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|  | **MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY**  **AIR QUALITY DIVISION** |  |
| EFFECTIVE DATE: July 22, 2020  ISSUED TO  **Holland Board of Public Works 48th Street Peaking Station**  State Registration Number (SRN): N2586  LOCATED AT  491 East 48th Street, Holland, Allegan County, Michigan 49423 | | |
|  | | |
| **RENEWABLE OPERATING PERMIT**  Permit Number: MI-ROP-N2586-2020  Expiration Date: July 22, 2025  Administratively Complete ROP Renewal Application Due Between January 22, 2024 and January 22, 2025  This Renewable Operating Permit (ROP) is issued in accordance with and subject to Section 5506(3) of Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). Pursuant to Rule 210(1) of the administrative rules promulgated under Act 451, this ROP constitutes the permittee’s authority to operate the stationary source identified above in accordance with the general conditions, special conditions and attachments contained herein. Operation of the stationary source and all emission units listed in the permit are subject to all applicable future or amended rules and regulations pursuant to Act 451 and the federal Clean Air Act. | | |

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| **SOURCE-WIDE PERMIT TO INSTALL**  Permit Number: MI-PTI-N2586-2020  This Permit to Install (PTI) is issued in accordance with and subject to Section 5505(1) of Act 451. Pursuant to Rule 214a of the administrative rules promulgated under Act 451, the terms and conditions herein, identified by the underlying applicable requirement citation of Rule 201(1)(a), constitute a federally enforceable PTI. The PTl terms and conditions do not expire and remain in effect unless the criteria of Rule 201(6) are met. Operation of all emission units identified in the PTI is subject to all applicable future or amended rules and regulations pursuant to Act 451 and the federal Clean Air Act. |

Michigan Department of Environment, Great Lakes, and Energy

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Rex Lane, Kalamazoo District Supervisor

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# AUTHORITY AND ENFORCEABILITY

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

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

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

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

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

# A. GENERAL CONDITIONS

## Permit Enforceability

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

## General Provisions

1. The permittee shall comply with all conditions of this ROP. Any ROP noncompliance constitutes a violation of Act 451, and is grounds for enforcement action, for ROP revocation or revision, or for denial of the renewal of the ROP. All terms and conditions of this ROP that are designated as federally enforceable are enforceable by the Administrator of the United States Environmental Protection Agency (USEPA) and by citizens under the provisions of the federal Clean Air Act (CAA). Any terms and conditions based on applicable requirements which are designated as “state-only” are not enforceable by the USEPA or citizens pursuant to the CAA. **(R 336.1213(1)(a))**
2. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this ROP. **(R 336.1213(1)(b))**
3. This ROP may be modified, revised, or revoked for cause. The filing of a request by the permittee for a permit modification, revision, or termination, or a notification of planned changes or anticipated noncompliance does not stay any ROP term or condition. This does not supersede or affect the ability of the permittee to make changes, at the permittee’s own risk, pursuant to Rule 215 and Rule 216. **(R 336.1213(1)(c))**
4. The permittee shall allow the department, or an authorized representative of the department, upon presentation of credentials and other documents as may be required by law and upon stating the authority for and purpose of the investigation, to perform any of the following activities: **(R 336.1213(1)(d))**
   1. Enter, at reasonable times, a stationary source or other premises where emissions-related activity is conducted or where records must be kept under the conditions of the ROP.
   2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the ROP.
   3. Inspect, at reasonable times, any of the following:
      1. Any stationary source.
      2. Any emission unit.
      3. Any equipment, including monitoring and air pollution control equipment.
      4. Any work practices or operations regulated or required under the ROP.
   4. As authorized by Section 5526 of Act 451, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the ROP or applicable requirements.
5. The permittee shall furnish to the department, within a reasonable time, any information the department may request, in writing, to determine whether cause exists for modifying, revising, or revoking the ROP or to determine compliance with this ROP. Upon request, the permittee shall also furnish to the department copies of any records that are required to be kept as a term or condition of this ROP. For information which is claimed by the permittee to be confidential, consistent with the requirements of the 1976 PA 442, MCL §15.231 et seq., and known as the Freedom of Information Act, the person may also be required to furnish the records directly to the USEPA together with a claim of confidentiality. **(R 336.1213(1)(e))**
6. A challenge by any person, the Administrator of the USEPA, or the department to a particular condition or a part of this ROP shall not set aside, delay, stay, or in any way affect the applicability or enforceability of any other condition or part of this ROP. **(R 336.1213(1)(f))**
7. The permittee shall pay fees consistent with the fee schedule and requirements pursuant to Section 5522 of Act 451. **(R 336.1213(1)(g))**
8. This ROP does not convey any property rights or any exclusive privilege. **(R 336.1213(1)(h))**

## Equipment & Design

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

## Emission Limits

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

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

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

## Testing/Sampling

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

## Monitoring/Recordkeeping

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

## Certification & Reporting

1. Except for the alternate certification schedule provided in Rule 213(3)(c)(iii)(B), any document required to be submitted to the department as a term or condition of this ROP shall contain an original certification by a Responsible Official which state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. **(R 336.1213(3)(c))**
2. A Responsible Official shall certify to the appropriate AQD District Office and to the USEPA that the stationary source is and has been in compliance with all terms and conditions contained in the ROP except for deviations that have been or are being reported to the appropriate AQD District Office pursuant to Rule 213(3)(c). This certification shall include all the information specified in Rule 213(4)(c)(i) through (v) and shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. The USEPA address is: USEPA, Air Compliance Data - Michigan, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604-3507. **(R 336.1213(4)(c))**
3. The certification of compliance shall be submitted annually for the term of this ROP as detailed in the special conditions, or more frequently if specified in an applicable requirement or in this ROP. **(R 336.1213(4)(c))**
4. The permittee shall promptly report any deviations from ROP requirements and certify the reports. The prompt reporting of deviations from ROP requirements is defined in Rule 213(3)(c)(ii) as follows, unless otherwise described in this ROP. **(R 336.1213(3)(c))**
   1. For deviations that exceed the emissions allowed under the ROP, prompt reporting means reporting consistent with the requirements of Rule 912 as detailed in Condition 25. All reports submitted pursuant to this paragraph shall be promptly certified as specified in Rule 213(3)(c)(iii).
   2. For deviations which exceed the emissions allowed under the ROP and which are not reported pursuant to Rule 912 due to the duration of the deviation, prompt reporting means the reporting of all deviations in the semiannual reports required by Rule 213(3)(c)(i). The report shall describe reasons for each deviation and the actions taken to minimize or correct each deviation.
   3. For deviations that do not exceed the emissions allowed under the ROP, prompt reporting means the reporting of all deviations in the semiannual reports required by Rule 213(3)(c)(i). The report shall describe the reasons for each deviation and the actions taken to minimize or correct each deviation.
5. For reports required pursuant to Rule 213(3)(c)(ii), prompt certification of the reports is described in Rule 213(3)(c)(iii) as either of the following: **(R 336.1213(3)(c))**
   1. Submitting a certification by a Responsible Official with each report which states that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
   2. Submitting, within 30 days following the end of a calendar month during which one or more prompt reports of deviations from the emissions allowed under the ROP were submitted to the department pursuant to Rule 213(3)(c)(ii), a certification by a Responsible Official which states that; “based on information and belief formed after reasonable inquiry, the statements and information contained in each of the reports submitted during the previous month were true, accurate, and complete.” The certification shall include a listing of the reports that are being certified. Any report submitted pursuant to Rule 213(3)(c)(ii) that will be certified on a monthly basis pursuant to this paragraph shall include a statement that certification of the report will be provided within 30 days following the end of the calendar month.
6. Semiannually for the term of the ROP as detailed in the special conditions, or more frequently if specified, the permittee shall submit certified reports of any required monitoring to the appropriate AQD District Office. All instances of deviations from ROP requirements during the reporting period shall be clearly identified in the reports. **(R 336.1213(3)(c)(i))**
7. On an annual basis, the permittee shall report the actual emissions, or the information necessary to determine the actual emissions, of each regulated air pollutant as defined in Rule 212(6) for each emission unit utilizing the emissions inventory forms provided by the department. **(R 336.1212(6))**
8. The permittee shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of a hazardous or toxic air pollutant which continue for more than one hour in excess of any applicable standard or limitation, or emissions of any air contaminant continuing for more than two hours in excess of an applicable standard or limitation, as required in Rule 912, to the appropriate AQD District Office. The notice shall be provided not later than two business days after the start-up, shutdown, or discovery of the abnormal conditions or malfunction. Notice shall be by any reasonable means, including electronic, telephonic, or oral communication. Written reports, if required under Rule 912, must be submitted to the appropriate AQD District Supervisor within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal conditions or malfunction has been corrected, or within 30 days of discovery of the abnormal conditions or malfunction, whichever is first. The written reports shall include all of the information required in Rule 912(5) and shall be certified by a Responsible Official in a manner consistent with the CAA.2 **(R 336.1912)**

