

FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO

Luminant Generation Company LLC
AUTHORIZING THE OPERATION OF
Big Brown Steam Electric Station
Electric Services
LOCATED AT

Freestone County, Texas

Latitude 31° 49' 14" Longitude 96° 3' 22"

Regulated Entity Number: RN101198059

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site, emission units and affected source listed in this permit. Operations of the site, emission units and affected source listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site, emission units and affected source authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site, emission units and affected source.

Permit No: O65 Issuance Date: January 15, 2014

For the Commission

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General Terms and Conditions

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

In accordance with 30 TAC § 122.144(1), records of required monitoring data and support information required by this permit, or any applicable requirement codified in this permit, are required to be maintained for a period of five years from the date of the monitoring report, sample, or application unless a longer data retention period is specified in an applicable requirement. The five year record retention period supersedes any less stringent retention requirement that may be specified in a condition of a permit identified in the New Source Review Authorization attachment.

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit, except for reports required solely by the Acid Rain permit or the Clean Air Interstate Rule permit, unless they are being used to demonstrate compliance with another requirement, must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).

Special Terms and Conditions: Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting

1. Permit holder shall comply with the following requirements:
 - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
 - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is

not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.

- C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.
- D. Emission units subject to 40 CFR Part 63, Subpart ZZZZ and Subpart DDDDD, as identified in the attached Applicable Requirements Summary table, are subject to 30 TAC Chapter 113, Subchapter C, §113.1090 and §113.1130, respectively, which incorporates the 40 CFR Part 63 Subparts by reference.
- E. Emission units subject to 40 CFR Part 63, Subpart UUUUU as identified in the attached Applicable Requirements Summary table are subject to 30 TAC Chapter 113, Subchapter C, §113.1300 which incorporates the 40 CFR Part 63 Subpart by reference.
- F. The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart A and UUUUU for main boilers B1, B2 (GRPBOIL12) as identified in the attached Applicable Requirements Summary by April 16, 2016. This is a one year extension of the compliance date granted in accordance with § 63.6(i)(4)(i)(A). The permit holder shall comply with the emission control installations, compliance schedule, and notification requirements contained in the Alternative Requirements attachment of this permit. The permit holder shall maintain the original documentation from the TCEQ Executive Director granting the compliance extension. Documentation shall be maintained and made available in accordance with 30 TAC § 122.144.
- G. The permit holder shall comply with the following 30 TAC Chapter 101, Subchapter H, Division 2 (Emissions Banking and Trading of Allowances) Requirements for an electric generating facility authorized under 30 TAC Chapter 116, Subchapter I:
 - (i) Title 30 TAC § 101.332 (relating to General Provisions)
 - (ii) Title 30 TAC § 101.333 (relating to Allocation of Allowances)
 - (iii) Title 30 TAC § 101.334 (relating to Allowance Deductions)
 - (iv) Title 30 TAC § 101.335 (relating to Allowance Banking and Trading)
 - (v) Title 30 TAC § 101.336 (relating to Emission Monitoring and Compliance Demonstration and Reporting)

- (vi) The terms and conditions by which the emission limits are established to meet the quantity of allowances for the electric generating facility are applicable requirements of this permit
- H. For the purpose of generating discrete emission reduction credits through 30 TAC Chapter 101, Subchapter H, Division 4 (Discrete Emission Credit Banking and Trading), the permit holder shall comply with the following requirements:
- (i) Title 30 TAC § 101.372 (relating to General Provisions)
 - (ii) Title 30 TAC § 101.373 (relating to Discrete Emission Reduction Credit Generation and Certification)
 - (iii) Title 30 TAC § 101.374 (relating to Mobile Discrete Emission Reduction Credit Generation and Certification)
 - (iv) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)
 - (v) Title 30 TAC § 101.378 (relating to Discrete Emission Credit Banking and Trading)
 - (vi) The terms and conditions by which the emission limits are established to generate the discrete reduction credit are applicable requirements of this permit
2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):
- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
 - B. Title 30 TAC § 101.3 (relating to Circumvention)
 - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
 - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
 - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
 - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
 - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Start-up, and Shutdown Reporting and Recordkeeping Requirements)

- H. Title 30 TAC § 101.221 (relating to Operational Requirements)
 - I. Title 30 TAC § 101.222 (relating to Demonstrations)
 - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. Visible emissions from stationary vents that are not listed in the Applicable Requirements Summary attachment for 30 TAC Chapter 111, Subchapter A, Division 1, shall not exceed 20% opacity averaged over a six minute period. The permit holder shall comply with the following requirements for stationary vents at the site subject to this standard:
 - (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
 - (ii) Title 30 TAC § 111.111(a)(1)(E)
 - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
 - (iv) For emission units with vent emissions subject to this paragraph, complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that are not capable of producing visible emissions such as vents that emit only colorless VOCs; vents from non fuming liquids; vents that provide passive ventilation, such as plumbing vents:
 - (1) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
 - (2) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum

required value does not constitute creation of an alternative fuel.

- (3) Records of all observations shall be maintained.
- (4) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (5) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance,

the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

B. For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(7)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(7)(B)(i) or (ii)
- (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
 - (1) An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the air emission source or enclosed facility is not operating for the entire quarter.
 - (2) Records of all observations shall be maintained.
 - (3) Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15

feet, but not more than 0.25 mile, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

(4) Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A)
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

C. For visible emissions from all other sources not specified in 30 TAC § 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(8)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(8)(B)(i) or (ii)
- (iii) For a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing visible

emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:

- (1) An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
- (2) Records of all observations shall be maintained.
- (3) Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
- (4) Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A)
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(8)(B) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined

to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader

- D. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
- E. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
- F. Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153, shall comply with the following requirements:
 - (i) Emissions of PM from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (relating to Allowable Emissions Limits)
 - (ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in 30 TAC § 111.151(b)
 - (iii) Effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c)
- G. Outdoor burning, as stated in 30 TAC § 111.201, shall not be authorized unless the following requirements are satisfied:
 - (i) Title 30 TAC § 111.205 (relating to Exception for Fire Training)
 - (ii) Title 30 TAC § 111.207 (relating to Exception for Recreation, Ceremony, Cooking, and Warmth)
 - (iii) Title 30 TAC § 111.209 (relating to Exception for Disposal Fires)
 - (iv) Title 30 TAC § 111.211 (relating to Exception for Prescribed Burn)
 - (v) Title 30 TAC § 111.213 (relating to Exception for Hydrocarbon Burning)

- (vi) Title 30 TAC § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
 - (vii) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
4. Permit holder shall comply with the following 30 TAC Chapter 115, Subchapter C requirements:
- A. When filling gasoline storage vessels with a nominal capacity greater than 1,000 gallons (Stage I) at motor vehicle fuel dispensing facilities, which have dispensed less than 125,000 gallons of gasoline in any calendar month after January 1, 1999, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
 - (i) Title 30 TAC § 115.222(7) (relating to Control Requirements)
 - (ii) Title 30 TAC § 115.222(3), as it applies to liquid gasoline leaks
 - (iii) Title 30 TAC § 115.224(1) (relating to Inspection Requirements), as it applies to liquid gasoline leaks
 - (iv) Title 30 TAC § 115.226(2)(C) (relating to Recordkeeping Requirements)
5. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 60, unless otherwise stated in the applicable subpart:
- A. Title 40 CFR § 60.7 (relating to Notification and Recordkeeping)
 - B. Title 40 CFR § 60.8 (relating to Performance Tests)
 - C. Title 40 CFR § 60.11 (relating to Compliance with Standards and Maintenance Requirements)
 - D. Title 40 CFR § 60.12 (relating to Circumvention)
 - E. Title 40 CFR § 60.13 (relating to Monitoring Requirements)
 - F. Title 40 CFR § 60.14 (relating to Modification)
 - G. Title 40 CFR § 60.15 (relating to Reconstruction)
 - H. Title 40 CFR § 60.19 (relating to General Notification and Reporting Requirements)
6. For open storage pile (LDSPF); including equipment used in loading, unloading, and conveying operations; constructed, reconstructed, or modified after

May 27, 2009, the permit holder shall comply with the following requirements of 40 CFR Part 60, Subpart Y for control of fugitive coal dust emissions:

