west virginia department of environmental protection

Division of Air Quality
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Charleston, WV 25304
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Jim Justice, Governor
Austin Caperton, Cabinet Secretary
www.dep.wv.gov

March 7, 2017

Dirk Straussfeld
1401 McKinney St. Suite 1800
Houston, TX 77010

Re: Moundsville Power, LLC
Moundsville Power Plant
Permit No. R14-0030D
Plant ID No. 051-00188

Dear Mr. Straussfeld:

Your application for a permit as required by Section 5 of 45CSR13 - "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permit, General Permit, and Procedures for Evaluation" has been approved. The enclosed permit R14-0030D is hereby issued pursuant to Subsection 5.7 of 45CSR13. Please be aware of the notification requirements in the permit which pertain to commencement of construction, modification, or relocation activities; startup of operations; and suspension of operations.

In accordance with 45CSR30- Operating Permit Program, the permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §§22-5-14.

Should you have any questions or comments, please contact me at (304) 926-0499, extension 1218.

Sincerely,

Steven R. Pursley, PE
Engineer

Enclosures

c: dstraussfeld@quantumug.com
toby.hanna@erm.com

West Virginia Department of Environmental Protection
Division of Air Quality

Jim Justice
Governor

Austin Caperton
Cabinet Secretary

Class I Administrative Update

R14-0030D

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation, and 45 C.S.R. 14 - Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:
Moundsville Power, LLC
Moundsville Combined Cycle Power Plant
051-00188

William F. Durham
Director

Issued: March 7, 2017

Facility Location:	Moundsville, Marshall County, West Virginia
Mailing Address:	1401 McKinney St., Suite 1800 Houston, TX 77010
Facility Description:	Nominal 631 Megawatt, natural gas fired, combined cycle power plant
NAICS Codes:	221112
UTM Coordinates:	517.3 km Easting • 4,417.2 km Northing • Zone 17
Permit Type:	Class I Administrative Update
Description of Change:	Permit to allow permittee the option of using slightly newer, more efficient turbines.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.

The source is a major source subject to 45CSR30. The Title V (45CSR30) application will be due within twelve (12) months after the date of the commencement of the operation or activity (activities) authorized by this permit.

Table of Contents

1.0. Emission Units 3

2.0. General Conditions 4
2.1. Definitions 4
2.2. Acronyms 4
2.3. Authority 5
2.4. Term and Renewal 5
2.5. Duty to Comply 5
2.6. Duty to Provide Information 5
2.7. Duty to Supplement and Correct Information 5
2.8. Administrative Permit Update 6
2.9. Permit Modification 6
2.10. Major Permit Modification 6
2.11. Inspection and Entry 6
2.12. Emergency 6
2.13. Need to Halt or Reduce Activity Not a Defense 7
2.14. Suspension of Activities 7
2.15. Property Rights 7
2.16. Severability 7
2.17. Transferability 7
2.18. Notification Requirements 8
2.19. Credible Evidence 8

3.0. Facility-Wide Requirements 9
3.1. Limitations and Standards 9
3.2. Monitoring Requirements 9
3.3. Testing Requirements 9
3.4. Recordkeeping Requirements 10
3.5. Reporting Requirements 11

4.0. Source-Specific Requirements 12
4.1. Limitations and Standards 12
4.2. Monitoring Requirements 18
4.3. Testing Requirements 20
4.4. Recordkeeping Requirements 21
4.5. Reporting Requirements 23

CERTIFICATION OF DATA ACCURACY 24

1.0 Emission Units

Table 1.0

Emission Unit ID	Emission Point ID	Emission Unit Description	Year Installed	Design Capacity	Control Device[1]
CCCT-1	CCCT-1	Combustion Turbine	2017	2,232 MMBTU/hr	DLNB, SCR & OC
CCCT-2	CCCT-2	Combustion Turbine	2017	2,232 MMBTU/hr	DLNB, SCR & OC
HRSG-1	CCCT-1	HRSG w/ Duct Burner	2017	187.6 MMBTU/hr	SCR & OC
HRSG-2	CCCT-2	HRSG w/ Duct Burner	2017	187.6 MMBTU/hr	SCR & OC
CT-1	CT-1	Cooling Tower	2017	164,110 gpm	N
AB-1	AB-1	Auxiliary Boiler	2017	100 MMBTU/hr	ULNB & FGR
FP-1	FP-1	Fire Water Pump	2017	500 hp	N
EG-1	EG-1	Emergency Generator	2017	1,500 kW	N