## Permit Shield

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

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

1. Nothing in this ROP shall alter or affect any of the following:
   1. The provisions of Section 303 of the CAA, emergency orders, including the authority of the USEPA under Section 303 of the CAA. **(R 336.1213(6)(b)(i))**
   2. The liability of the owner or operator of this source for any violation of applicable requirements prior to or at the time of this ROP issuance. **(R 336.1213(6)(b)(ii))**
   3. The applicable requirements of the acid rain program, consistent with Section 408(a) of the CAA. **(R 336.1213(6)(b)(iii))**
   4. The ability of the USEPA to obtain information from a source pursuant to Section 114 of the CAA. **(R 336.1213(6)(b)(iv))**
2. The permit shield shall not apply to provisions incorporated into this ROP through procedures for any of the following:
   1. Operational flexibility changes made pursuant to Rule 215. **(R 336.1215(5))**
   2. Administrative Amendments made pursuant to Rule 216(1)(a)(i)-(iv). **(R 336.1216(1)(b)(iii))**
   3. Administrative Amendments made pursuant to Rule 216(1)(a)(v) until the amendment has been approved by the department. **(R 336.1216(1)(c)(iii))**
   4. Minor Permit Modifications made pursuant to Rule 216(2). **(R 336.1216(2)(f))**
   5. State-Only Modifications made pursuant to Rule 216(4) until the changes have been approved by the department. **(R 336.1216(4)(e))**
3. Expiration of this ROP results in the loss of the permit shield. If a timely and administratively complete application for renewal is submitted not more than 18 months, but not less than 6 months, before the expiration date of the ROP, but the department fails to take final action before the end of the ROP term, the existing ROP does not expire until the renewal is issued or denied, and the permit shield shall extend beyond the original ROP term until the department takes final action. **(R 336.1217(1)(c), R 336.1217(1)(a))**

## Revisions

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

## Reopenings

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

## Renewals

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

## Stratospheric Ozone Protection

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

## Risk Management Plan

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

## Emission Trading

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

## Permit to Install (PTI)

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

**Footnotes:**

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

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

# B. SOURCE-WIDE CONDITIONS

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

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

# C. EMISSION UNIT SPECIAL CONDITIONS

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

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

## EMISSION UNIT SUMMARY TABLE

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

| **Emission Unit ID** | **Emission Unit Description**  **(Including Process Equipment & Control Device(s))** | **Installation**  **Date/**  **Modification Date** | **Flexible Group ID** |
| --- | --- | --- | --- |
| EUTURBINE7 | Unit #7 - A gas/oil fired 40 MW turbine with water injection used for generating electricity. | 1991/NA | FGUNITS-7&8 |
| EUTURBINE8 | Unit #8 - A gas/oil fired 40 MW turbine with water injection used for generating electricity. | 1991/NA | FGUNITS-7&8 |
| EUTURBINE9 | Unit #9 - A gas fired 80 MW turbine with dry low NOx control used for generating electricity. | 1999/NA | NA |
| EUOILTANKS | Two 300,000-gallon storage tanks for fuel oil. | 1991/NA | NA |
| EUENGINE7 | A diesel fired 670 hp blackstart reciprocating internal combustion engine (as defined in 40 CFR 63.6675). | 1992/NA | FGCI-ENGINES |
| EUENGINE8 | A diesel fired 670 hp blackstart reciprocating internal combustion engine (as defined in 40 CFR 63.6675). | 1992/NA | FGCI-ENGINES |

## EUTURBINE9

**EMISSION UNIT CONDITIONS**

**DESCRIPTION**

Unit #9 - A gas fired 80 MW turbine with dry low NOx control used for generating electricity.

**Flexible Group ID:** NA

**POLLUTION CONTROL EQUIPMENT**

NA

**I. EMISSION LIMIT(S)**

| **Pollutant** | **Limit** | **Time Period/ Operating Scenario** | **Equipment** | **Monitoring/**  **Testing Method** | **Underlying Applicable Requirements** |
| --- | --- | --- | --- | --- | --- |
| 1. Nitrogen Oxides | 22 ppmv on a dry gas basis at 15% O22 | Hourly average, except during periods of startup and shut down\* | EUTURBINE9 | SC VI.1 | **40 CFR 60.332(a)(1)** |
| 1. Nitrogen Oxides | 222.5 tons per year2 | 12-month rolling time period | EUTURBINE9 | SC VI.2 | **R 336.1205(3)** |
| 1. Carbon Monoxide | 125 pounds per hour2 | Hourly, Except during periods of startup and shutdown\* | EUTURBINE9 | SC V.1 | **R 336.1201(3)** |
| 1. Carbon Monoxide | 222.5 tons per year2 | 12-month rolling time period | EUTURBINE9 | SC VI.2 | **R 336.1205(3)** |

\* Startup is defined as the period prior to reaching stable load conditions, not to exceed one hour. Shutdown is defined as the period of decreasing load conditions until operation of the turbine has ceased, not to exceed one hour.

**II. MATERIAL LIMIT(S)**

NA

**III. PROCESS/OPERATIONAL RESTRICTION(S)**

1. The permittee shall not operate the turbine at less than 50% of base load for more than one consecutive hour, during stable conditions, not to include startup and shutdown.2 **(R 336.1201(3))**
2. The permittee shall fire only pipeline quality natural gas in EUTURBINE9.2 **(40 CFR 60.333(b), R 336.1401)**

**IV. DESIGN/EQUIPMENT PARAMETER(S)**

NA

**V. TESTING/SAMPLING**

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

1. The permittee shall verify Carbon Monoxide emission rates from EUTURBINE9 by testing at the owner’s expense, in accordance with the Department requirements. Testing shall be performed using an approved EPA Method listed in 40 CFR PART 60, Appendix A. An alternate method, or a modification to the approved EPA Method, may be specified in an AQD‑approved Test Protocol. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test.  **(R 336.1213(3), R 336.2001, R 336.2003, R 336.2004)**
2. The permittee shall verify the Carbon Monoxide emission rates from EUTURBINE9, at a minimum, every five years from the date of the last test. **(R 336.1213(3), R 336.2001, R 336.2003, R 336.2004)**
3. The permittee shall notify the AQD Technical Programs Unit Supervisor and the District Supervisor not less than 30 days of the time and place before performance tests are conducted. **(R 336.1213(3))**

**See Appendix 5**

**VI. MONITORING/RECORDKEEPING**

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

1. The permittee shall demonstrate compliance with the NOx emission limits, on an hourly average, based on measurements obtained by the certified continuous emission monitoring system.2 **(R 336.1201(3))**
2. Within 30 days after the end of each calendar month, the permittee shall calculate the previous 12-month emission of nitrogen oxides and carbon monoxide. For carbon monoxide, the permittee shall use the equation in Appendix 7.2 **(R 336.1201(3))**
3. The permittee shall monitor and record the monthly hours of operation for the turbine. The hours shall be recorded as follows based on load condition: 95% to base load, 50% of base load or less, all other loads.2 **(R 336.1201(3))**
4. The permittee shall keep records of the time of day that the turbine is at 50% of base load or less.2  **(R 336.1201(3))**

**See Appendix 7**

**VII. REPORTING**

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**

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

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

4. Quarterly reporting of excess emissions and monitoring systems performance report if excess emissions are determined, or semiannually based on 40 CFR 60.334(c). For purposes of this reporting, excess emissions means an exceedance of the NOx limit on an hourly average basis. Reports shall be postmarked by the 30th day following the end of each reporting period. See Appendix 8.B. **(40 CFR 60.7(c), 40 CFR 60.13(h))**

1. The permittee shall submit any performance test reports including RATA reports to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. **(R 336.1213(3)(c), R 336.2001(5))**

**See Appendix 8**

**VIII. STACK/VENT RESTRICTION(S)**

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

| **Stack & Vent ID** | **Maximum Exhaust Diameter / Dimensions**  **(inches)** | **Minimum Height Above Ground**  **(feet)** | **Underlying Applicable Requirements** |
| --- | --- | --- | --- |
| 1. SVTURBINE9 | 108 x 2282 | 702 | **40 CFR 52.21(c) and (d)** |

**IX. OTHER REQUIREMENT(S)**

1. The permittee shall comply with all the applicable requirements under 40 CFR Part 60, Subpart A, General Provisions and Subpart GG, Standards of Performance for Stationary Gas Turbines. **(40 CFR Part 60, Subparts A and GG)**
2. The permittee shall comply with the acid rain permitting provisions of 40 CFR 72.1 to 72.94, as outlined in a complete Phase II, Acid Rain Permit issued by the AQD. Phase II, Acid Rain Permit No. MI-AR-7258-2020 is hereby incorporated into this ROP as Appendix 9. **(R 336.1902(1)(q))**
3. The permittee shall not allow the emission of an air pollutant to exceed the amount of any emission allowances that an affected source lawfully holds as of the allowance transfer deadline pursuant to R 336.1902(1)(q) and 40 CFR 72.9(c)(1)(i). **(R 336.1213(10))**
4. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule NOX Annual Trading Program, as specified in 40 CFR Part 97, Subpart AAAAA, and identified in Appendix 10. **(40 CFR Part 97, Subpart AAAAA)**
5. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule NOX Ozone Season Group 2 Trading program, as specified in 40 CFR Part 97, Subpart EEEEE, and identified in Appendix 10. **(40 CFR Part 97, Subpart EEEEE)**
6. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule SO2 Group 1 Trading Program, as specified in 40 CFR Part 97, Subpart CCCCC, and identified in Appendix 10. **(40 CFR Part 97, Subpart CCCCC)**

**Footnotes:**

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

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

## EUOILTANKS

**EMISSION UNIT CONDITIONS**

**DESCRIPTION**

Two 300,000-gallon storage tanks for fuel oil.