- A. Title 40 CFR § 60.254(c) and (c)(1) (relating to Standards for coal processing and conveying equipment, coal storage systems, transfer and loading systems, and open storage piles), for preparation of and operation in accordance with a fugitive coal dust emissions control plan
 - B. Title 40 CFR § 60.254(c)(2) and (c)(6) (relating to Standards for coal processing and conveying equipment, coal storage systems, transfer and loading systems, and open storage piles), for control measures for open coal storage piles
 - C. Title 40 CFR § 60.254(c)(3) and (c)(3)(i) - (iv) (relating to Standards for coal processing and conveying equipment, coal storage systems, transfer and loading systems, and open storage piles), for alternative control measures
 - D. Title 40 CFR § 60.254(c)(4), (c)(4)(i) - (ii), and (c)(5)(ii) (relating to Standards for coal processing and conveying equipment, coal storage systems, transfer and loading systems, and open storage piles) for submittal of the fugitive coal dust emissions control plan
 - E. Title 40 CFR § 60.258(a) and (a)(6) (relating to Reporting and recordkeeping).
7. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 61, unless otherwise stated in the applicable subpart:
- A. Title 40 CFR § 61.05 (relating to Prohibited Activities)
 - B. Title 40 CFR § 61.07 (relating to Application for Approval of Construction or Modification)
 - C. Title 40 CFR § 61.09 (relating to Notification of Start-up)
 - D. Title 40 CFR § 61.10 (relating to Source Reporting and Request Waiver)
 - E. Title 40 CFR § 61.12 (relating to Compliance with Standards and Maintenance Requirements)
 - F. Title 40 CFR § 61.13 (relating to Emissions Tests and Waiver of Emission Tests)
 - G. Title 40 CFR § 61.14 (relating to Monitoring Requirements)
 - H. Title 40 CFR § 61.15 (relating to Modification)

- I. Title 40 CFR § 61.19 (relating to Circumvention)
- 8. The permit holder shall comply with the requirements of 30 TAC Chapter 113, Subchapter C, § 113.100 for units subject to any subpart of 40 CFR Part 63, unless otherwise stated in the applicable subpart.

Additional Monitoring Requirements

- 9. Unless otherwise specified, the permit holder shall comply with the compliance assurance monitoring requirements as specified in the attached “CAM Summary” upon issuance of the permit. In addition, the permit holder shall comply with the following:
 - A. The permit holder shall comply with the terms and conditions contained in 30 TAC § 122.147 (General Terms and Conditions for Compliance Assurance Monitoring).
 - B. The permit holder shall report, consistent with the averaging time identified in the “CAM Summary,” deviations as defined by the deviation limit in the “CAM Summary.” Any monitoring data below a minimum limit or above a maximum limit, that is collected in accordance with the requirements specified in 40 CFR § 64.7(c), shall be reported as a deviation. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).
 - C. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the “CAM Summary,” for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances in order to avoid reporting deviations. All monitoring data shall be collected in accordance with the requirements specified in 40 CFR § 64.7(c).
 - D. The permit holder shall operate the monitoring, identified in the attached “CAM Summary,” in accordance with the provisions of 40 CFR § 64.7.
 - E. Except for emission units using a CEMS, COMS or PEMS which meets the requirements of 40 CFR § 64.3(d)(2), the permit holder shall comply with either of the following requirements for any particulate matter capture system associated with the control device subject to CAM. If the results of the following inspections indicate that the capture system is not working properly, the permit holder shall promptly take necessary corrective action:
 - (i) Once per year the permit holder shall inspect any fan for proper operation and inspect the capture system used in compliance of CAM for cracks, holes, tears, and other defects; or

- (ii) Once per year, the permit holder shall inspect for fugitive emissions escaping from the capture system in compliance of CAM by performing a visible emissions observation for a period of at least six minutes in accordance with 40 CFR Part 60, Appendix A, Test Method 22.
- 10. The permit holder shall comply with the periodic monitoring requirements as specified in the attached “Periodic Monitoring Summary” upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the “Periodic Monitoring Summary,” for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

New Source Review Authorization Requirements

- 11. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:
 - A. Are incorporated by reference into this permit as applicable requirements
 - B. Shall be located with this operating permit
 - C. Are not eligible for a permit shield
- 12. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
- 13. The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a permit by rule (PBR) or Standard Permit listed in the New Source Review Authorizations attachment. The records shall yield reliable data from the relevant time period that are representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, material safety data sheets (MSDS),

chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).

14. The permit holder shall comply with the following requirements for Air Quality Standard Permits:
 - A. Registration requirements listed in 30 TAC § 116.611, unless otherwise provided for in an Air Quality Standard Permit
 - B. General Conditions listed in 30 TAC § 116.615, unless otherwise provided for in an Air Quality Standard Permit
 - C. Applicable requirements of 30 TAC § 116.617 for Pollution Control Projects based on the information contained in the registration application.

Compliance Requirements

15. The permit holder shall certify compliance in accordance with 30 TAC § 122.146. The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.
16. Permit holder shall comply with the following 30 TAC Chapter 117 requirements:
 - A. The permit holder shall comply with the compliance schedule as required in 30 TAC § 117.9300 for electric utilities in East and Central Texas.
17. Use of Discrete Emission Credits to comply with the applicable requirements:
 - A. Unless otherwise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
 - (i) Title 30 TAC Chapter 115
 - (ii) Title 30 TAC Chapter 117
 - (iii) If applicable, offsets for Title 30 TAC Chapter 116
 - (iv) Temporarily exceed state NSR permit allowables

- B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
 - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
 - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
 - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
 - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC Chapter 122
- 18. The permit holder may comply with the following 30 TAC Chapter 101, Subchapter H, Division 5 (System Cap Trading) Requirements for an electric generating facility participating in a system cap:
 - A. Title 30 TAC § 101.383 (relating to General Provisions)
 - B. Title 30 TAC § 101.385 (relating to Recordkeeping and Reporting)

Protection of Stratospheric Ozone

- 19. Permit holders at a site subject to Title VI of the FCAA Amendments shall meet the following requirements for protection of stratospheric ozone.
 - A. Any on site servicing, maintenance, and repair on refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants or non-exempt substitutes shall be conducted in accordance with 40 CFR Part 82, Subpart F. Permit holder shall ensure that repairs or refrigerant removal are performed only by persons who meet the technician certification requirements of 40CFR §82.161(a). Records shall be maintained as required by 40 CFR Part 82, Subpart F.
 - B. The permit holder shall comply with 40 CFR Part 82, Subpart F related to the disposal requirements for appliances using Class I or Class II (ozone-depleting) substances or non-exempt substitutes as specified in 40 CFR §§ 82.150 - 82.166 and the applicable Part 82 Appendices.
 - C. The permit holder shall comply with 40 CFR Part 82, Subpart H related to Halon Emissions Reduction requirements as specified in 40 CFR § 82.250 - § 82.270 and the applicable Part 82 Appendices.

Temporary Fuel Shortages (30 TAC § 112.15)

20. The permit holder shall comply with the following 30 TAC Chapter 112 requirements:
 - A. Title 30 TAC § 112.15 (relating to Temporary Fuel Shortage Plan Filing Requirements)
 - B. Title 30 TAC § 112.16(a), (a)(1), and (a)(2)(B) - (c) (relating to Temporary Fuel Shortage Plan Operating Requirements)
 - C. Title 30 TAC § 112.17 (relating to Temporary Fuel Shortage Plan Notification Procedures)
 - D. Title 30 TAC § 112.18 (relating to Temporary Fuel Shortage Plan Reporting Requirements)

Permit Location

21. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

Acid Rain Permit Requirements

22. For units B1 and B2 (identified in the Certificate of Representation as units 1 and 2), located at the affected source identified by ORIS/Facility code (3497), the designated representative and the owner or operator, as applicable, shall comply with the following Acid Rain Permit requirements.
 - A. General Requirements
 - (i) Under 30 TAC § 122.12(1) and 40 CFR Part 72, the Acid Rain Permit requirements contained here are a separable portion of the Federal Operating Permit (FOP) and have an independent public comment process which may be separate from, or combined with the FOP.
 - (ii) The owner and operator shall comply with the requirements of 40 CFR Part 72 and 40 CFR Part 76. Any noncompliance with the Acid Rain Permit will be considered noncompliance with the FOP and may be subject to enforcement action.
 - (iii) The owners and operators of the affected source shall operate the source and the unit in compliance with the requirements of this Acid Rain Permit and all other applicable State and federal requirements.