[1] SCR = Selective Catalytic Reduction; DLNB = Dry Low NOx Burners; OC = Oxidation Catalyst; ULNB = Ultra Low NO_x Burner; FGR = Flue Gas Recirculation; N = None

2.0. General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments
CBI	Confidential Business Information
CEM	Continuous Emission Monitor
CES	Certified Emission Statement
C.F.R. *or* CFR	Code of Federal Regulations
CO	Carbon Monoxide
C.S.R. *or* CSR	Codes of State Rules
DAQ	Division of Air Quality
DEP	Department of Environmental Protection
dscm	Dry Standard Cubic Meter
FOIA	Freedom of Information Act
HAP	Hazardous Air Pollutant
HON	Hazardous Organic NESHAP
HP	Horsepower
lbs/hr	Pounds per Hour
LDAR	Leak Detection and Repair
M	Thousand
MACT	Maximum Achievable Control Technology
MDHI	Maximum Design Heat Input
MM	Million
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAPS	National Emissions Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter less than 2.5μm in diameter
PM_{10}	Particulate Matter less than 10μm in diameter
Ppb	Pounds per Batch
pph	Pounds per Hour
ppm	Parts per Million
Ppmv or ppmv	Parts per million by volume
PSD	Prevention of Significant Deterioration
psi	Pounds per Square Inch
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TAP	Toxic Air Pollutant
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulate
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator
VEE	Visual Emissions Evaluation
VOC	Volatile Organic Compounds
VOL	Volatile Organic Liquids

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

2.3.2. 45CSR14 – *Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration;*

2.4. Term and Renewal

2.4.1. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R14-0030, R14-0030A, R14-0030B, R14-0030C, R14-0030D and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 13-10.3]

2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-4]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-5.4.]

2.10. Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
[45CSR§13-5.1]

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.

2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,

d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

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

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1]**

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§34]

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1 State-Enforceable only.]

3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]

3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

3.2.1 Emission Limit Averaging Time. Unless otherwise specified, compliance with all annual limits shall be based on a rolling twelve month total. A rolling twelve month total shall be the sum of the measured parameter of the previous twelve calendar months. Compliance with all hourly emission limits, unless specified in this permit, shall be based on the applicable NAAQS averaging times or, where applicable, as given in any approved performance test method.

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling

connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the

permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State-Enforceable only.*]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

DAQ Compliance and Enforcement[1]:
DEPAirQualityReports@wv.gov

If to the USEPA:

Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

[1]For All self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status Reports, Initial Notifications, etc.

3.5.4. **Operating Fee.**

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a Certified Emissions Statement (CES) and pay fees on an annual basis in accordance with the submittal requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. The Moundsville Power, LLC Moundsville Power Plant shall consist of only the pollutant-emitting equipment and processes identified under Section 1.0 of this permit and any other processes/units defined as De Minimis per 45CSR13. In accordance with the information filed in Permit Application R14-0030, the equipment shall be installed, maintained, and operated so as to minimize any fugitive escape of pollutants and the equipment/processes shall use the specified control devices.

4.1.2 Hourly emissions from each combustion turbine/HRSG unit shall not exceed the following (except in cases of startup and shutdown):

Pollutant	Emission Rate (lb/hr)
CO	9.92 (based on a 1 hour average)
NO_x	16.3 (based on a 1 hour average)
PM(1)	8.9
PM_{10}(1)	8.9
$PM_{2.5}$(1)	8.9
SO_2	0.63
VOCs	5.7
Pb	0.0012
GHGs (CO_{2e})	272,556
H_2SO_4	0.41
HAPs	1.49

1 Includes both filterable and condensable particulate matter

4.1.3 The combustion turbine/HRSG units (combined) shall not exceed the following parameters for startups and shutdowns:

Pollutant[1]	Type of Event[2]	Emission Factor (lb/event/turbine)	Annual Emissions (lb/yr) for both turbines combined
NO_x	Hot Start	19	14,048
	Warm Start	33	
	Cold Start	47	
	Shutdown	5	
CO	Hot Start	273	242,496
	Warm Start	280	
	Cold Start	1,381	
	Shutdown	175	

PM[3]	Hot Start	2.7	2,364
	Warm Start	4.3	
	Cold Start	6	
	Shutdown	1.5	
PM_{10}[3]	Hot Start	2.7	2,364
	Warm Start	4.3	
	Cold Start	6	
	Shutdown	1.5	
$PM_{2.5}$[3]	Hot Start	2.7	2,364
	Warm Start	4.3	
	Cold Start	6	
	Shutdown	1.5	
VOCs	Hot Start	55	55,216
	Warm Start	56	
	Cold Start	380	
	Shutdown	46	

[1] Pollutants not listed in this table are limited to the rates in condition 4.1.1 at all times including startup and shutdown.