**Flexible Group ID:** NA

**POLLUTION CONTROL EQUIPMENT**

NA

**I. EMISSION LIMIT(S)**

NA

**II. MATERIAL LIMIT(S)**

NA

**III. PROCESS/OPERATIONAL RESTRICTION(S)**

NA

**IV. DESIGN/EQUIPMENT PARAMETER(S)**

NA

**V. TESTING/SAMPLING**

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

NA

**VI. MONITORING/RECORDKEEPING**

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

1. The permittee shall keep readily accessible records showing the dimension of each tank and an analysis showing the capacity of each tank. The records will be kept for the life of EUOILTANKS. **(40 CFR 60.116b(a), 40 CFR 60.116b(b))**

**VII. REPORTING**

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**

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

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

**See Appendix 8**

**VIII. STACK/VENT RESTRICTION(S)**

NA

**IX. OTHER REQUIREMENT(S)**

NA

**Footnotes:**

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

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

# D. FLEXIBLE GROUP SPECIAL CONDITIONS

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

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

## FLEXIBLE GROUP SUMMARY TABLE

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

| **Flexible Group ID** | **Flexible Group Description** | **Associated**  **Emission Unit IDs** |
| --- | --- | --- |
| FGUNITS-7&8 | Two gas/oil fired 40 MW turbines with water injection used for generating electricity. | EUTURBINE7  EUTURBINE8 |
| FGCI-ENGINES | Two diesel fired, stationary compression ignition reciprocating internal combustion engines, each with a site rating of 670 brake horsepower. These blackstart engines are associated with turbines 7 & 8. | EUENGINE7  EUENGINE8 |

## FGUNITS-7&8

**FLEXIBLE GROUP CONDITIONS**

**DESCRIPTION**

Two gas/oil fired, 40 MW turbines with water injection used for generating electricity.

**Emission Units:** EUTURBINE7, EUTURBINE8

**POLLUTION CONTROL EQUIPMENT**

Water injection

**I. EMISSION LIMIT(S)**

| **Pollutant** | **Limit** | **Time Period/ Operating Scenario** | **Equipment** | **Monitoring/**  **Testing Method** | **Underlying Applicable Requirements** |
| --- | --- | --- | --- | --- | --- |
| 1. Nitrogen Oxides | 95 ppmv corrected to 15% O2 on a dry gas basis2 | Daily average, except for startup and shutdown\* | EUTURBINE7, EUTURBINE8 | SC VI.2 | **40 CFR 60.332(a)(1)** |
| 1. Nitrogen Oxides | 249 tons2 | 12-month rolling time period as a cumulative total for both turbines | EUTURBINE7, EUTURBINE8 | SC VI.2, VI.6 | **R 336.1205(3)** |
| 1. Sulfur Dioxide | 0.33 ppm BTUs heat input. This is equivalent to burning fuel with a 0.3%, by weight, sulfur content, and an available heat release of 18,000 BTUs per pound2 | Based upon a 24-hour period | EUTURBINE7, EUTURBINE8 | SC VI.3. | **R 336.1401(1) Table 42; 40 CFR 60.333(b)** |
| 1. Sulfur Dioxide | 344 pounds per hour2 | Hourly average as a cumulative total for both turbines | EUTURBINE7, EUTURBINE8 | SC VI.4 | **R 336.1201(3)** |
| 1. Sulfur Dioxide | 249 tons2 | 12-month rolling time as a cumulative total for both turbines | EUTURBINE7, EUTURBINE8 | SC VI.4, SC VI.5 | **R 336.1205(3)** |

\* Startup is defined as the period prior to reaching stable load conditions, not to exceed one hour. Shutdown is defined as the period of decreasing load conditions until operation of the turbine has ceased, not to exceed one hour.

**II. MATERIAL LIMIT(S)**

NA

**III. PROCESS/OPERATIONAL RESTRICTION(S)**

1. The permittee will operate EUTURBINE7 and EUTURBINE8 within the manufacturer’s recommended water to fuel ratios.2 **(R 336.1201(3))**

**IV. DESIGN/EQUIPMENT PARAMETER(S)**

NA

**V. TESTING/SAMPLING**

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

NA

**VI. MONITORING/RECORDKEEPING**

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

1. The permittee shall install and operate a continuous emission monitoring system (CEMS) capable of calculating NOx emissions concentrations corrected to 15% O2. This CEMS shall be capable of providing 4 equally spaced data points for each hour and calculating a 1-hour average. This system shall be maintained and calibrated according to the procedures in 40 CFR 75 and shall be used to record excess emissions and ensure operation within the manufacturer’s recommended water to fuel ratios. **(R 336.1213(3), 40 CFR 60.334(a))**
   1. The permittee shall demonstrate compliance with the NOx emission limits, on a daily average, based on measurements obtained by the certified continuous emission monitoring system installed on each unit.2 **(R 336.1201(3))**
   2. The permittee shall demonstrate compliance with the SO2 pound per million BTUs emission limit based on a certified analysis of each shipment of fuel oil by the supplier or a laboratory analysis of the fuel oil. All analyses shall include the percentage of sulfur, by weight, and heating value in BTUs per pound.2 **(40 CFR Part 60, Subparts A and GG, R 336.1401)**
   3. The permittee shall demonstrate compliance with the SO2 mass emission limits following the applicable requirements in 40 CFR Part 75, Appendix D.2 **(R 336.1201(3))**
   4. By the end of each calendar month, the 12-month rolling time period SO2 emission rate shall be determined.2 **(R 336.1201(3))**
   5. By the end of each calendar month, the 12-month rolling time period NOx emission rate shall be determined. **(R 336.1213(3))**

**VII. REPORTING**

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**

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

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

1. Quarterly reporting of excess emissions and monitoring systems performance report if excess emissions are determined, or semiannually based on 40 CFR 60.334(c). For purposes of this reporting excess emissions means an exceedance of the NOx limit on an hourly average basis. Reports shall be postmarked by the 30th day following the end of each reporting period. See Appendix 8.B. **(40 CFR 60.7(c), 40 CFR 60.13(h))**
2. Quarterly reporting of periods when the turbines were exempt from the emission limit in SC I.1.a. because of ice fog conditions as determined by the permittee. See Appendix 8.C. **(40 CFR 60.334(c)(3))**
3. The permittee shall submit any performance test reports including RATA reports to the AQD Technical Programs Unit and District Office, in a format approved by the AQD. **(R 336.1213(3)(c), R 336.2001(5))**

**See Appendix 8**

**VIII. STACK/VENT RESTRICTION(S)**

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

| **Stack & Vent ID** | **Maximum Exhaust Diameter / Dimensions**  **(inches)** | **Minimum Height Above Ground**  **(feet)** | **Underlying Applicable Requirements** |
| --- | --- | --- | --- |
| 1. SVTURBINE7 | 126 by 158.42 | 34.82 | **40 CFR 52.21(c) and (d)** |
| 1. SVTURBINE8 | 126 by 158.42 | 34.82 | **40 CFR 52.21(c) and (d)** |

**IX. OTHER REQUIREMENT(S)**

1. The permittee shall comply with all the applicable requirements under 40 CFR Part 60, Subpart A, General Provisions and Subpart GG, Standards of Performance for Stationary Gas Turbines. **(40 CFR Part 60, Subparts A and GG)**
2. The permittee shall comply with the acid rain permitting provisions of 40 CFR 72.1 to 72.94, as outlined in a complete Phase II, Acid Rain Permit issued by the AQD. Phase II, Acid Rain Permit No. MI-AR-7258-2020 is hereby incorporated into this ROP as Appendix 9. **(R 336.1902(1)(q))**
3. The permittee shall not allow the emission of an air pollutant to exceed the amount of any emission allowances that an affected source lawfully holds as of the allowance transfer deadline pursuant to R 336.1902(1)(q) and 40 CFR 72.9(c)(1)(i). **(R 336.1213(10))**
4. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule NOX Annual Trading Program, as specified in 40 CFR Part 97, Subpart AAAAA, and identified in Appendix 10. **(40 CFR Part 97, Subpart AAAAA)**
5. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule NOX Ozone Season Group 2 Trading program, as specified in 40 CFR Part 97, Subpart EEEEE, and identified in Appendix 10. **(40 CFR Part 97, Subpart EEEEE)**
6. The permittee shall comply with the provisions of the Cross-State Air Pollution Rule SO2 Group 1 Trading Program, as specified in 40 CFR Part 97, Subpart CCCCC, and identified in Appendix 10. **(40 CFR Part 97, Subpart CCCCC)**

**Footnotes:**

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

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

## FGCI-ENGINES

**FLEXIBLE GROUP CONDITIONS**

**DESCRIPTION**

Two diesel fired, stationary compression ignition reciprocating internal combustion engines, each with a site rating of 670 brake horsepower. These blackstart engines are associated with turbines 7 & 8.