- (iv) The owners and operators of the affected source shall comply with the General Terms and Conditions of the FOP that incorporates this Acid Rain Permit.
- (v) The term for the Acid Rain permit shall commence with the issuance of the FOP that incorporates the Acid Rain permit and shall be run concurrent with the remainder of the term of the FOP. Renewal of the Acid Rain permit shall coincide with the renewal of the FOP that incorporates the Acid Rain permit and subsequent terms shall be no more than five years from the date of renewal of the FOP and run concurrent with the permit term of the FOP.

B. Monitoring Requirements

- (i) The owners and operators, and the designated representative, of the affected source and each affected unit at the source shall comply with the monitoring requirements contained 40 CFR Part 75.
- (ii) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 and any other credible evidence shall be used to determine compliance by the affected source with the acid rain emissions limitations and emissions reduction requirements for SO₂ and NO_x under the ARP.
- (iii) The requirements of 40 CFR Part 75 shall not affect the responsibility of the owners and operators to monitor emission of other pollutants or other emissions characteristics at the unit under other applicable requirements of the FCAA Amendments (42 U.S.C. 7401, as amended November 15, 1990) and other terms and conditions of the operating permit for the source.

C. SO₂ emissions requirements

- (i) The owners and operators of each source and each affected unit at the source shall comply with the applicable acid rain emissions limitations for SO₂.
- (ii) As of the allowance transfer deadline the owners and operators of the affected source and each affected unit at the source shall hold, in the unit's compliance subaccount, allowances in an amount not less than the total annual emissions of SO₂ for the previous calendar year.
- (iii) Each ton of SO₂ emitted in excess of the acid rain emissions limitations for SO₂ shall constitute a separate violation of the FCAA amendments.

- (iv) An affected unit shall be subject to the requirements under (i) and (ii) of the SO₂ emissions requirements as follows:
 - (1) Starting January 1, 2000, an affected unit under 40 CFR § 72.6(a)(2); or
 - (2) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR Part 75, an affected unit under 40 CFR § 72.6(a)(3).
- (v) Allowances shall be held in, deducted from, or transferred into or among Allowance Tracking System accounts in accordance with the requirements of the ARP.
- (vi) An allowance shall not be deducted, for compliance with the requirements of this permit, in a calendar year before the year for which the allowance was allocated.
- (vii) An allowance allocated by the EPA Administrator or under the ARP is a limited authorization to emit SO₂ in accordance with the ARP. No provision of the ARP, Acid Rain permit application, this Acid Rain Permit, or an exemption under 40 CFR §§ 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (viii) An allowance allocated by the EPA Administrator under the ARP does not constitute a property right.

D. NO_x Emission Requirements

- (i) The owners and operators of the source and each affected unit at the source shall comply with the applicable acid rain emissions limitations for NO_x under 40 CFR Part 76.
- (ii) Beginning on the effective date of the termination of the early election plan, but no later than January 1, 2008, the owners and operators shall comply with the Phase II NO_x standard emission limitation compliance plan for units B1 and B2, under which each unit's annual average NO_x emission rate for each year, determined using the methods and procedures specified in 40 CFR Part 75, shall not exceed the applicable emission limitation of 0.40 lb/MMBtu for tangentially fired units under 40 CFR § 76.7(a)(1).

E. Excess emissions requirements for SO₂ and NO_x.

- (i) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR Part 77.

- (ii) If an affected source has excess emissions in any calendar year shall, as required by 40 CFR Part 77:
 - (1) Pay, without demand, the penalty required and pay, upon demand, the interest on that penalty.
 - (2) Comply with the terms of an approved offset plan.

F. Recordkeeping and Reporting Requirements

- (i) Unless otherwise provided, the owners and operators of the affected source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the EPA Administrator.
 - (1) The certificate of representation for the designated representative for the source and each affected unit and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR § 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative.
 - (2) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 provides for a 3-year period for recordkeeping (rather than a five-year period cited in 30 TAC § 122.144), the 3-year period shall apply.
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ARP or relied upon for compliance certification.
 - (4) Copies of all documents used to complete a acid rain permit application and any other submission under the ARP or to demonstrate compliance with the requirements of the ARP.
- (ii) The designated representative of an affected source and each affected unit at the source shall submit the reports required under the ARP including those under 40 CFR Part 72, Subpart I and 40 CFR Part 75.

G. Liability

- (i) Any person who knowingly violates any requirement or prohibition of the ARP, a complete acid rain permit application, an acid rain permit, or a written exemption under 40 CFR §§ 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to FCAA § 113(c).
 - (ii) Any person who knowingly makes a false, material statement in any record, submission, or report under the ARP shall be subject to criminal enforcement pursuant to FCAA § 113(c) and 18 U.S.C. 1001.
 - (iii) No permit revision shall excuse any violation of the requirements of the ARP that occurs prior to the date that the revision takes effect.
 - (iv) The affected source and each affected unit shall meet the requirements of the ARP contained in 40 CFR Parts 72 through 78.
 - (v) Any provision of the ARP that applies to an affected source or the designated representative of an affected source shall also apply to the owners and operators of such source and of the affected units at the source.
 - (vi) Any provision of the ARP that applies to an affected unit (including a provision applicable to the DR of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR § 72.44 (Phase II repowering extension plans) and 40 CFR § 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR §§ 75.16, 75.17, and 75.18), the owners and operators and the DR of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the DR and that is located at a source of which they are not owners or operators or the DR.
 - (vii) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or DR of such source or unit, shall be a separate violation of the FCAA Amendments.
- H. Effect on other authorities. No provision of the ARP, an acid rain permit application, an acid rain permit, or an exemption under 40 CFR §§ 72.7 or 72.8 shall be construed as:
- (i) Except as expressly provided in Title IV of the FCAA Amendments, exempting or excluding the owners and operators and, to the extent applicable, the DR of an affected source or affected unit from compliance with any other provision of the FCAA Amendments,

including the provisions of Title I of the FCAA Amendments relating to applicable National Ambient Air Quality Standards or State Implementation Plans.

- (ii) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the FCAA Amendments.
 - (iii) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law.
 - (iv) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
 - (v) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.
- I. The number of SO₂ allowances allocated by the EPA in 40 CFR Part 73 is enforceable only by the EPA Administrator.

Clean Air Interstate Rule Permit Requirements

23. For units B1 and B2 (identified in the Certificate of Representation as units 1 and 2), located at the affected source identified by ORIS/Facility code (3497), the designated representative and the owner or operator, as applicable, shall comply with the following Clean Air Interstate Rule (CAIR) Permit requirements. Until approval of the Texas CAIR SIP, the permit holder shall comply with the equivalent requirements of 40 CFR Part 97 in place of the referenced 40 CFR Part 96 requirements in the Texas CAIR permit and 30 TAC Chapter 122 requirements.
- A. General Requirements
- (i) Under 30 TAC § 122.420(b) and 40 CFR §§ 96.120(b) and 96.220(b) the CAIR Permit requirements contained here are a separable portion of the Federal Operating Permit (FOP).
 - (ii) The owners and operators of the CAIR NO_x and the CAIR SO₂ source shall operate the source and the unit in compliance with the requirements of this CAIR permit and all other applicable State and federal requirements.

- (iii) The owners and operators of the CAIR NO_x and the CAIR SO₂ source shall comply with the General Terms and Conditions of the FOP that incorporates this CAIR Permit.
- (iv) The term for the initial CAIR permit shall commence with the issuance of the revision containing the CAIR permit and shall be the remaining term for the FOP that incorporates the CAIR permit. Renewal of the initial CAIR permit shall coincide with the renewal of the FOP that incorporates the CAIR permit and subsequent terms shall be no more than five years from the date of renewal of the FOP and run concurrent with the permit term of the FOP.