[2] A hot start is defined as a start following 8 hours of shutdown or less. A warm start is defined as a start following at least 8 hours of shutdown but not more than 72 hours of shutdown. A cold start is defined as a start following 72 hours of shutdown or more.

[3] Includes both filterable and condensable particulate matter.

4.1.3.1 Cold starts for the two turbines shall be performed in a staged manner such that both turbines are not undergoing a cold start at the same time.

4.1.4 Total combined annual emissions from the two combustion turbine/HRSG units shall not exceed the following.

Pollutant	tons/year
CO	206.33
NO_x	146.83
PM(1)	77.96
PM_{10}(1)	77.96
$PM_{2.5}$(1)	77.38
SO_2	5.55
VOCs	76.24
H_2SO_4	3.57
Lead	0.01

GHGs (CO_{2e})	2,387,593.00
Total HAPs	13.06

[1] Includes both filterable and condensable particulate matter

Compliance with the annual emission limits shall be determined using CEMs for CO and NO_x. For all other pollutants, it shall be determined by multiplying the hourly steady state emissions in condition 4.1.2 by the number of hours of steady state operation and adding the appropriate start up and shut down emissions from condition 4.1.3.

4.1.5 Pursuant to the BACT provisions under 45CSR14, the permittee shall meet the following requirements for each combustion turbine/HRSG unit:

PSD Pollutant									
CO		NO_x		$PM_{2.5}/PM_{10}/PM^{(1)}$		VOCs		GHGs	
Limit	Tech.[2]	Limit	Tech.[2]	Limit	Tech.[2]	Limit[4]	Tech.[2]	Limit (CO_{2e})	Tech.[2]
2.0 ppmvd	OC, CP	2.0 ppmvd	DLNB, SCR, CP	8.9 lb/hr	AF, NG, CP	1ppmvd 2ppmvd	OC, CP	792lb/ MW-hr[3]	NG, GE7FA

[1] PM emission rates are given in total particulate (filterable + condensable) matter
[2] CP=Good Combustion Practices; SCR = Selective Catalytic Reduction; DLNB = Dry Low NOx Burners; OC = Oxidation Catalyst; AF = inlet air filtration; NG = Use of Natural Gas (or a Natural Gas/Ethane blend) as a fuel; GE7FA = use of GE Frame 7FA.04 or 7FA.05 turbines.
[3] Based on combined cycle gross MW output, at 59°F ambient temperature, with no duct firing, evaporative cooling on, and the combustion turbines firing natural gas and operating at base load.
[4] 1ppm limit applies when duct firing is not occurring. 2 ppm limit applies when duct firing is occurring. Ppm values are by volume, dry basis, corrected to 15% oxygen.

4.1.5.1 During startup and shut down the applicant shall minimize the emissions by:

1. Operating and maintaining the turbine/HRSG units and associated air pollution control equipment in accordance with good combustion and air pollution control practices, safe operating practices, and protection of the facility.

2. Implementing operations and maintenance practices comprised of maintaining a high level of operation time, and minimizing (as much as practicable) the frequency of startup and shutdown events.

3. Operate continuous emission monitoring system (CEMS), and other continuous monitoring systems and devices required by this permit.

4.1.6 Each combustion turbine/HRSG unit shall burn only pipeline quality natural gas or a pipeline quality natural gas and ethane (25% max by volume) mix as fuel. For the combustion turbine/HRSG unit, "fuel" shall mean "pipeline quality natural gas or a pipeline quality natural gas and ethane (25% max by volume) mix"

4.1.7 Each combustion turbine/HRSG unit shall use the emission control devices specified under Table 1.0 at all times when in operation except during periods of startup and shutdown when operating temperatures do not allow for proper use of the emission control devices.