**Emission Units:** EUENGINE7, EUENGINE8

**POLLUTION CONTROL EQUIPMENT**

NA

**I. EMISSION LIMIT(S)**

NA

**II. MATERIAL LIMIT(S)**

Beginning January 1, 2015, the permittee may only use diesel fuel meeting the following fuel requirements, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted:

| **Material** | **Limit** | **Time Period/ Operating Scenario** | **Equipment** | **Monitoring/**  **Testing Method** | **Underlying Applicable Requirements** |
| --- | --- | --- | --- | --- | --- |
| 1. Diesel Fuel | 0.0015% Sulfur by weight2 | NA | EU-ENGINE-7, EU-ENGINE-8 | SC VI.2 | **40 CFR 63.6604, 40 CFR 80.510(b)** |

**III. PROCESS/OPERATIONAL RESTRICTION(S)**

1. The permittee shall comply with the following requirements for existing stationary RICE located at area sources of HAP emissions: **(40 CFR 63.6603(a))**

1. Change oil and filter every 500 hours of operation or annually, whichever comes first;
2. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary;
3. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.
4. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements of the schedule in SC III.1, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The permittee shall perform the management practice as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. The permittee shall report any failure to perform the management practice on the schedule required and the Federal, State or local law under which the risk was deemed unacceptable. **(40 CFR 63.6603(a))**
5. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement as specified in SC III.1(a). The oil analysis must be performed at the same frequency specified for changing the oil in SC III.1(a). The analyzing program must analyze the Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows:
6. Total Base Number is less than 30 percent of the Total Base Number of the oil when new;
7. Viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or
8. Percent water content (by volume) is greater than 0.5.

If all of the above condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. **(40 CFR 63.6625(i))**

1. The permittee shall demonstrate continuous compliance with the operating limitations according to 40 CFR 63.6640 by the following:
2. Any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, is prohibited. **(40 CFR 63.6640(f))**
3. There is no time limit on the use of emergency stationary RICE in emergency situations. **(40 CFR 63.6640(f)(1))**
4. The permittee may operate up to 100 hours per year for the purpose of: (1) maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, then manufacturer, the vendor, or the insurance company associated with the engine. The owner or operator 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 RICE beyond 100 hours per calendar year. **(40 CFR 63.6640(f)(2))**
5. The permittee may operate up to 50 hours per year in non-emergency situations (hours are counted towards the 100 hours per year stated above). Beginning May 3, 2014, the 50 hours cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: (1) the engine is dispatched by the local balancing authority or local transmission and distribution system operator, (2) the dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region, (3) the dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines, (4) the power is provided only to the facility itself or to support the local transmission and distribution system, and (5) the owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator. **(40 CFR 63.6640(f)(4))**

**IV. DESIGN/EQUIPMENT PARAMETER(S)**

1. The permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer’s emission-related operation and maintenance instructions, or develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. **(40 CFR 63.6625(e))**
2. The permittee shall install a non-resettable hour meter if one is not already installed. **(40 CFR 63.6625(f))**
3. The permittee shall minimize each engine’s time spent at idle during startup and minimize the engine’s startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR Part 60, Subpart ZZZZ apply. **(40 CFR 63.6625(h))**

**V. TESTING/SAMPLING**

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

NA

**VI. MONITORING/RECORDKEEPING**

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

1. The permittee shall keep, in a satisfactory manner, records of the maximum sulfur content in the diesel fuel for each delivery. All records shall be made available to the AQD upon request. **(R 336.1213(3))**
2. For each shipment of diesel fuel oil received, the permittee shall obtain from the supplier and record the percent sulfur content. **(R 336.1213(3))**
3. The permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the stationary RICE and after-treatment control device (if any) were operated and maintained according to the maintenance plan. **(40 CFR 63.6655(e)(2))**
4. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner/operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used to supply power as part of a financial arrangement with another entity as described in SC III.4 above, the owner/operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. **(40 CFR 63.6655(f))**
5. The permittee shall keep the following records:
6. A copy of each notification and report submitted to comply with Subpart ZZZZ, and the documentation supporting any notification. **(40 CFR 63.6655(a)(1))**
7. Records of the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment. **(40 CFR 63.6655(a)(2))**
8. Records of all maintenance performed on the air pollution control and monitoring equipment. **(40 CFR 63.6655(a)(4))**
9. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. **(40 CFR 63.6655(a)(5))**

All records shall be kept on file for a period of at least five years (at least two years at the site) following the date of each occurrence, measurement, maintenance, corrective action, report or record, and made available to the Department upon request. **(40 CFR 63.6655, 40 CFR 63.6660)**

**VII. REPORTING**

1. Prompt reporting of deviations pursuant to General Conditions 21 and 22 of Part A. **(R 336.1213(3)(c)(ii))**

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

1. Annual certification of compliance pursuant to General Conditions 19 and 20 of Part A. The report shall be postmarked orreceived by the appropriate AQD District Office by March 15 for the previous calendar year. **(R 336.1213(4)(c))**
2. For each engine that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in SC III.4(d) when the engines are used prior to May 3, 2014 for non-emergency purposes, the permittee must submit an annual report containing the following information:
3. Company name and address where the engine is located.
4. Date of the report and beginning and ending dates of the reporting period.
5. Engine site rating and model year.
6. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.
7. Hours operated for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii).
8. Number of hours the engine is contractually obligated to be available for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii).
9. Hours spent for operation for the purpose specified in 40 CFR 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.
10. If there were no deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.
11. If there were deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.

The first annual report must cover the calendar year 2015 and be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year. The annual report must be submitted electronically using the Subpart ZZZZ specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA’s Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13. **(40 CFR 63.6650(h))**

**See Appendix 8**

**VIII. STACK/VENT RESTRICTION(S)**

NA

**IX. OTHER REQUIREMENT(S)**

1. The permittee shall comply with all applicable provisions of the Maximum Achievable Control Technology Standards for Stationary Reciprocating Internal Combustion Engines located at area sources promulgated in 40 CFR Part 63, Subparts A and ZZZZ. **(40 CFR Part 63, Subparts A and ZZZZ)**

**Footnotes:**

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

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

# E. NON-APPLICABLE REQUIREMENTS

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

|  |
| --- |
| **APPENDICES** |

## Appendix 1. Acronyms and Abbreviations

|  |  |  |  |
| --- | --- | --- | --- |
| **Common Acronyms** | | **Pollutant / Measurement Abbreviations** | |
| AQD | Air Quality Division | acfm | Actual cubic feet per minute |
| BACT | Best Available Control Technology | BTU | British Thermal Unit |
| CAA | Clean Air Act | °C | Degrees Celsius |
| CAM | Compliance Assurance Monitoring | CO | Carbon Monoxide |
| CEM | Continuous Emission Monitoring | CO2e | Carbon Dioxide Equivalent |
| CEMS | Continuous Emission Monitoring System | dscf | Dry standard cubic foot |
| CFR | Code of Federal Regulations | dscm | Dry standard cubic meter |
| COM | Continuous Opacity Monitoring | °F | Degrees Fahrenheit |
| Department/  department | Michigan Department of Environment, Great Lakes, and Energy | gr | Grains |
| HAP | Hazardous Air Pollutant |
| EGLE | Michigan Department of Environment, Great Lakes, and Energy | Hg | Mercury |
| hr | Hour |
| EU | Emission Unit | HP | Horsepower |
| FG | Flexible Group | H2S | Hydrogen Sulfide |
| GACS | Gallons of Applied Coating Solids | kW | Kilowatt |
| GC | General Condition | lb | Pound |
| GHGs | Greenhouse Gases | m | Meter |
| HVLP | High Volume Low Pressure\* | mg | Milligram |
| ID | Identification | mm | Millimeter |
| IRSL | Initial Risk Screening Level | MM | Million |
| ITSL | Initial Threshold Screening Level | MW | Megawatts |
| LAER | Lowest Achievable Emission Rate | NMOC | Non-methane Organic Compounds |
| MACT | Maximum Achievable Control Technology | NOx | Oxides of Nitrogen |
| MAERS | Michigan Air Emissions Reporting System | ng | Nanogram |
| MAP | Malfunction Abatement Plan | PM | Particulate Matter |
| MSDS | Material Safety Data Sheet | PM10 | Particulate Matter equal to or less than 10 microns in diameter |
| NA | Not Applicable |
| NAAQS | National Ambient Air Quality Standards | PM2.5 | Particulate Matter equal to or less than 2.5  microns in diameter |
| NESHAP | National Emission Standard for Hazardous Air Pollutants | pph | Pounds per hour |
| ppm | Parts per million |
| NSPS | New Source Performance Standards | ppmv | Parts per million by volume |
| NSR | New Source Review | ppmw | Parts per million by weight |
| PS | Performance Specification | % | Percent |
| PSD | Prevention of Significant Deterioration | psia | Pounds per square inch absolute |
| PTE | Permanent Total Enclosure | psig | Pounds per square inch gauge |
| PTI | Permit to Install | scf | Standard cubic feet |
| RACT | Reasonable Available Control Technology | sec | Seconds |
| ROP | Renewable Operating Permit | SO2 | Sulfur Dioxide |
| SC | Special Condition | TAC | Toxic Air Contaminant |
| SCR | Selective Catalytic Reduction | Temp | Temperature |
| SNCR | Selective Non-Catalytic Reduction | THC | Total Hydrocarbons |
| SRN | State Registration Number | tpy | Tons per year |
| TEQ | Toxicity Equivalence Quotient | µg | Microgram |
| USEPA/EPA | United States Environmental Protection Agency | µm | Micrometer or Micron |
| VOC | Volatile Organic Compounds |
| VE | Visible Emissions | yr | Year |

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

## 

## Appendix 2. Schedule of Compliance

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

## Appendix 3. Monitoring Requirements

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

## Appendix 4. Recordkeeping

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

## Appendix 5. Testing Procedures

Specific testing requirement plans, procedures, and averaging times are detailed in the appropriate Source-Wide, Emission Unit and/or Flexible Group Special Conditions. Therefore, this appendix is not applicable.