B. Monitoring and Reporting Requirements

- (i) The owners and operators, and the CAIR designated representative, of the CAIR NO_x source and each CAIR NO_x unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements contained 40 CFR Part 96, Subpart HH.
- (ii) The owners and operators, and the CAIR designated representative, of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements contained 40 CFR Part 96, Subpart HHH.
- (iii) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HH and any other credible evidence shall be used to determine compliance by the CAIR NO_x source with the CAIR NO_x emissions limitation.
- (iv) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH and any other credible evidence shall be used to determine compliance by the CAIR SO₂ source with the CAIR SO₂ emissions limitation.

C. NO_x emissions requirements

- (i) As of the allowance transfer deadline for a control period, the owners and operators of the CAIR NO_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x allowances available for compliance deductions for the control period under 40 CFR § 96.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x units at the source, as determined in accordance the requirements 40 CFR Part 96, Subpart HH.
- (ii) A CAIR NO_x unit shall be subject to the requirements of paragraph C.(i) of this CAIR Permit starting on the later of January 1, 2009, or

the deadline for meeting the unit's monitor certification requirements under 40 CFR § 96.170(b)(1), (2), or (5).

- (iii) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements of this permit, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.
- (iv) CAIR NO_x allowances shall be held in, deducted from or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with the requirements of 40 CFR Part 96, Subpart FF or Subpart GG.
- (v) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 40 CFR § 96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.
- (vi) A CAIR NO_x allowance does not constitute a property right.
- (vii) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FF or Subpart GG, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x unit's compliance account is incorporated automatically in this CAIR permit.

D. NO_x excess emissions requirement

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

E. SO₂ emissions requirements

- (i) As of the allowance transfer deadline for a control period, the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, CAIR SO₂ allowances available for compliance deductions for the

control period under 40 CFR § 96.254(a) and (b) in an amount not less than the tons of total sulfur dioxides emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance the requirements 40 CFR Part 96, Subpart HHH.

- (ii) A CAIR SO₂ unit shall be subject to the requirements of paragraph E.(i) of this CAIR Permit starting on the later of January 1, 2010, or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 96.270(b)(1), (2), or (5).
- (iii) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements of this permit, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.
- (iv) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with the requirements of 40 CFR Part 96, Subpart FFF or Subpart GGG.
- (v) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or an exemption under 40 CFR § 96.205 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.
- (vi) A CAIR SO₂ allowance does not constitute a property right.
- (vii) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or Subpart GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ unit's compliance account is incorporated automatically in this CAIR permit.

F. SO₂ excess emissions requirements

- (i) If a CAIR SO₂ source emits sulfur dioxides during any control period in excess of the CAIR SO₂ emissions limitation, the owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under 40 CFR § 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law.

- (ii) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable State law.

G. Recordkeeping and Reporting Requirements

- (i) Unless otherwise provided, the owners and operators of the CAIR NO_x source and each CAIR NO_x unit at the source and the CAIR SO₂ source and each CAIR SO₂ unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the Administrator.
 - (1) The certificate of representation under 40 CFR §§ 96.113 and 96.213 for the CAIR NO_x designated representative for the source and each CAIR NO_x unit and the CAIR SO₂ designated representative for the source and each CAIR SO₂ unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5 year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR §§ 96.113 and 96.213 changing the CAIR designated representative.
 - (2) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH and Subpart HHH, provided that to the extent that these subparts provide for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program and CAIR SO₂ Trading Program or relied upon for compliance determinations.
 - (4) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Annual Trading Program and CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program and CAIR SO₂ Trading Program.
- (ii) The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source and a CAIR SO₂ source and each CAIR SO₂ unit at the source shall submit the reports required under the CAIR NO_x Annual Trading Program and the CAIR SO₂ Trading

Program including those under 40 CFR Part 96, Subpart HH and Subpart HHH.

- H. The CAIR NO_x source and each CAIR NO_x unit shall meet the requirements of the CAIR NO_x Annual Trading Program contained in 40 CFR Part 96, Subparts AA through II.
- I. The CAIR SO₂ source and each CAIR SO₂ unit shall meet the requirements of the CAIR SO₂ Trading Program contained in 40 CFR Part 96, Subparts AAA through III.
- J. Any provision of the CAIR NO_x Annual Trading Program and the CAIR SO₂ Trading Program that applies to a CAIR NO_x source or CAIR SO₂ source or the CAIR designated representative of a CAIR NO_x source or CAIR SO₂ source shall also apply to the owners and operators of such source and the units at the source.
- K. Any provision of the CAIR NO_x Annual Trading Program and the CAIR SO₂ Trading Program that applies to a CAIR NO_x unit or CAIR SO₂ unit or the CAIR designated representative of a CAIR NO_x unit or CAIR SO₂ unit shall also apply to the owners and operators of such unit.
- L. No provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, a CAIR permit application, a CAIR permit, or an exemption under 40 CFR §§ 96.105 or 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x source or CAIR NO_x unit or a CAIR SO₂ source or CAIR SO₂ unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

Attachments

Applicable Requirements Summary

Additional Monitoring Requirements

New Source Review Authorization References

Texas Air Control Board - Board Order No. 90-14 (State-Only Requirement)

40 CFR Part 63, Subpart UUUUU Compliance Extension

Applicable Requirements Summary

Unit Summary 29

Applicable Requirements Summary 32

Note: A “none” entry may be noted for some emission sources in this permit’s “Applicable Requirements Summary” under the heading of “Monitoring and Testing Requirements” and/or “Recordkeeping Requirements” and/or “Reporting Requirements.” Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Recordkeeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
GRPBOIL12	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	B1, B2	R1153	30 TAC Chapter 111, Nonagricultural Processes	No changing attributes.
GRPBOIL12	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	B1, B2	R200	30 TAC Chapter 112, Sulfur Compounds	No changing attributes.
GRPBOIL12	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	B1, B2	R73000	30 TAC Chapter 117, Subchapter E, Division 1	No changing attributes.
52	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111	30 TAC Chapter 111, Visible Emissions	No changing attributes.
52	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	63DDDDD-1	40 CFR Part 63, Subpart DDDDD	No changing attributes.
GRP-111A1A	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	13, 23, 25, 27, 28A, 28B, 28C, 28D, 61, 62, BB-LORVE1V, BB-LORVE2V, BB- SOVE1V, BB- SOVE2V	R1111-A1A	30 TAC Chapter 111, Visible Emissions	No changing attributes.
GRPFAS-NBH	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	NBH1-1, NBH1-2, NBH2-1, NBH2-2, NBH3-1, NBH3-2	R1111	30 TAC Chapter 111, Visible Emissions	No changing attributes.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
GRPFAS-SBH	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	SBH1-1, SBH1-2, SBH1-3, SBH2-1, SBH2-2, SBH2-3	R1111	30 TAC Chapter 111, Visible Emissions	No changing attributes.
GRPSTACK	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	50, 51	R1111	30 TAC Chapter 111, Visible Emissions	No changing attributes.
B1	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R116	30 TAC Chapter 116, NSR Permits	No changing attributes.
B2	BOILERS/STEAM GENERATORS/STEAM GENERATING UNITS	N/A	R116	30 TAC Chapter 116, NSR Permits	No changing attributes.
BB-TH2DST	STORAGE VESSEL	N/A	PBR472	30 TAC Chapter 106, Permits by Rule	No changing attributes.
GRPCHSA	COAL PREPARATION PLANTS	2AF, 4, BB-LG- CB1F, BB-LG- CB2F, BB-LG- HB1F, BB-LG- HC2F, BB-LG- HH2F, BB-LG- TB1F, BB-LG- TB2F	60Y-1974	40 CFR Part 60, Subpart Y	No changing attributes.
GRPFAS	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	FASN, FASS	R1151	30 TAC Chapter 111, Nonagricultural Processes	No changing attributes.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
GRPSAMPLR	COAL PREPARATION PLANTS	BB-CS-C1, BB-CS- PSC, BB-CS-PSS, BB-CS-RC, BB-CS- SC, BB-CS-SS, BB- CS-SSF, BB-CS- TSF, BB-CS-TSS	60Y-1974	40 CFR Part 60, Subpart Y	No changing attributes.
GRPSTACK	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	50, 51	TACB 90-14	Non-SIP based State Only Requirement	No changing attributes.
FADA	MSW / WASTE DISPOSAL SITE	N/A	61M	40 CFR Part 61, Subpart M	No changing attributes.
B1D2	SRIC ENGINES	N/A	63ZZZZ	40 CFR Part 63, Subpart ZZZZ	No changing attributes.