4.1.8 In order to minimize NO_x emissions, within 180 days of startup, the permittee shall determine the optimal injection rate of aqueous ammonia into the SCR. The permittee shall then operate the SCR at the determined injection rate.

4.1.9 Ammonia slip from the SCR shall not exceed 5 ppmvd at 15% O_2 except during periods of startup and shutdown.

4.1.10 Emissions of NO_x from each combustion turbine/HRSG unit shall not exceed one of the following:

4.1.10.1 15 ppmvd at 15% oxygen or;

4.1.10.2 0.43 lb/MW-hr gross energy output.

[40 CFR §60.4320]

4.1.11 Each combustion turbine/HRSG unit shall meet one of the following requirements:

4.1.11.1 The permittee must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO_2 in excess of 110 nanograms per Joule (ng/J) (0.90 pounds per megawatt-hour (lb/MWh)) gross output; or

4.1.11.2 The permittee must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

[40 CFR §60.4330(a)]

4.1.12 Visible emissions from the each combustion turbine/HRSG unit shall not exceed 10 opacity based on a six minute block average.
[45CSR§2-3.1.]

4.1.13 Emissions from the auxiliary boiler shall not exceed the following:

Pollutant	lb/hr	tpy
CO	4.00	4.00
NO_x	2.00	2.00
PM	0.50	0.50
PM_{10}	0.50	0.50
$PM_{2.5}$	0.50	0.50
SO_2	0.06	0.06
VOCs	0.60	0.60
GHGs (CO_{2e} basis)	12,081	12,081
H_2SO_4	0.01	0.01
HAPs	0.19	0.19

4.1.14 The auxiliary boiler shall be fitted with ultra Low NO_x burners and shall utilize Flue Gas Recirculation.

4.1.15 The auxiliary boiler shall burn only pipeline quality natural gas or a pipeline quality natural gas and ethane (25% max by volume) mix with an overall maximum sulfur content of 2,000 grains per mmdscf as fuel. For the auxiliary boiler, "fuel" shall mean "pipeline quality natural gas or a pipeline quality natural gas and ethane (25% max by volume) mix with an overall maximum sulfur content of 2,000 grains per mmdscf".

4.1.16 The auxiliary boiler shall not consume more than 97,087 scf of fuel per hour nor more than 194,174 mscf of fuel per year.

4.1.17 The auxiliary boiler shall not operate more than 2,000 hours per year nor more than 12 hours in any 24 consecutive hours.

4.1.18 Visible emissions from the auxiliary boiler shall not exceed 10 opacity based on a six minute block average.
[45CSR§2-3.1.]

4.1.19 Pursuant to the BACT provisions under 45CSR14, the permittee shall meet the following requirements for the auxiliary boiler:

PSD Pollutant									
CO		NO_x		$PM_{2.5}/PM_{10}/PM^{(1)}$		VOCs		GHGs	
Limit	Tech.(2)	Limit	Tech.(2)	Limit	Tech.(2)	Limit	Tech.(2)	Limit (CO_{2e})	Tech.(2)
0.04 lb/mmbtu	CP	0.02 lb/mmbtu	ULNB, FGR, CP	0.005 lb/mmbtu	NG, CP	0.006 lb/mmbtu	CP, NG	12,081 lb/hr	NG

1 PM emission rates are given in total particulate (filterable + condensable) matter
2 CP=Good Combustion Practices; ULNB = Ultra Low NOx Burners; NG = Use of Natural Gas or Natural Gas/Ethane blend as a fuel;

4.1.20 Emissions from the emergency generator shall not exceed the following:

Pollutant	lb/hr	tpy
CO	11.53	2.88
NO_x	11.18	2.79
PM	0.40	0.10
PM_{10}	0.40	0.10
$PM_{2.5}$	0.40	0.10
SO_2	0.03	0.01
VOCs	1.24	0.31
GHGs (CO_{2e} basis)	2416	604
HAPs	0.01	0.01

4.1.21 The emergency generator shall fire only ultra low sulfur diesel fuel with a sulfur content of no greater than 0.0015% by weight.

4.1.22 The emergency generator shall not consume more than 109.4 gallons of fuel oil per hour.

4.1.23 The emergency generator shall not operate more than 100 hours per year nor more than 1 hour in any 24 consecutive hours for non emergency purposes (e.g. maintenance and testing).