## Appendix 6. Permits to Install

The following table lists any PTIs issued or ROP revision applications received since the effective date of the previously issued ROP No. MI-ROP-N2586-2015. Those ROP revision applications that are being issued concurrently with this ROP renewal are identified by an asterisk (\*). Those revision applications not listed with an asterisk were processed prior to this renewal.

Source-Wide PTI No MI-PTI-N2586-2015a is being reissued as Source-Wide PTI No. MI-PTI-N2586-2020.

|  |  |  |  |
| --- | --- | --- | --- |
| **Permit to Install Number** | **ROP Revision**  **Application Number** | **Description of Equipment or Change** | **Corresponding Emission Unit(s) or**  **Flexible Group(s)** |
| NA | 201500162 | Reopening to update from CAIR to CSAPR. | EUTURBINE9  FGUNITS-7&8 |

## Appendix 7. Emission Calculations

The permittee shall use the following calculations in conjunction with monitoring, testing or recordkeeping data to determine compliance with the applicable requirements referenced in EUTURBINE9.

Tons CO per 12-month rolling time period = (62.0 x OT 95%-baseload / 2000) + (125.0 x OT remaining loads /2000)

Where: OT 95%-baseload = The actual hours of operation for the previous 12-month period for the turbine at 95% to base load.

OT remaining loads = The actual hours of operation for the previous 12-month period for the turbine at all remaining load scenarios.

## Appendix 8. Reporting

**A. Annual, Semiannual, and Deviation Certification Reporting**

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

**B. Other Reporting**

The permittee shall use the following approved formats and procedures for the reporting requirements referenced in EUTURBINE9 and FGUNITS-7&8. Alternative formats must be approved by the AQD District Supervisor.

Excess emission reports shall contain the following information for NOx emissions:

1. Length and magnitude of exceedance.
2. Average fuel consumption.
3. Ambient conditions.
4. Gas turbine load.
5. Excess emissions caused by ice fog conditions.
6. Information required in 40 CFR 60.7(c)(1) through (4) and 40 CFR 60.7(d).

**C. Other Reporting**

The permittee shall use the following approved formats and procedures for the reporting requirements referenced in FG‑UNITS-7&8. Alternative formats must be approved by the AQD District Supervisor.

Reporting for Ice Fog conditions shall contain the following:

1. Ambient conditions existing during the period.
2. The date and time the air pollution control system was deactivated.
3. Date and time the air pollution control system was reactivated.

**Appendix 9. Acid Rain Permit**

|  |  |  |
| --- | --- | --- |
|  | Michigan Department of Environment, Great Lakes, and Energy  Air Quality Division |  |

**PHASE II ACID RAIN PERMIT**

**Permit No. MI-AR-7258-2020**

|  |  |
| --- | --- |
| Permittee | Holland Board of Public Works – 48th St. Peaking Station |
| Address | 491 E. 48th Street, Holland |
| SRN | N2586 |
| Plant Code | 7258 |
| Issue Date | July 22, 2020 |
| Effective | Issuance date of this facility’s Renewable Operating Permit at the facility in accordance with 40 CFR 72.73. |
| Expiration | This permit shall expire when the facility’s Renewable Operating Permit expires, in accordance with 40 CFR 72.73. |
| ROP No. | MI-ROP-N2586-2020 |

**The Acid Rain Permit Contents**

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

References to statutory and regulatory authorities, and with comments, notes, and justification that apply to the source in general;

2. Terms and conditions including:

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

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

Any applicable nitrogen oxides compliance plan. Unless they are coal fired utility units regulated pursuant to Sections 404, 405, or 409 of the federal Clean Air Act, new units are not subject to the acid rain nitrogen oxides requirements (40 CFR 76.1(a)).

3. The permit application that this source submitted, as corrected by the AQD. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

**Statement of Basis**

**Statutory and Regulatory Authorities.**

In accordance with the Natural Resources and Environmental Protection Act, 1994 PA 451 and Titles IV and V of the federal Clean Air Act, the Michigan Department of Environment, Great Lakes, and Energy, Air Quality Division (AQD), issues this permit pursuant to the provisions of R 336.1210 to R 336.1218, and R 336.1299(d).

For further information contact:

Mr. Brian Carley

Environmental Quality Specialist

Michigan Department of Environment, Great Lakes, and Energy

Air Quality Division, Jackson District Office

State Office Building, 4th Floor

301 East Louis B. Glick Highway

Jackson*,* Michigan 49201-1556

Telephone: 517-416-4631

Facsimile: 517-780-7855

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

**Terms and Conditions:**

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

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | 2020 | 2021 | 2022 | 2023 | 2024 |
| Unit \*\*7 | SO2 allowances | 299 | 299 | 299 | 299 | 299 |

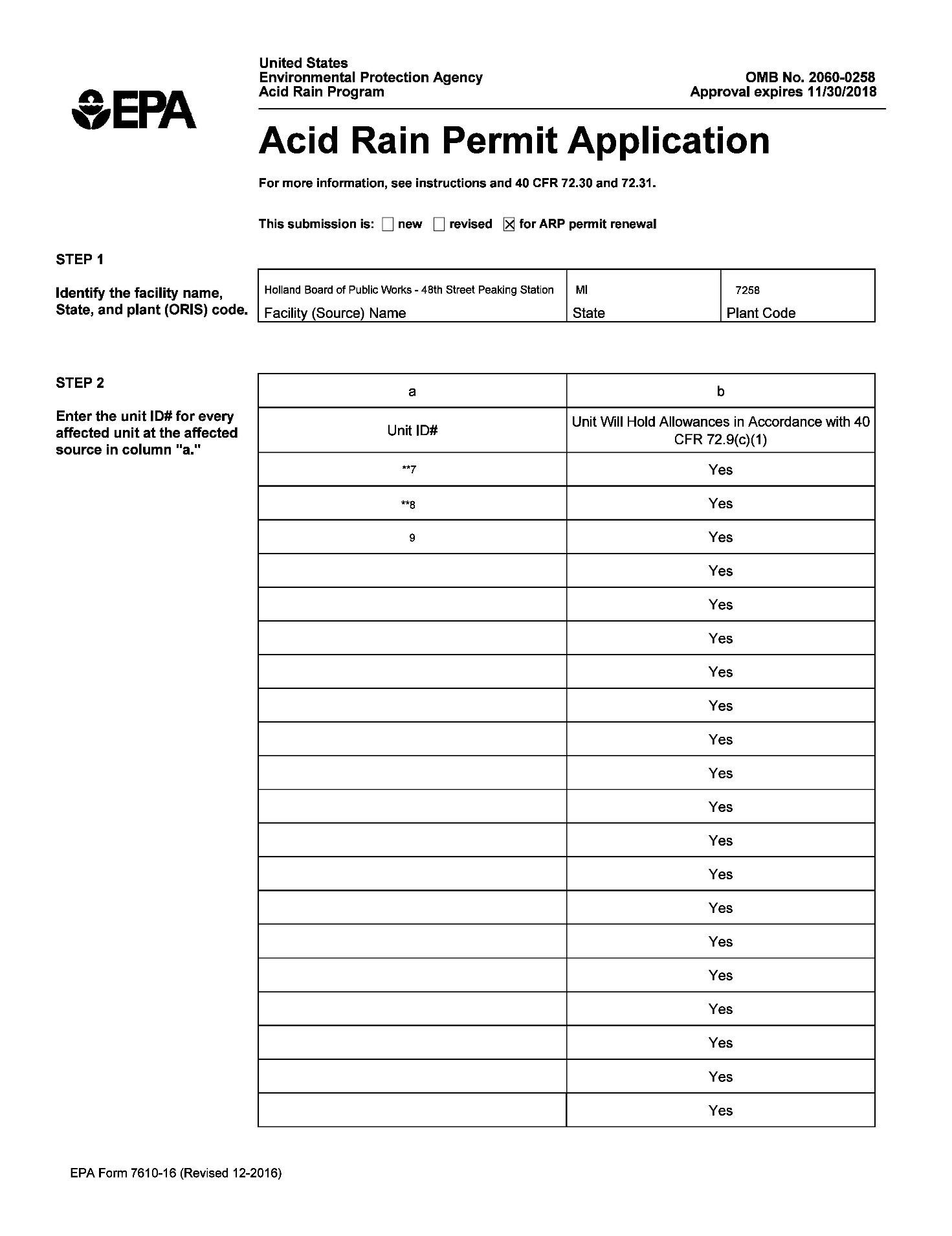
|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | 2020 | 2021 | 2022 | 2023 | 2024 |
| Unit \*\*8 | SO2 allowances | 299 | 299 | 299 | 299 | 299 |