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
GRPBOIL12	EU	R1153	PM	30 TAC Chapter 111, Nonagricultural Processes	§ 111.153(b)	No person may cause, suffer, allow, or permit emissions of particulate matter from any solid fossil fuel-fired steam generator to exceed 0.3 pound of total suspended particulate per million Btu heat input, averaged over a two-hour period.	** See CAM Summary	None	None
GRPBOIL12	EU	R200	SO ₂	30 TAC Chapter 112, Sulfur Compounds	§ 112.8(a)	Except as in §112.8(b), no person may cause, suffer, allow, or permit emissions of SO ₂ from solid fossil fuel-fired steam generators to exceed 3.0 lb/MMBtu heat input averaged over a 3-hour period.	§ 112.2(a) ** See Periodic Monitoring Summary	§ 112.2(c)	§ 112.2(b)
GRPBOIL12	EU	R73000	NO _x	30 TAC Chapter 117, Subchapter E, Division 1	§ 117.3020(c) § 117.3020(a) § 117.3020(b) § 117.3020(d) § 117.3020(e) § 117.3020(i) § 117.3020(j) § 117.3020(k) § 117.3020(l)	The annual average emission cap shall be calculated using the following equation.	§ 117.3020(d) § 117.3020(e) [G]§ 117.3020(e)(1) § 117.3020(h) § 117.3020(k) § 117.3040(a) § 117.3040(d) § 117.3040(d)(1) [G]§ 117.3040(d)(2) [G]§ 117.3040(d)(3) § 117.3040(h) § 117.3040(h)(1)	§ 117.3020(f) § 117.3045(a) [G]§ 117.3045(e)	§ 117.3020(g) § 117.3045(b) § 117.3045(b)(1) § 117.3045(b)(2) [G]§ 117.3045(c) [G]§ 117.3045(d) [G]§ 117.3054(a) [G]§ 117.3054(b) § 117.3054(c) § 117.3056

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
52	EP	R1111	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 15% averaged over a six minute period for any source with a total flow rate of at least 100,000 acfm unless a CEMS is installed.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
52	EU	63DDDDD-1	112(B) HAPS	40 CFR Part 63, Subpart DDDDD	§ 63.7505 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable monitoring and testing requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 63, Subpart DDDDD
GRP-111A1A	EP	R1111-A1A	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(A) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 30% averaged over a six minute period.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
GRPFAS-NBH	EP	R1111	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	[G]§ 111.111(a)(1)(F) ** See CAM Summary	None	None

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
GRPFAS-SBH	EP	R1111	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(A) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 30% averaged over a six minute period.	[G]§ 111.111(a)(1)(F) ** See CAM Summary	None	None
GRPSTACK	EP	R1111	OPACITY	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(A) § 111.111(a)(1)(C) § 111.111(a)(1)(E) § 111.111(a)(2)	Visible emissions from any stationary vent shall not exceed an opacity of 30% averaged over a six minute period.	§ 111.111(a)(1)(D) [G]§ 111.111(a)(1)(F) § 111.111(a)(2)	§ 111.111(a)(1)(C) § 111.111(a)(1)(D)	None
B1	EU	R116	NH3	30 TAC Chapter 116, NSR Permits	83646	Comply with Permit No. 83646 and 30 TAC Chapter 116 requirements	** See Periodic Monitoring Summary	None	None
B2	EU	R116	NH3	30 TAC Chapter 116, NSR Permits	83647	Comply with Permit No. 83647 and 30 TAC Chapter 116 requirements	** See Periodic Monitoring Summary	None	None
BB-TH2DST	EU	PBR472	OPACITY	30 TAC Chapter 106, Permits by Rule	§ 106.472/09/04/2000	Authorized by PBR106.472, organic & inorganic liquid loading & unloading. Unit involves loading, unloading, and storage of dust suppressant.	** See Periodic Monitoring Summary	None	None

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
GRPCHSA	EU	60Y-1974	OPACITY	40 CFR Part 60, Subpart Y	§ 60.254(a)	On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.	§ 60.255(a) ** See Periodic Monitoring Summary	None	None
GRPFAS	EU	R1151	PM	30 TAC Chapter 111, Nonagricultural Processes	§ 111.151 (a) & (b)	No person may cause, suffer, allow, or permit emissions of particulate matter from any source to exceed the allowable rates except as provided by No person may cause, suffer, allow, or permit emissions of particulate matter from any source to exceed the allowable rates except as provided by §111.153 of this title.	** See CAM Summary	None	None

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
GRPSAMPLR	EU	60Y-1974	OPACITY	40 CFR Part 60, Subpart Y	§ 60.254(a)	On and after the date on which the performance test is conducted or required to be completed under §60.8, whichever date comes first, an owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal constructed, reconstructed, or modified on or before April 28, 2008, gases which exhibit 20 percent opacity or greater.	§ 60.255(a) ** See Periodic Monitoring Summary	None	None
GRPSTACK	EU	TACB 90-14	OPACITY	Non-SIP based State Only Requirement	TACB 90-14	Applicant shall operate the units in compliance with 20%, six-minute average opacity limit.	** See Periodic Monitoring Summary	None	None
FADA	PRO	61M	112(B) HAPS	40 CFR Part 61, Subpart M	[G]§ 61.154(c) [G]§ 61.154(b) § 61.154(e)(3) § 61.154(g)	Either meet the no visible emissions requirements of §61.154(a), or cover any asbestos-containing waste material per the methods specified.	None	[G]§ 61.154(e)(1) § 61.154(e)(4) § 61.154(f) § 61.154(i)	[G]§ 61.153(a)(5) § 61.153(b) § 61.154(e)(2) § 61.154(h) § 61.154(i) [G]§ 61.154(j)

Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
B1D2	EU	63ZZZZ	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6602-Table2c.1 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(i) § 63.6640(b) § 63.6640(f)(1) § 63.6640(f)(2) § 63.6640(f)(2)(i) § 63.6640(f)(3)	For each existing emergency stationary CI RICE and black start stationary CI RICE, located at a major source, you must comply with the requirements as specified in Table 2c.1.a-c.	§ 63.6625(f) § 63.6625(i) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(i) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6655(f) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)

Additional Monitoring Requirements

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CAM Summary

Unit/Group/Process Information	
ID No.: GRPBOIL12	
Control Device ID No.: 1	Control Device Type: Wet or Dry Electrostatic Precipitator
Control Device ID No.: 2	Control Device Type: Wet or Dry Electrostatic Precipitator
Control Device ID No.: BH1	Control Device Type: Fabric Filter
Control Device ID No.: BH2	Control Device Type: Fabric Filter
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Nonagricultural Processes	SOP Index No.: R1153
Pollutant: PM	Main Standard: § 111.153(b)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Six times per minute	
Averaging Period: Two hour block	
Deviation Limit: Maximum opacity = 20%	
<p>CAM Text: The continuous opacity monitoring system (COMS) shall be operated in accordance with the requirements of 40 CFR 60.13 and 40 CFR Part 60, Appendix B.</p> <p>The COMS shall take six 10-second readings per minute and record a six-minute average opacity. The six minute average values will then be averaged over a 2 hour block. The 2 hour block will start at the beginning of each clock hour of the day and end at the second clock hour (i.e. 0000 - 0200, 0200 - 0400, etc).</p> <p>A valid 2 hour block shall consist of at least 19 of the 20 six minute readings (95%) that the boilers are in operation. Monitoring data shall not be included in the 2 hour block average during periods of monitoring malfunctions, associated repairs, and required quality assurance or control activities as specified in 40 CFR § 64.7(c).</p> <p>For each valid 2-hour block that does not include boiler startup, shutdown, maintenance, or malfunction activities, if the opacity exceeds 20% averaged over the 2 hour block period, it shall be considered and reported as a deviation.</p>	