4.1.24 Emissions from the emergency generator shall not exceed the following (all limits in g/hp-hr):

NMHC + NO_x	CO	PM
4.8	2.6	0.15

[40 CFR §60.4205]

4.1.24.1 Compliance with the above limits shall be determined by purchasing a certified engine. **[40 CFR §60.4211(c)]**

4.1.25 The emergency generator shall fire only nonroad diesel fuel that meets the requirements of 40 CFR 80.510(b).
[40 CFR §60.4207(b)]

4.1.26 The emergency generator must meet all applicable requirements of 40 CFR 60 Subpart IIII.
[40 CFR §63.6590(c)(1)]

4.1.27 Emissions from the fire water pump engine shall not exceed the following:

Pollutant	lb/hr	tpy
CO	2.87	0.72
NO_x	2.98	0.74
PM	0.17	0.04
PM_{10}	0.17	0.04
$PM_{2.5}$	0.17	0.04
SO_2	0.01	0.01
VOCs	0.33	0.08
GHGs (CO_{2e} basis)	596	149
HAPs	0.02	0.01

4.1.28 The fire water pump engine shall fire only ultra low sulfur diesel fuel with a sulfur content of no greater than 0.0015% by weight.

4.1.29 The fire water pump engine shall not consume more than 27 gallons of fuel oil per hour.

4.1.30 The fire water pump engine shall not operate more than 100 hours per year nor more than 1 hour in any 24 consecutive hours for non emergency purposes (e.g. maintenance and testing).

4.1.31 Emissions from the fire water pump engine shall not exceed the following (all limits in g/hp-hr):

NMHC + NO_x	PM
3	0.15

[40 CFR §60.4205]

4.1.31.1 Compliance with the above limits shall be determined by purchasing a certified engine. **[40 CFR §60.4211(c)]**

4.1.32 The fire water pump engine shall fire only nonroad diesel fuel that meets the requirements of 40 CFR 80.510(b).
[40 CFR §60.4207(b)]

4.1.33 The fire water pump engine must meet all applicable requirements of 40 CFR 60 Subpart IIII.
[40 CFR §63.6590(c)(1)]

4.1.34 Emissions from the cooling tower shall not exceed the following:

Pollutant	lb/hr	tpy
PM	0.99	4.34
PM_{10}	0.57	2.48
$PM_{2.5}$	0.01	0.01

4.1.35 The cooling tower shall be operated with a drift eliminator to reduce the drift rate to no more than 0.0005%.

4.1.36. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.]

4.2. Monitoring Requirements

4.2.1. In order to determine compliance with the CO and NO_x limits of condition 4.1.2, 4.1.3, 4.1.4, 4.1.5 and 4.1.10 of this permit, the permittee shall install a continuous emissions monitoring system (CEMS). Said CEMS shall be designed, installed, operated and maintained in accordance with performance specification 4 of 40 CFR 60 and §60.4345 as applicable.

4.2.2 In order to determine compliance with the requirements of 4.1.3, the permittee shall monitor the type and number of each event and the duration of each shutdown.

4.2.3 In order to determine compliance with the requirements of 4.1.6 of this permit, the permittee shall monitor the amount of natural gas and ethane used by each combustion turbine / HRSG unit in scf/hour. The fuel flow meters used to measure the natural gas and ethane shall meet the requirements of 40 CFR Part 75, Appendix D, Section 2.1.

4.2.4 In order to determine compliance with the requirements 4.1.7 of this permit, the permittee shall monitor the operating times for the SCR and oxidation catalyst.

4.2.5 In order to determine compliance with the requirements of 4.1.8 of this permit, the permittee shall monitor the ammonia injection rate into the SCR on at least an hourly basis.

4.2.6 In order to determine compliance with the requirements of 4.1.9 of this permit, the permittee shall monitor ammonia slip from the SCR on at least an hourly basis.

4.2.7 In order to determine compliance with the requirements of 4.1.11 of this permit, the permittee shall either demonstrate compliance with 4.1.11.2 of this permit per 40 CFR §60.4365 or demonstrate compliance with 4.1.11.1 of this permit by monitoring fuel sulfur content per 40 CFR §60.4370.

4.2.8 In order to determine compliance with the emission limitations of 4.1.13 of this permit and the requirements of 4.1.15 and 4.1.16 of this permit, the permittee shall monitor the amount of fuel consumed by the auxiliary boiler on at least a monthly basis.