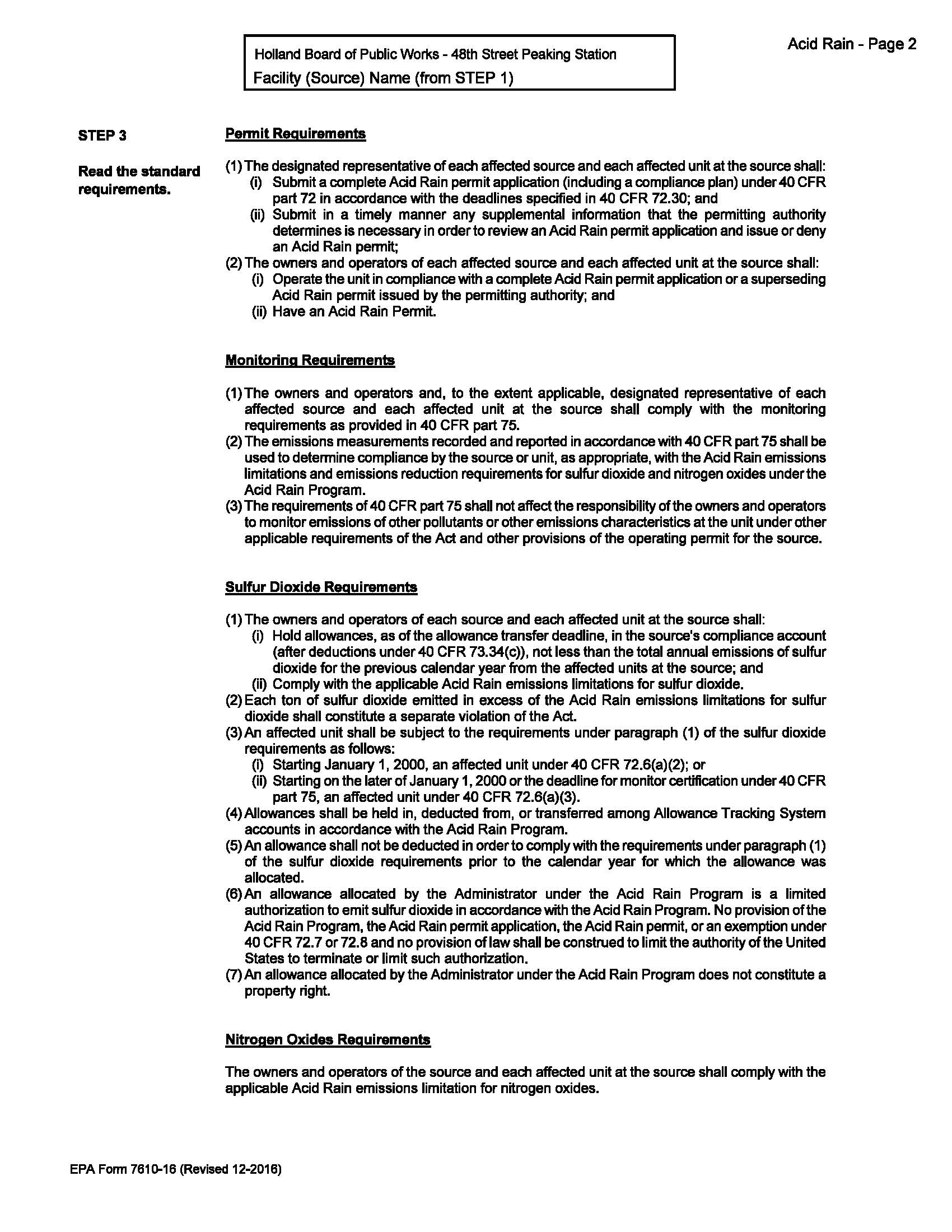
|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  | 2020 | 2021 | 2022 | 2023 | 2024 |
| Unit 9 | SO2 allowances | This affected unit shall hold allowances, as of the allowance transfer deadline, in the source’s compliance account (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and comply with the applicable Acid Rain emissions limitation for sulfur dioxide in accordance with 40 CFR 72.9 (c). | | | | |

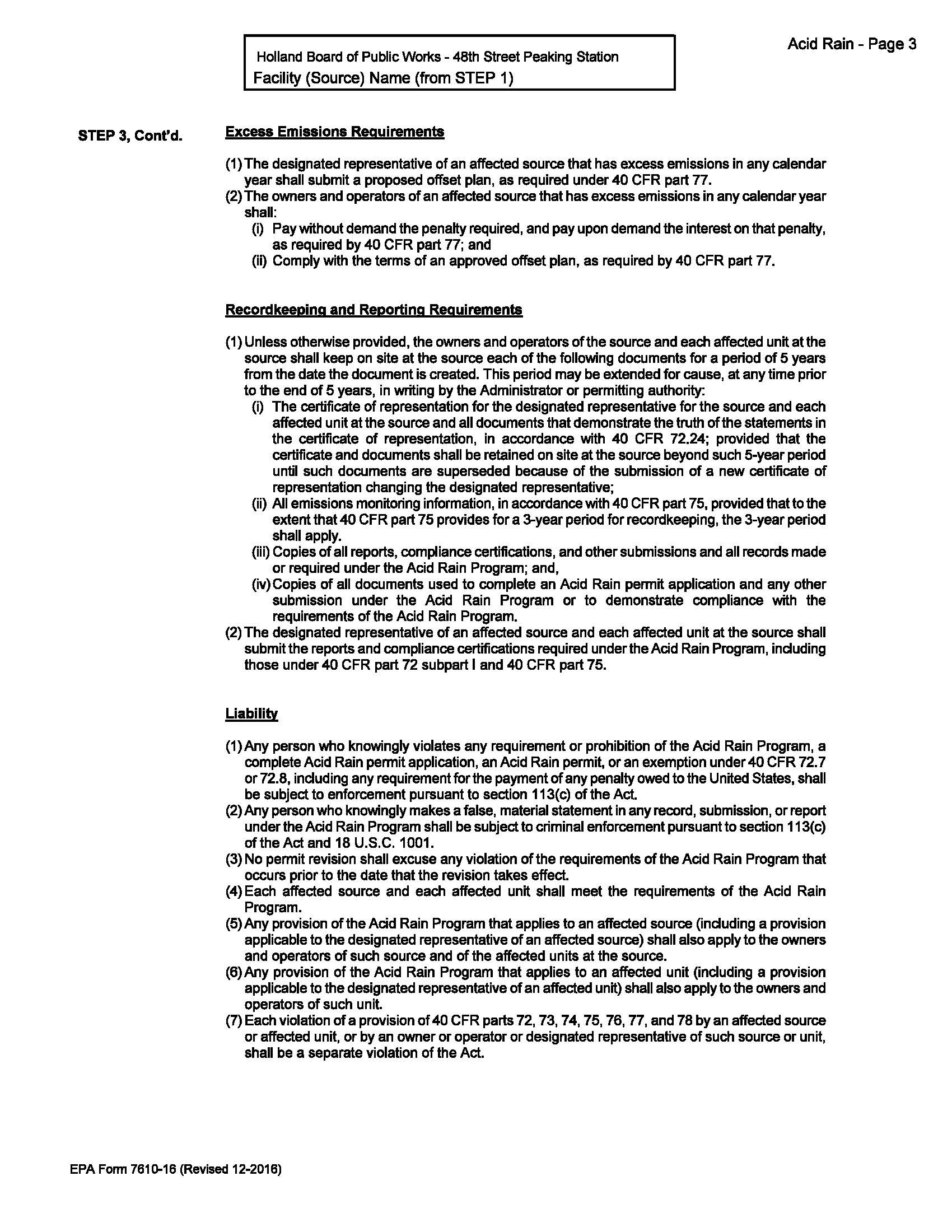
**Comments, notes and justifications regarding permit decisions, and changes made to the permit application forms during the review process:**

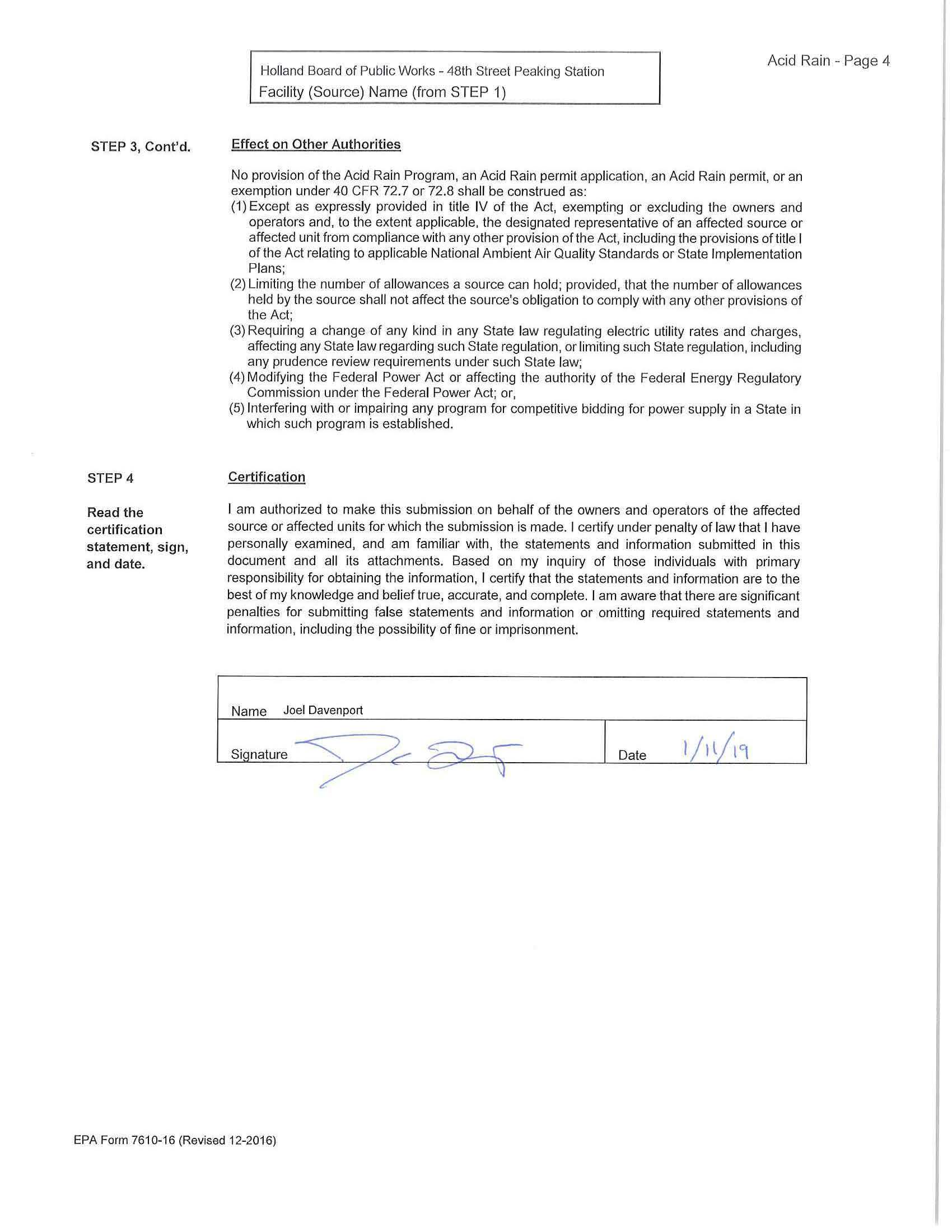
**Permit Application**: (attached)