CAM Summary

Unit/Group/Process Information	
ID No.: GRPFAS	
Control Device ID No.: FASN-BH1	Control Device Type: Fabric Filter
Control Device ID No.: FASN-BH2	Control Device Type: Fabric Filter
Control Device ID No.: FASN-BH3	Control Device Type: Fabric Filter
Control Device ID No.: FASS-BH1	Control Device Type: Fabric Filter
Control Device ID No.: FASS-BH2	Control Device Type: Fabric Filter
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Nonagricultural Processes	SOP Index No.: R1151
Pollutant: PM	Main Standard: § 111.151 (a) & (b)
Monitoring Information	
Indicator: Visible emissions	
Minimum Frequency: Once during each day that the baghouse operates at any time, conduct a visible emissions observation	
Averaging Period: n/a	
Deviation Limit: Visible emissions or 20% opacity	
<p>CAM Text: To properly determine the presence of visible emissions, all sources must be in clear view of the observer. The observer shall be at least 15 feet, but no more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, the time and specific weather conditions shall be recorded. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. If visible emissions are observed, the permit holder shall report a deviation. As an alternative, the permit holder may determine the opacity, consistent with Test Method 9, as soon as practicable but no later than 24 hours after observing visible emissions. If the result of Test Method 9 is a six minute average opacity greater than 20 percent, the permit holder shall report a deviation.</p>	

CAM Summary

Unit/Group/Process Information	
ID No.: GRPFAS-NBH	
Control Device ID No.: FASN-BH1	Control Device Type: Fabric Filter
Control Device ID No.: FASN-BH2	Control Device Type: Fabric Filter
Control Device ID No.: FASN-BH3	Control Device Type: Fabric Filter
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111
Pollutant: OPACITY	Main Standard: § 111.111(a)(1)(B)
Monitoring Information	
Indicator: Visible emissions	
Minimum Frequency: Once during each day the baghouse operates at any time, conduct a visible emissions observation.	
Averaging Period: n/a	
Deviation Limit: Visible emissions or 20% opacity	
<p>CAM Text: To properly determine the presence of visible emissions, all sources must be in clear view of the observer. The observer shall be at least 15 feet, but no more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, the time and specific weather conditions shall be recorded. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. If visible emissions are observed, the permit holder shall report a deviation. As an alternative, the permit holder may determine the opacity, consistent with Test Method 9, as soon as practicable but no later than 24 hours after observing visible emissions. If the result of Test Method 9 is a six minute average opacity greater than 20 percent, the permit holder shall report a deviation.</p>	

CAM Summary

Unit/Group/Process Information	
ID No.: GRPFAS-SBH	
Control Device ID No.: FASS-BH1	Control Device Type: Fabric Filter
Control Device ID No.: FASS-BH2	Control Device Type: Fabric Filter
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111
Pollutant: OPACITY	Main Standard: § 111.111(a)(1)(A)
Monitoring Information	
Indicator: Visible emissions	
Minimum Frequency: Once during each day that the baghouse operates at any time, conduct a visible emissions observation	
Averaging Period: n/a	
Deviation Limit: Visible emissions or 30% opacity	
<p>CAM Text: To properly determine the presence of visible emissions, all sources must be in clear view of the observer. The observer shall be at least 15 feet, but no more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer=s eyes. If the observations cannot be conducted due to weather conditions, the date, the time and specific weather conditions shall be recorded. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. As an alternative, the permit holder may determine the opacity, consistent with Test Method 9, as soon as practicable but no later than 24 hours after observing visible emissions. If the result of Test Method 9 is a six minute average opacity greater than 30 percent, the permit holder shall report a deviation.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: 52	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111
Pollutant: OPACITY	Main Standard: § 111.111(a)(1)(C)
Monitoring Information	
Indicator: Fuel Type	
Minimum Frequency: Annually or at any time an alternate fuel is used	
Averaging Period: n/a	
Deviation Limit: Fuel type = alternate fuel, visible emissions, or maximum opacity = 15%.	
<p>Periodic Monitoring Text: Record the type of fuel used by the unit. If an alternate fuel is fired, either alone or in combination with the specified gas, for a period greater than or equal to 24 consecutive hours it shall be considered and reported as a deviation or the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are observed. Any time an alternate fuel is fired for a period of greater than 7 consecutive days then visible emissions observations will be conducted no less than once per week. Documentation of all observations shall be maintained. If visible emissions are present during the firing of an alternate fuel, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test Method 9. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be reported as a deviation.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: B1	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 116, NSR Permits	SOP Index No.: R116
Pollutant: NH ₃	Main Standard: 83646
Monitoring Information	
Indicator: Ammonia concentration	
Minimum Frequency: Weekly, except that ammonia monitoring is not required any week that the SNCR system is not operated	
Averaging Period: n/a	
Deviation Limit: Maximum ammonia concentration = 10 ppmv at 3% oxygen, dry basis	
<p>Periodic Monitoring Text: Measure ammonia concentration in accordance with 30 TAC §117.8130(3). Ammonia monitoring is not required any week the SNCR system is not operated. Correct the measured ammonia level to 3% oxygen on a dry basis. If the corrected ammonia concentration exceeds 10 parts per million by volume (PPMV), it shall be reported as a deviation.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: B2	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 116, NSR Permits	SOP Index No.: R116
Pollutant: NH ₃	Main Standard: 83647
Monitoring Information	
Indicator: Ammonia concentration	
Minimum Frequency: Weekly, except that ammonia monitoring is not required any week that the SNCR system is not operated	
Averaging Period: n/a	
Deviation Limit: Maximum ammonia concentration = 10 ppmv at 3% oxygen, dry basis	
<p>Periodic Monitoring Text: Measure ammonia concentration in accordance with 30 TAC §117.8130(3). Ammonia monitoring is not required any week the SNCR system is not operated. Correct the measured ammonia level to 3% oxygen on a dry basis. If the corrected ammonia concentration exceeds 10 parts per million by volume (PPMV), it shall be reported as a deviation.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: BB-TH2DST	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 106, Permits by Rule	SOP Index No.: PBR472
Pollutant: OPACITY	Main Standard: § 106.472/09/04/2000
Monitoring Information	
Indicator: Liquid type or visible emissions	
Minimum Frequency: Monthly	
Averaging Period: n/a	
Deviation Limit: Liquid type or visible emissions	
<p>Periodic Monitoring Text: The permit holder shall maintain monthly records of the type of liquid loaded, unloaded, or stored. If a liquid other than diesel fuel, gasoline, lubricating oil, gear oil, hydraulic oil, dust suppressant (surfactant), or antifreeze is loaded, unloaded, or stored, the permit holder shall either list this occurrence as a deviation according to 30 TAC §122.145 (Reporting Terms and Conditions) or conduct a monthly observation of the source during normal loading, unloading, or storage to determine if visible emissions are present. If an observation is conducted and visible emissions are present, the permit holder shall list this occurrence as a deviation according to 30 TAC §122.145.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: GRP-111A1A	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111-A1A
Pollutant: OPACITY	Main Standard: § 111.111(a)(1)(A)
Monitoring Information	
Indicator: Visible emissions	
Minimum Frequency: Quarterly	
Averaging Period: Six minutes	
Deviation Limit: Maximum opacity = 30%	
<p>Periodic Monitoring Text: A visible emissions observation shall be made at least once per calendar quarter. A visible emissions observation is not required for sources that do not operate at any time during the calendar quarter.</p> <p>To properly determine the presence of visible emissions, all sources must be in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, time, and specific weather conditions shall be recorded. When condensed water vapor is present within the plume as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor.</p> <p>If visible emissions are observed, the permit holder shall report a deviation. As an alternative, the permit holder may determine the opacity consistent with Test Method 9 as soon as practical, but no later than 24 hours after observing visible emissions. If Test Method 9 is performed, the opacity limit is 30% averaged over a six-minute period. If the result of the Test Method 9 is above 30% averaged over a six-minute period, the permit holder shall report a deviation.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: GRPBOIL12	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 30 TAC Chapter 112, Sulfur Compounds	SOP Index No.: R200
Pollutant: SO ₂	Main Standard: § 112.8(a)
Monitoring Information	
Indicator: SO ₂ Emission Rate	
Minimum Frequency: The CEMS shall be operated in accordance with 40 CFR Part 75.	
Averaging Period: Three hour block	
Deviation Limit: Maximum SO ₂ emission rate = 3.0 lb/MMBtu heat input, averaged over a 3-hour period.	
Periodic Monitoring Text: The CEMS shall be operated in accordance with 40 CFR Part 75.	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: GRPCHSA	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Y	SOP Index No.: 60Y-1974
Pollutant: OPACITY	Main Standard: § 60.254(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Perform an opacity reading for each month during which the emission unit operates at any time	
Averaging Period: Six minutes	
Deviation Limit: Maximum opacity = 20%	
<p>Periodic Monitoring Text: Opacity shall be monitored, by a certified observer, for at least one six-minute period in accordance with 40 CFR Part 60, Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation. Opacity monitoring is not required any month the unit is not operated. If a unit operates on the final day of any calendar month and monitoring is not possible due to weather or darkness, conduct the required opacity monitoring within 48 hours.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: GRPSAMPLR	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: 40 CFR Part 60, Subpart Y	SOP Index No.: 60Y-1974
Pollutant: OPACITY	Main Standard: § 60.254(a)
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Perform an opacity reading for each month during which the emission unit is operates at any time.	
Averaging Period: Six minutes	
Deviation Limit: Maximum opacity = 20%	
<p>Periodic Monitoring Text: Opacity shall be monitored, by a certified observer, for at least one six-minute period in accordance with 40 CFR Part 60, Appendix A, Test Method 9. Any opacity readings above the deviation limit shall be reported as a deviation. Opacity monitoring is not required any month the unit is not operated. If a unit operates on the final day of any calendar month and monitoring is not possible due to weather or darkness, conduct the required opacity monitoring within 48 hours.</p>	