4.2.9 In order to determine compliance with the SO_2 emission limitations of 4.1.13 of this permit and the fuel sulfur content limit of 4.1.15 of this permit, the permittee shall monitor fuel sulfur content of the fuel combusted by the auxiliary boiler. In lieu of this monitoring, the permittee may maintain onsite a valid purchase contract guaranteeing that the maximum sulfur content of the fuel is not greater than 2000 grains per mmdscf.

4.2.10 In order to determine compliance with the operating limits of 4.1.17 of this permit, the permittee shall monitor the auxiliary boiler operating time.

4.2.11 In order to determine compliance with the emission limitations of 4.1.20 of this permit, and the operating limits of 4.1.22 of this permit, the permittee shall monitor the amount of fuel used by the emergency generator on at least a daily basis.

4.2.12 In order to determine compliance with the fuel sulfur limits of 4.1.21 of this permit the permittee shall monitor fuel sulfur content of the fuel oil combusted by the emergency generator. In lieu of this monitoring, the permittee may maintain onsite a valid purchase contract, tariff sheet or transportation contract guaranteeing that the maximum sulfur content of the fuel is not greater than 0.0015% by weight.

4.2.13 In order to determine compliance with the operating limits of 4.1.23 of this permit, the permittee shall monitor the emergency generator operating time.

4.2.14 In order to determine compliance with the emission limitations of 4.1.24 of this permit, the permittee shall only use an emergency generator certified by the manufacturer to meet those emission limitations.

4.2.15 In order to determine compliance with the emission limitations of 4.1.27 of this permit, and the operating limits of 4.1.29 of this permit, the permittee shall monitor the amount of fuel used by the fire water pump engine on at least a daily basis.

4.2.16 In order to determine compliance with the fuel sulfur limits of 4.1.28 of this permit the permittee shall monitor fuel sulfur content of the fuel oil combusted by the fire water pump engine. In lieu of this monitoring, the permittee may maintain onsite a valid purchase contract, tariff sheet or transportation contract guaranteeing that the maximum sulfur content of the fuel is not greater than 0.0015% by weight.

4.2.17 In order to determine compliance with the operating limits of 4.1.30 of this permit, the permittee shall monitor the fire water pump engine operating time.

4.2.18 In order to determine compliance with the emission limitations of 4.1.31 of this permit, the permittee shall only use a fire water pump engine certified by the manufacturer to meet those emission limitations.

4.2.19 In order to determine compliance with the emission limitations of 4.1.34 of this permit, the permittee shall continuously monitor the circulating water flow rate, and the circulating waters total dissolved solids content (via conductivity) of the cooling tower.

4.3. Testing Requirements

4.3.1. In order to determine compliance with the emission limitations of 4.1.2, 4.1.4 and 4.1.5 of this permit, the permittee shall perform EPA approved stacktesting on each combustion turbine / HRSG unit within 180 days of startup. Said testing shall utilize the following methods unless otherwise approved by the Director.

Pollutant	Test Method(1)
CO(2)	Method 10B
PM	Method 202
PM (filterable only)	Method 5
$PM_{10}/PM_{2.5}$	Method 202
$PM_{10}/PM_{2.5}$ (filterable)	Method 201A
VOCs	Method 18
H_2SO_4	Method 8
GHGS	Method 3A or 3B for CO_2. Emission calculations for non CO_2 GHGs.

(1) All test methods refer to those given under 40 CFR 60, Appendix A
(2) Data obtained during required RATA testing of the CO CEMs may be used in lieu of the required testing.

4.3.2 The testing required under 4.3.1 of this permit shall be repeated at least once every 5 years.

4.3.3 In order to determine compliance with the opacity limits of 4.1.12 and 4.1.18 of this permit, the permittee shall conduct visible emission checks and / or opacity monitoring and recordkeeping for each combustion turbine / HRSG stack and the auxiliary boiler stack.

a. The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course.

b. Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Each observation must be recorded as either visible emissions observed or no visible emissions observed. Visible emission checks shall be performed during periods of normal facility operation and appropriate weather conditions.

c. If visible emissions are present at a source(s) the permittee shall perform Method 9 readings to confirm that visible emissions are within the limits of 4.1.12 of this permit. Said Method 9 readings shall be taken as soon as practicable, but within seventy-two (72) hours of the Method 22 emission check.