*Acid Rain Permit application submitted January 17, 2019*









**Appendix 10: Cross State Air Pollution Rule (CSAPR) Trading Program Title V Requirements**

**Description of CSAPR Monitoring Provisions**

The CSAPR subject units, and the unit-specific monitoring provisions, at this source are identified in the following tables. These units are subject to the requirements for the CSAPR NOX Annual Trading Program, CSAPR NOX Ozone Season Group 2 Trading Program, and CSAPR SO2 Group 1 Trading Program, which are included below as Sections I, II, and III, respectively.

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

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

|  |  |
| --- | --- |
| Unit ID: \*\*7 | |
| Parameter | Monitoring Plan |
| SO2 | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D |
| NOx | Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart H |
| Heat Input | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D |

|  |  |
| --- | --- |
| Unit ID: \*\*8 | |
| Parameter | Monitoring Plan |
| SO2 | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D |
| NOx | Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart H |
| Heat Input | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D |

|  |  |
| --- | --- |
| Unit ID: 9 | |
| Parameter | Monitoring Plan |
| SO2 | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D |
| NOx | Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart H |
| Heat Input | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D |

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CSAPR NOX Annual Trading Program), 97.830 through 97.835 (CSAPR NOX Ozone Season Group 2 Trading Program), and 97.630 through 97.635 (CSAPR SO2 Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.
2. Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA’s website at https://www.epa.gov/airmarkets/clean-air-markets-monitoring-plans-part-75-sources.
3. Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 (CSAPR NOX Annual Trading Program), 97.835 (CSAPR NOX Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO2 Group 1 Trading Program). The Administrator’s response approving or disapproving any petition for an alternative monitoring system is available on the EPA’s website at https://www.epa.gov/airmarkets/part-75-petition-responses.
4. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (CSAPR NOX Annual Trading Program), 97.830 through 97.834 (CSAPR NOX Ozone Season Group 2 Trading Program), and/or 97.630 through 97.634 (CSAPR SO2 Group 1 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NOX Annual Trading Program), 97.835 (CSAPR NOX Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO2 Group 1 Trading Program). The Administrator’s response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA’s website at https://www.epa.gov/airmarkets/part-75-petition-responses.
5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NOX Annual Trading Program), 97.830 through 97.834 (CSAPR NOX Ozone Season Group 2 Trading Program), and 97.630 through 97.634 (CSAPR SO2 Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add or change this unit’s monitoring system description.

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

1. **Designated representative requirements.**

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

1. **Emissions monitoring, reporting, and recordkeeping requirements.**
2. The owners and operators, and the designated representative, of each CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
3. The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of CSAPR NOX Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the CSAPR NOX Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.
4. **NOX emissions requirements.**
5. CSAPR NOX Annual emissions limitation.
   1. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall hold, in the source's compliance account, CSAPR NOX Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Annual units at the source.
   2. If total NOX emissions during a control period in a given year from the CSAPR NOX Annual units at a CSAPR NOX Annual source are in excess of the CSAPR NOX Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:
      1. The owners and operators of the source and each CSAPR NOX Annual unit at the source shall hold the CSAPR NOX Annual allowances required for deduction under 40 CFR 97.424(d); and
      2. The owners and operators of the source and each CSAPR NOX Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.
6. CSAPR NOX Annual assurance provisions.
   1. If total NOX emissions during a control period in a given year from all CSAPR NOX Annual units at CSAPR NOX Annual sources in the state and Indian country within the borders of such State exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such NOX emissions during such control period exceeds the common designated representative’s assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NOX Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying— (A) The quotient of the amount by which the common designated representative’s share of such NOX emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state and Indian country within the borders of such statefor such control period, by which each common designated representative’s share of such NOX emissions exceeds the respective common designated representative’s assurance level; and (B) The amount by which total NOX emissions from all CSAPR NOX Annual units at CSAPR NOX Annual sources in the state and Indian country within the borders of such statefor such control period exceed the state assurance level.
   2. The owners and operators shall hold the CSAPR NOX Annual allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
   3. Total NOX emissions from all CSAPR NOX Annual units at CSAPR NOX Annual sources in the State and Indian country within the borders of such stateduring a control period in a given year exceed the state assurance level if such total NOX emissions exceed the sum, for such control period, of the state NOX Annual trading budget under 40 CFR 97.410(a) and the state’s variability limit under 40 CFR 97.410(b).
   4. It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NOX emissions from all CSAPR NOX Annual units at CSAPR NOX Annual sources in the State and Indian country within the borders of such State during a control period exceed the state assurance level or if a common designated representative’s share of total NOXemissions from the CSAPR NOX Annual units at CSAPR NOX Annual sources in the state and Indian country within the borders of such stateduring a control period exceeds the common designated representative’s assurance level.
   5. To the extent the owners and operators fail to hold CSAPR NOX Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
      1. The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
      2. Each CSAPR NOX Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.
7. Compliance periods.
   1. A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
   2. A CSAPR NOX Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
8. Vintage of allowances held for compliance.
   1. A CSAPR NOX Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NOX Annual allowance that was allocated for such control period or a control period in a prior year.
   2. A CSAPR NOX Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR NOX Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
9. Allowance Management System requirements. Each CSAPR NOX Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA.
10. Limited authorization. A CSAPR NOX Annual allowance is a limited authorization to emit one ton of NOX during the control period in one year. Such authorization is limited in its use and duration as follows:
    1. Such authorization shall only be used in accordance with the CSAPR NOX Annual Trading Program; and
    2. Notwithstanding any other provision of 40 CFR Part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
11. Property right. A CSAPR NOX Annual allowance does not constitute a property right.
12. **Title V permit revision requirements.**
    1. No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOX Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA.
    2. This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.406(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).
13. **Additional recordkeeping and reporting requirements.**
14. Unless otherwise provided, the owners and operators of each CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
    1. The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each CSAPR NOX Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.
    2. All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA.
    3. Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NOX Annual Trading Program.
15. The designated representative of a CSAPR NOX Annual source and each CSAPR NOX Annual unit at the source shall make all submissions required under the CSAPR NOX Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Parts 70 and 71.
16. **Liability*.***
    1. Any provision of the CSAPR NOX Annual Trading Program that applies to a CSAPR NOX Annual source or the designated representative of a CSAPR NOX Annual source shall also apply to the owners and operators of such source and of the CSAPR NOX Annual units at the source.
    2. Any provision of the CSAPR NOX Annual Trading Program that applies to a CSAPR NOX Annual unit or the designated representative of a CSAPR NOX Annual unit shall also apply to the owners and operators of such unit.
17. **Effect on other authorities*.***

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

1. **Effect on units in Indian country.**

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

**SECTION II: CSAPR NOX Ozone Season Group 2 Trading Program Requirements (40 CFR 97.806)**

1. **Designated representative requirements.**

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.813 through 97.818.