Periodic Monitoring Summary

Unit/Group/Process Information	
ID No.: GRPSTACK	
Control Device ID No.: N/A	Control Device Type: N/A
Applicable Regulatory Requirement	
Name: Non-SIP based State Only Requirement	SOP Index No.: TACB 90-14
Pollutant: OPACITY	Main Standard: TACB 90-14
Monitoring Information	
Indicator: Opacity	
Minimum Frequency: Six times per minute	
Averaging Period: Six-minutes	
Deviation Limit: Maximum 20% opacity	
<p>Periodic Monitoring Text: Measure and record the opacity with a continuous opacity monitoring system (COMS). The COMS shall be operated in accordance with 40 CFR § 60.13. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be considered and reported as a deviation.</p>	

New Source Review Authorization References

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New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.	
Authorization No.: 106862	Issuance Date: 12/19/2012
Authorization No.: 108990	Issuance Date: 04/22/2013
Authorization No.: 112207	Issuance Date: 08/15/2013
Authorization No.: 17891	Issuance Date: 04/27/2012
Authorization No.: 18744	Issuance Date: 08/31/2006
Authorization No.: 45420	Issuance Date: 09/30/2013
Authorization No.: 46722	Issuance Date: 04/18/2011
Authorization No.: 53205	Issuance Date: 08/22/2005
Authorization No.: 54810	Issuance Date: 05/06/2013
Authorization No.: 56445	Issuance Date: 12/16/2011
Authorization No.: 56447	Issuance Date: 02/08/2010
Authorization No.: 83646	Issuance Date: 10/16/2008
Authorization No.: 83647	Issuance Date: 10/16/2008
Authorization No.: 85296	Issuance Date: 12/17/2008
Authorization No.: 95214	Issuance Date: 03/17/2011
Authorization No.: 96276	Issuance Date: 10/28/2011
Authorization No.: 99047	Issuance Date: 06/19/2012
Authorization No.: 99050	Issuance Date: 06/11/2012
Permits By Rule (30 TAC Chapter 106) for the Application Area	
Number: 106.124	Version No./Date: 09/04/2000
Number: 106.227	Version No./Date: 09/04/2000
Number: 106.262	Version No./Date: 11/01/2003
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.264	Version No./Date: 09/04/2000
Number: 106.412	Version No./Date: 09/04/2000
Number: 106.433	Version No./Date: 09/04/2000

New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Number: 106.452	Version No./Date: 09/04/2000
Number: 106.454	Version No./Date: 11/01/2001
Number: 106.472	Version No./Date: 09/04/2000
Number: 106.477	Version No./Date: 09/04/2000
Number: 106.532	Version No./Date: 09/04/2000
Number: 5	Version No./Date: 05/12/1981
Number: 58	Version No./Date: 05/12/1981

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
13	TRANSFER UNDERGROUND RECLAIM HOPPER TO CONVEYOR 4	56447
23	TRANSFER TOWER 1 ROTOCLONE VENT	112207, 56447
25	SECONDARY CRUSHER TOWER ROTOCLONE VENT	112207, 56447
27	TRANSFER TOWER 2 ROTOCLONE VENT	112207, 56447
28A	UNIT 2 N LIGNITE TRIPPER HOUSE & BOILER FEED BINS	106862, 56447
28B	UNIT 2 S LIGNITE TRIPPER HOUSE & BOILER FEED BINS	106862, 56447
28C	UNIT 1 N LIGNITE TRIPPER HOUSE & BOILER FEED BINS	56447, 106.264/09/04/2000
28D	UNIT 1 S LIGNITE TRIPPER HOUSE & BOILER FEED BINS	56447, 106.264/09/04/2000
2AF	PRIMARY CRUSHER 1, TRANSFER ONTO CONVEYOR 1	46722, 106.264/09/04/2000
4	COAL HOPPER 1	46722, 106.264/09/04/2000
50	UNIT #1 BOILER STACK	108990, 45420, 54810, 56445, 83646, 85296, 95214, 96276, 99047
51	UNIT #2 BOILER STACK	108990, 45420, 54810, 56445, 83647, 85296, 95214, 96276, 99050
52	UNIT 1 STARTUP BOILER STACK	53205
61	EMERGENCY DIESEL GENERATOR 1 STACK	005/05/12/1981
62	TAINTER GATE EMERGENCY DIESEL GENERATOR STACK	005/05/12/1981
B1D2	TAINTER GATE EMERGENCY DIESEL GENERATOR	005/05/12/1981

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
B1	UNIT #1 BOILER	108990, 45420, 54810, 56445, 83646, 85296, 95214, 96276, 99047
B2	UNIT #2 BOILER	108990, 45420, 54810, 56445, 83647, 85296, 95214, 96276, 99050
BB-CS-C1	COAL SAMPLE SAMPLER CONVEYOR C1	106.262/11/01/2003
BB-CS-PSC	COAL SAMPLER PRIMARY SAMPLE CRUSHER	106.262/11/01/2003
BB-CS-PSS	COAL SAMPLER PRIMARY SWEEP SAMPLER	106.262/11/01/2003
BB-CS-RC	COAL SAMPLER REJECT CONVEYOR	106.262/11/01/2003
BB-CS-SC	COAL SAMPLER SAMPLE CRUSHER	106.262/11/01/2003
BB-CS-SS	COAL SAMPLER SECONDARY SWEEP SAMPLER	106.262/11/01/2003
BB-CS-SSF	COAL SAMPLER SECONDARY SAMPLE FEEDER BELT	106.262/11/01/2003
BB-CS-TSF	COAL SAMPLER TERTIARY SAMPLE FEEDER BELT	106.262/11/01/2003
BB-CS-TSS	COAL SAMPLER TERTIARY SWEEP SAMPLER	106.262/11/01/2003
BB-LG-CB1F	BELT 1 (CONVEYOR 1A) FUGITIVES	18744
BB-LG-CB2F	BELT 2 (CONVEYOR 1XA) FUGITIVES	18744
BB-LG-HB1F	TRANSFER FROM PRIMARY CRUSHER 2 ONTO CONVEYOR 1A	18744
BB-LG-HC2F	PRIMARY CRUSHER 2	18744
BB-LG-HH2F	COAL RECEIVING HOPPER 2	18744