4.3.4 *[Reserved]*

4.3.5 At least once a week, in any calendar week in which the cooling tower operates, the permittee shall take a grab sample of the cooling tower circulating water and verify the total dissolved solids content as determined under 4.2.19 of this permit.

4.3.6 The permittee shall perform any applicable, required testing under 40 CFR 60 Subpart KKKK including but not limited to the following:

4.3.6.1 The permittee shall conduct an initial and subsequent annual performance tests to determine compliance with NO_x emission limits using either EPA Method 7E or EPA Method 20. **[40 CFR §60.4400(a)]**

4.3.6.2 Since NOx-diluent CEMS are required in this permit, the initial performance test required by 4.3.6.1 may be alternatively performed by the methods prescribed by 40 CFR §60.4405. **[40 CFR §60.4405]**

4.3.6.3 The permittee shall conduct an initial and subsequent annual performance tests to determine compliance with SO_2 emission limits using one of the three methods described in 40 CFR §60.4415(a). **[40 CFR §60.4415(a)]**

4.4. Recordkeeping Requirements

4.4.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

4.4.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.4.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

4.4.4. In order to determine compliance with 4.2.2 of this permit, the permittee shall record the type and number of each event and the duration of each shutdown as limited by 4.1.3.

4.4.5 The permittee shall record the type and amount of fuel used by each combustion turbine / HRSG unit on an hourly basis as limited by 4.1.6.

4.4.6 The permittee shall record the operating times for the SCR and oxidation catalyst as required by 4.1.7.

4.4.7 The permittee shall record the ammonia injection rate into the SCR as required by 4.1.8.

4.4.8 The permittee shall record the ammonia slip from the SCR as limited by 4.1.9.

4.4.9 The permittee shall either maintain records of compliance with 4.1.11.2 of this permit per 40 CFR §60.4365 or maintain records of compliance with 4.1.11.1 of this permit by recordkeeping fuel sulfur content per 40 CFR §60.4370.

4.4.10 The permittee shall record the amount of fuel consumed by the auxiliary boiler as limited by 4.1.16.

4.4.11 The permittee shall record fuel sulfur content of the natural gas combusted by the auxiliary boiler as limited by 4.1.15. In lieu of this recordkeeping, the permittee may maintain onsite a valid purchase contract guaranteeing that the maximum sulfur content of the fuel is not greater than 2000 grains per mmscf.

4.4.12 The permittee shall record the auxiliary boilers operating time as limited by 4.1.17.

4.4.13 The permittee shall record the amount of fuel used by the emergency generator as limited by 4.1.22.

4.4.14 The permittee shall record the sulfur content of the fuel oil combusted by the emergency generators limited by 4.1.21. In lieu of this recordkeeping, the permittee may maintain onsite a valid purchase contract, tariff sheet or transportation contract guaranteeing that the maximum sulfur content of the fuel is not greater than 0.0015% by weight.

4.4.15 The permittee shall record the emergency generators operating times as limited by 4.1.23.

4.4.16 The permittee shall record the amount of fuel used by the fire water pump engine as limited by 4.1.29.

4.4.17 The permittee shall record fuel sulfur content of the fuel oil combusted by the fire water pump engine as limited by 4.1.28. In lieu of this recordkeeping, the permittee may maintain onsite a valid purchase contract, tariff sheet or transportation contract guaranteeing that the maximum sulfur content of the fuel is not greater than 0.0015% by weight.

4.4.18 The permittee shall record the fire water pump engine operating times as limited by 4.1.30.

4.4.19 The permittee shall record the circulating water flow rate and the circulating waters total dissolved solids content (via conductivity) as limited by 4.1.34.

4.4.20 The permittee shall record the CEMS readings required by 4.2.1. Said records shall be used to determine compliance with the annual emission limits of 4.1.3 and 4.1.4.

4.5. Reporting Requirements

4.5.1. The permittee shall submit any and all applicable notifications and reports required under 40 CFR 60 Subpart IIII.

4.5.2 For each combustion turbine / HRSG unit you must submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.
[40 CFR §60.4375(a)]

4.5.3 For each affected unit that performs annual performance tests in accordance with §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.
[40 CFR §60.4375(b)]

4.5.4 The permittee shall submit any and all applicable notifications and reports required under 40 CFR 60 Subpart Dc.
[40 CFR §60.48c]

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

Name and Title _____ _____
(please print or type) Name Title

Telephone No. _____ Fax No. _____

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[1] This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), or

(ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.