1. **Emissions monitoring, reporting, and recordkeeping requirements.**
2. The owners and operators, and the designated representative, of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.831 (initial monitoring system certification and recertification procedures), 97.832 (monitoring system out-of-control periods), 97.833 (notifications concerning monitoring), 97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.835 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
3. The emissions data determined in accordance with 40 CFR 97.830 through 97.835 shall be used to calculate allocations of CSAPR NOX Ozone Season Group 2 allowances under 40 CFR 97.811(a)(2) and (b) and 97.812 and to determine compliance with the CSAPR NOX Ozone Season Group 2 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.
4. **NOX emissions requirements.**
5. CSAPR NOX Ozone Season Group 2 emissions limitation.
   1. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NOX Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR 97.824(a) in an amount not less than the tons of total NOX emissions for such control period from all CSAPR NOX Ozone Season Group 2 units at the source.
   2. If total NOX emissions during a control period in a given year from the CSAPR NOX Ozone Season Group 2 units at a CSAPR NOX Ozone Season Group 2 source are in excess of the CSAPR NOX Ozone Season Group 2 emissions limitation set forth in paragraph (c)(1)(i) above, then:
      1. The owners and operators of the source and each CSAPR NOX Ozone Season Group 2 unit at the source shall hold the CSAPR NOX Ozone Season Group 2 allowances required for deduction under 40 CFR 97.824(d); and
      2. The owners and operators of the source and each CSAPR NOX Ozone Season Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.
6. CSAPR NOX Ozone Season Group 2 assurance provisions.
   1. If total NOX emissions during a control period in a given year from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in the state and Indian country within the borders of such stateexceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such NOX emissions during such control period exceeds the common designated representative’s assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NOX Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR 97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.825(b), of multiplying—
      1. The quotient of the amount by which the common designated representative’s share of such NOX emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state and Indian country within the borders of such statefor such control period, by which each common designated representative’s share of such NOX emissions exceeds the respective common designated representative’s assurance level; and
      2. The amount by which total NOX emissions from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in the state and Indian country within the borders of such statefor such control period exceed the state assurance level.
   2. The owners and operators shall hold the CSAPR NOX Ozone Season Group 2 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
   3. Total NOX emissions from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in the state and Indian country within the borders of such stateduring a control period in a given year exceed the state assurance level if such total NOX emissions exceed the sum, for such control period, of the State NOX Ozone Season Group 2 trading budget under 40 CFR 97.810(a) and the state’s variability limit under 40 CFR 97.810(b).
   4. It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NOX emissions from all CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in the state and Indian country within the borders of such stateduring a control period exceed the state assurance level or if a common designated representative’s share of total NOX emissions from the CSAPR NOX Ozone Season Group 2 units at CSAPR NOX Ozone Season Group 2 sources in the state and Indian country within the borders of such stateduring a control period exceeds the common designated representative’s assurance level.
   5. To the extent the owners and operators fail to hold CSAPR NOX Ozone Season Group 2 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
      1. The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
      2. Each CSAPR NOX Ozone Season Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.
7. Compliance periods.
   1. A CSAPR NOX Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.830(b) and for each control period thereafter.
   2. A CSAPR NOX Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.830(b) and for each control period thereafter.
8. Vintage of allowances held for compliance.
   1. A CSAPR NOX Ozone Season Group 2 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NOX Ozone Season Group 2 allowance that was allocated for such control period or a control period in a prior year.
   2. A CSAPR NOX Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR NOX Ozone Season Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
9. Allowance Management System requirements. Each CSAPR NOX Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE.
10. Limited authorization. A CSAPR NOX Ozone Season Group 2 allowance is a limited authorization to emit one ton of NOX during the control period in one year. Such authorization is limited in its use and duration as follows:
    1. Such authorization shall only be used in accordance with the CSAPR NOX Ozone Season Group 2 Trading Program; and
    2. Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
11. Property right. A CSAPR NOX Ozone Season Group 2 allowance does not constitute a property right.
12. **Title V permit revision requirements*.***
13. No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NOX Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE.
14. This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.830 through 97.835, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.806(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).
15. **Additional recordkeeping and reporting requirements*.***
16. Unless otherwise provided, the owners and operators of each CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
    1. The certificate of representation under 40 CFR 97.816 for the designated representative for the source and each CSAPR NOX Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.816 changing the designated representative.
    2. All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE.
    3. Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NOX Ozone Season Group 2 Trading Program.
17. The designated representative of a CSAPR NOX Ozone Season Group 2 source and each CSAPR NOX Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NOX Ozone Season Group 2 Trading Program, except as provided in 40 CFR 97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Parts 70 and 71.
18. **Liability*.***
19. Any provision of the CSAPR NOX Ozone Season Group 2 Trading Program that applies to a CSAPR NOX Ozone Season Group 2 source or the designated representative of a CSAPR NOX Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NOX Ozone Season Group 2 units at the source.
20. Any provision of the CSAPR NOX Ozone Season Group 2 Trading Program that applies to a CSAPR NOX Ozone Season Group 2 unit or the designated representative of a CSAPR NOX Ozone Season Group 2 unit shall also apply to the owners and operators of such unit.
21. **Effect on other authorities*.***

No provision of the CSAPR NOX Ozone Season Group 2 Trading Program or exemption under 40 CFR 97.805 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NOX Ozone Season Group 2 source or CSAPR NOX Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

1. **Effect on units in Indian country.**

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

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

1. **Designated representative requirements.**

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

1. **Emissions monitoring, reporting, and recordkeeping requirements.**
2. The owners and operators, and the designated representative, of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
3. The emissions data determined in accordance with 40 CFR 97.630 through 97.635 shall be used to calculate allocations of CSAPR SO2 Group 1 allowances under 40 CFR 97.611(a)(2) and (b) and 97.612 and to determine compliance with the CSAPR SO2 Group 1 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.
4. **SO2 emissions requirements.**
5. CSAPR SO2 Group 1 emissions limitation.
   1. As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall hold, in the source's compliance account, CSAPR SO2 Group 1 allowances available for deduction for such control period under 40 CFR 97.624(a) in an amount not less than the tons of total SO2 emissions for such control period from all CSAPR SO2 Group 1 units at the source.
   2. If total SO2 emissions during a control period in a given year from the CSAPR SO2 Group 1 units at a CSAPR SO2 Group 1 source are in excess of the CSAPR SO2 Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:
      1. The owners and operators of the source and each CSAPR SO2 Group 1 unit at the source shall hold the CSAPR SO2 Group 1 allowances required for deduction under 40 CFR 97.624(d); and
      2. The owners and operators of the source and each CSAPR SO2 Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCCC and the Clean Air Act.
6. CSAPR SO2 Group 1 assurance provisions.
   1. If total SO2 emissions during a control period in a given year from all CSAPR SO2 Group 1 units at CSAPR SO2 Group 1 sources in the state and Indian country within the borders of such state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative’s share of such SO2 emissions during such control period exceeds the common designated representative’s assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO2 Group 1 allowances available for deduction for such control period under 40 CFR 97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.625(b), of multiplying—
      1. The quotient of the amount by which the common designated representative’s share of such SO2 emissions exceeds the common designated representative’s assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state and Indian country within the borders of such statefor such control period, by which each common designated representative’s share of such SO2 emissions exceeds the respective common designated representative’s assurance level; and
      2. The amount by which total SO2 emissions from all CSAPR SO2 Group 1 units at CSAPR SO2 Group 1 sources in the state and Indian country within the borders of such statefor such control period exceed the state assurance level.
   2. The owners and operators shall hold the CSAPR SO2 Group 1 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
   3. Total SO2 emissions from all CSAPR SO2 Group 1 units at CSAPR SO2 Group 1 sources in the state and Indian country within the borders of such state during a control period in a given year exceed the state assurance level if such total SO2 emissions exceed the sum, for such control period, of the state SO2 Group 1 trading budget under 40 CFR 97.610(a) and the state’s variability limit under 40 CFR 97.610(b).
   4. It shall not be a violation of 40 CFR Part 97, Subpart CCCCC or of the Clean Air Act if total SO2 emissions from all CSAPR SO2 Group 1 units at CSAPR SO2 Group 1 sources in the state and Indian country within the borders of such stateduring a control period exceed the state assurance level or if a common designated representative’s share of total SO2 emissions from the CSAPR SO2 Group 1 units at CSAPR SO2 Group 1 sources in the state and Indian country within the borders of such state during a control period exceeds the common designated representative’s assurance level.
   5. To the extent the owners and operators fail to hold CSAPR SO2 Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
      1. The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
      2. Each CSAPR SO2 Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart CCCCC and the Clean Air Act.
7. Compliance periods.
   1. A CSAPR SO2 Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.
   2. A CSAPR SO2 Group 1 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.630(b) and for each control period thereafter.
8. Vintage of allowances held for compliance.
   1. A CSAPR SO2 Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR SO2 Group 1 allowance that was allocated for such control period or a control period in a prior year.
   2. A CSAPR SO2 Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR SO2 Group 1 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
9. Allowance Management System requirements. Each CSAPR SO2 Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart CCCCC.
10. Limited authorization. A CSAPR SO2 Group 1 allowance is a limited authorization to emit one ton of SO2 during the control period in one year. Such authorization is limited in its use and duration as follows:
    1. Such authorization shall only be used in accordance with the CSAPR SO2 Group 1 Trading Program; and
    2. Notwithstanding any other provision of 40 CFR Part 97, Subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
11. Property right. A CSAPR SO2 Group 1 allowance does not constitute a property right.
12. **Title V permit revision requirements.**
13. No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO2 Group 1 allowances in accordance with 40 CFR Part 97, Subpart CCCCC.
14. This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.630 through 97.635, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 97.606(d)(2) and 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B).
15. **Additional recordkeeping and reporting requirements.**
16. Unless otherwise provided, the owners and operators of each CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
    1. The certificate of representation under 40 CFR 97.616 for the designated representative for the source and each CSAPR SO2 Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.616 changing the designated representative.
    2. All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart CCCCC.
    3. Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO2 Group 1 Trading Program.
17. The designated representative of a CSAPR SO2 Group 1 source and each CSAPR SO2 Group 1 unit at the source shall make all submissions required under the CSAPR SO2 Group 1 Trading Program, except as provided in 40 CFR 97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Parts 70 and 71.
18. **Liability.**
19. Any provision of the CSAPR SO2 Group 1 Trading Program that applies to a CSAPR SO2 Group 1 source or the designated representative of a CSAPR SO2 Group 1 source shall also apply to the owners and operators of such source and of the CSAPR SO2 Group 1 units at the source.
20. Any provision of the CSAPR SO2 Group 1 Trading Program that applies to a CSAPR SO2 Group 1 unit or the designated representative of a CSAPR SO2 Group 1 unit shall also apply to the owners and operators of such unit.
21. **Effect on other authorities.**

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

**(h) Effect on units in Indian country.**

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