ Madam:

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Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0870003.011.AV.D_pdf.zip

Attention: Susan Machinski

Owner/Company Name: KEYS ENERGY SERVICES
Facility Name: STOCK ISLAND POWER PLANT
Project Number: 0870003-011-AV
Permit Status: DRAFT/PROPOSED
Permit Activity: PERMIT RENEWAL
Facility County: MONROE

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Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Friday, Barbara

From: Postmaster [postmaster@isp.att.net]
Sent: Friday, October 16, 2009 10:51 AM
To: Friday, Barbara
Subject: Delivery Notification
Attachments: ATT253377.txt; ATT253377.txt

Your message was successfully delivered to:
Jerome.guidry@att.net

Friday, Barbara

From: jerome.guidry@att.net
Sent: Friday, October 16, 2009 10:57 AM
To: Friday, Barbara
Subject: Read:KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Attachments: ATT253433.txt

The message you sent on

Date: Fri, 16 Oct 2009 14:51:27 +0000
To: <edward.garcia@keysenergy.com>
Cc: <Jerome.guidry@att.net>, "Satyal, Ajaya" <Ajaya.Satyal@dep.state.fl.us>, "Machinski, Susan" <Susan.Machinski@dep.state.fl.us>, <Forney.Kathleen@epamail.epa.gov>, <Oquendo.Ana@epamail.epa.gov>, "Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>, "Holtom, Jonathan" <Jonathan.Holtom@dep.state.fl.us>
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

has been read on Fri, 16 Oct 2009 14:57:10

Friday, Barbara

From: jerome.guidry@att.net
Sent: Monday, October 19, 2009 1:14 PM
To: Friday, Barbara
Subject: Re: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

I received the permit documents. Thank you.

--

Jerome J. Guidry, P.E., Q.E.P.
Perigee Technical Services, Inc.
3214 Deer Chase Run
Longwood, FL 32779-3173
Voice: 407/333-7374
FAX: 407/479-3433

----- Original message from "Friday, Barbara" <Barbara.Friday@dep.state.fl.us>: -----

Dear Sir/ Madam:

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Attention: Susan Machinski

Owner/Company Name: KEYS ENERGY SERVICES
Facility Name: STOCK ISLAND POWER PLANT
Project Number: 0870003-011-AV
Permit Status: DRAFT/PROPOSED
Permit Activity: PERMIT RENEWAL
Facility County: MONROE

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Friday, Barbara

From: System Administrator
To: Satyal, Ajaya; Machinski, Susan
Sent: Friday, October 16, 2009 10:51 AM
Subject: Delivered:KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan;
Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria;
Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Sent: 10/16/2009 10:51 AM

was delivered to the following recipient(s):

Satyal, Ajaya on 10/16/2009 10:51 AM
Machinski, Susan on 10/16/2009 10:51 AM

Friday, Barbara

From: Satyal, Ajaya
To: Friday, Barbara
Sent: Friday, October 16, 2009 11:22 AM
Subject: Read: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan;
Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria;
Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Sent: 10/16/2009 10:51 AM

was read on 10/16/2009 11:22 AM.

Friday, Barbara

From: Satyal, Ajaya
Sent: Friday, October 16, 2009 11:24 AM
To: Friday, Barbara
Subject: RE: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Received and can view the document also.
Thanks,

AJ Satyal

From: Friday, Barbara
Sent: Friday, October 16, 2009 10:51 AM
To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

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Attention: Susan Machinski

Owner/Company Name: KEYS ENERGY SERVICES
Facility Name: STOCK ISLAND POWER PLANT
Project Number: 0870003-011-AV
Permit Status: DRAFT/PROPOSED
Permit Activity: PERMIT RENEWAL
Facility County: MONROE

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Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

Friday, Barbara

From: Machinski, Susan
Sent: Thursday, October 22, 2009 2:03 PM
To: Friday, Barbara
Subject: RE: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Barbara,

I have received and can open/read.

Susan

From: Friday, Barbara
Sent: Friday, October 16, 2009 10:51 AM
To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Dear Sir/ Madam:

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Attention: Susan Machinski

Owner/Company Name: KEYS ENERGY SERVICES
Facility Name: STOCK ISLAND POWER PLANT
Project Number: 0870003-011-AV
Permit Status: DRAFT/PROPOSED
Permit Activity: PERMIT RENEWAL
Facility County: MONROE

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Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive01.rtp.epa.gov]
Sent: Friday, October 16, 2009 10:51 AM
To: Friday, Barbara
Subject: Successful Mail Delivery Report
Attachments: Delivery report; Message Headers

This is the mail system at host mseive01.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<Forney.Kathleen@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent 4AD8885F_8106_62402_1 926F1444A9

<Oquendo.Ana@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent 4AD8885F_8106_62402_1 926F1444A9

Friday, Barbara

From: System Administrator
To: Gibson, Victoria
Sent: Friday, October 16, 2009 10:51 AM
Subject: Delivered:KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan;
Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria;
Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Sent: 10/16/2009 10:51 AM

was delivered to the following recipient(s):

Gibson, Victoria on 10/16/2009 10:51 AM

Friday, Barbara

From: Gibson, Victoria
To: Friday, Barbara
Sent: Wednesday, October 21, 2009 10:24 AM
Subject: Read: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan;
Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria;
Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Sent: 10/16/2009 10:51 AM

was read on 10/21/2009 10:24 AM.

Friday, Barbara

From: System Administrator
To: Holtom, Jonathan
Sent: Friday, October 16, 2009 10:51 AM
Subject: Delivered:KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan;
Forney.Kathleen@epamail.epa.gov; Qquendo.Ana@epamail.epa.gov; Gibson, Victoria;
Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Sent: 10/16/2009 10:51 AM

was delivered to the following recipient(s):

Holtom, Jonathan on 10/16/2009 10:51 AM

Friday, Barbara

From: Holtom, Jonathan
To: Friday, Barbara
Sent: Friday, October 16, 2009 11:01 AM
Subject: Read: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV

Your message

To: edward.garcia@keysenergy.com
Cc: Jerome.guidry@att.net; Satyal, Ajaya; Machinski, Susan;
Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria;
Holtom, Jonathan
Subject: KEYS ENERGY SERVICES - STOCK ISLAND POWER PLANT; 0870003-011-AV
Sent: 10/16/2009 10:51 AM

was read on 10/16/2009 11:01 AM.