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
BB-LG-TB1F	TRANSFER FROM CONVEYOR 1A ONTO CONVEYOR 2B OR 1XA	18744
BB-LG-TB2F	TRANSFER FROM CONVEYOR 1XA ONTO CONVEYOR 2	18744
BB-LORVE1V	UNIT 1 LUBE OIL RESERVOIR VAPOR EXTRACTOR VENT	56445
BB-LORVE2V	UNIT 2 LUBE OIL RESERVOIR VAPOR EXTRACTOR VENT	56445
BB-SOVE1V	UNIT 1 SEAL OIL VAPOR EXTRACTOR VENT	56445
BB-SOVE2V	UNIT 2 SEAL OIL VAPOR EXTRACTOR VENT	56445
BB-TH2DST	TRUCK HOPPER NO. 2 DUST SUPPRESSION TANK	106.472/09/04/2000
FADA	ASBESTOS LANDFILL	SW Registration No. 30080 (No air emissions – air addendum not required)
FASN	NORTH FLY ASH SILO	17891
FASS	SOUTH FLY ASH SILO	56447
NBH1-1	NORTH FLY ASH SILO BAGHOUSE STACK	17891
NBH1-2	NORTH FLY ASH SILO BAGHOUSE STACK	17891
NBH2-1	NORTH FLY ASH SILO BAGHOUSE STACK	17891
NBH2-2	NORTH FLY ASH SILO BAGHOUSE STACK	17891
NBH3-1	NORTH FLY ASH SILO BAGHOUSE STACK	17891
NBH3-2	NORTH FLY ASH SILO BAGHOUSE STACK	17891
SBH1-1	SOUTH FLY ASH SILO BAGHOUSE STACKS	56447

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
SBH1-2	SOUTH FLY ASH SILO BAGHOUSE STACKS	56447
SBH1-3	SOUTH FLY ASH SILO BAGHOUSE STACKS	56447
SBH2-1	SOUTH FLY ASH SILO BAGHOUSE STACKS	56447
SBH2-2	SOUTH FLY ASH SILO BAGHOUSE STACKS	56447
SBH2-3	SOUTH FLY ASH SILO BAGHOUSE STACKS	56447

Texas Air Control Board - Board Order No. 90-14 (State-Only Requirement)
TACB Board Order No. 90-1460

TEXAS AIR CONTROL BOARD
6330 Highway 290 East
Austin, Texas 78723

TEXAS UTILITIES ELECTRIC COMPANY

BOARD ORDER
NO. 90-14

On this the 14th day of December, 1990, the Texas Air Control Board (herein "TACB") considered a Proposal for Decision prepared by the Hearing Examiner in the above referenced matter respecting the Big Brown Steam Electric Station Application for Alternate Opacity Limitation for Units 1 and 2 (herein "Application") filed with the TACB by Texas Utilities Electric Company (herein "Applicant") on October 6, 1989 under and pursuant to Tex. Admin. Code, tit. 31 §111.113 (1990-91 Supp. West) (herein "Rule").

Having reviewed and considered the Hearing Examiner's Proposal for Decision and noting that all parties to this proceeding, including (1) the Applicant, (2) the Staff of the TACB (herein "Staff"), and (3) the Lone Star Chapter of the Sierra Club (herein "Sierra Club"), have signed and filed with the Hearing Examiner a written Settlement Agreement in accordance with Tex. Admin. Code, tit. 31 §103.65, the Board hereby enters Findings of Fact and Conclusions of Law and Orders as follows:

FINDINGS OF FACT

1. Applicant owns and operates the Big Brown Steam Electric Station, a lignite fired steam electric generation facility consisting of two, 575 megawatt units, located in Freestone County, Texas (herein "Big Brown SES").
2. Design and construction of Big Brown SES began prior to January 31, 1972; thus, it is subject to Tex. Admin. Code, tit. 31, §111.111(a) (1) (A) (1990-91 Supp. West), limiting the opacity of emissions from Big Brown SES Units 1 and 2 to 30 percent, averaged over a six-minute period (herein "Applicable Opacity Limitation").
3. Big Brown SES, originally having been designed and substantially constructed prior to the effective date of the Applicable Opacity Limitation, was not designed to comply with and has experienced difficulty in continuously meeting said limitation.
4. Applicant has upgraded pollution control equipment and implemented operational improvements on the Big Brown SES Units 1 and 2 to reduce emission opacity, which upgrades and operating improvements have resulted in decreased magnitude, duration and frequency of opacity excursions.
5. Notwithstanding implementation of the pollution control equipment upgrades and other improvements, Applicant is not able to continuously meet the Applicable Opacity Limitation.
6. On or about October 6, 1989, Applicant filed its Big Brown SES Application for Alternate Opacity Limitation.
7. On or about December 1, 1989 pursuant to the Rule, the Staff served upon Applicant a list of deficiencies regarding the Application.

8. On or about March 12, 1990 and March 30, 1990, Applicant filed with the Staff its Response to List of Deficiencies and Supplemental Response to List of Deficiencies respectively.

9. On or about April 4, 1990, the Executive Director of the TACB (herein "Director"), pursuant to the Rule, issued a Certification of Completeness respecting the Application.

10. On or about May 9, 1990 the Director issued a Notice of Contested Case Hearing, designating this matter Contested Case Hearing No. 268, establishing a time and place for hearing, setting a deadline for party status requests, setting a pre-hearing conference, and setting forth other general information.

11. Notice of the contested case hearing was published in The Fairfield Recorder on May 17, 1990 and in the Texas Register on May 18, 1990 (15 Tex. Reg. 2818).

12. The Fairfield Recorder is a newspaper of general circulation in Freestone County, Texas.

13. On June 7, 1990, a pre-hearing conference was held in Room 332 of the central offices of the TACB at 6330 Highway 290 East, Austin, Texas, at which time the Sierra Club filed a request for party status with the Hearing Examiner.

14. On June 13, 1990 and June 19, 1990, the Hearing Examiner issued orders continuing the hearing in this matter to September 24, 1990.

15. On or about August 17, 1990 the Hearing Examiner issued an order granting the Sierra Club's request for party status.

16. Pursuant to a joint motion filed by the Parties on or about September 21, 1990, the Hearing Examiner issued a pre-hearing conference summary and order continuing the hearing in this matter to November 26, 1990.

17. On or about November 28, 1990 the parties filed a Settlement Agreement (herein "Settlement Agreement") with the Hearing Examiner setting forth certain conditions under which the Staff and Sierra Club would support and recommend to the TACB approval of an interim alternate opacity limitation, as requested by Applicant.

18. The Applicant has agreed to comply with an alternate opacity limitation applicable to Big Brown SES Units 1 and 2 for the interim period, as defined herein, in accordance with the provisions of paragraphs 7 and 8 on pages 5 and 6 of this Agreed Board Order.

19. The Applicant has agreed that its Big Brown SES Units 1 and 2 will comply with a 20%, six-minute average opacity limit according to the following schedule and under the following conditions:

- a. Applicant shall operate one of the two units at Big Brown SES with a 20%, six-minute average opacity limit no later than December 31, 1995.

- b. Applicant shall operate the other of the two units at Big Brown SES with a 20%, six-minute average opacity limit no later than July 1, 1996.
- c. Applicant shall develop and deliver to the Parties a particulate control plan on or before December 31, 1992.
- d. The dates specified above shall be subject to modification as specified in paragraph 10 on pages 6 and 7 of this Agreed Board Order.
- e. During the interim period, as defined herein, the Applicant shall conduct a fuel quality monitoring program feasibility and effectiveness study as specified in paragraph 11 on page 7 of this Agreed Board Order.
- f. The Applicant and the Staff will take appropriate action to modify the Final Judgment and Order of Injunction entered by the 77th Judicial District Court, Freestone County, Texas, on or about September 30, 1976, in accordance with paragraph IV thereof and in a manner consistent with and according to the terms of this Agreed Board Order.
- g. The Staff shall not initiate any enforcement action, or any other administrative action of any nature, as a result of or in connection with any alleged opacity violations at Big Brown SES Units 1 and 2 alleged to have occurred at any time prior to the effective date of this Agreed Board Order.

20. The Applicant, the Staff, and the Sierra Club believe that consent resolution of the Application, under the terms provided for herein, is in the public interest.

CONCLUSIONS OF LAW

For the purposes of this agreed Board Order, the "interim period" is the period between the effective date of this order and December 31, 1995 respecting the first unit, and July 1, 1996 respecting the second unit of the Big Brown SES. The Applicable Opacity Limitation is a 30%, six-minute average opacity limit. The "proposed alternate opacity limit" is a 30%, one-hour average opacity limit.

1. Big Brown SES Units 1 and 2 have failed to meet the opacity limitation of TACB Regulation 111.111(a) (1) (A) during performance tests.

2. The performance tests were conducted with both the Big Brown SES Units 1 and 2 and the air pollution control equipment needed to comply with TACB regulations.

3. At the time of each performance test, the Big Brown SES Units 1 and 2 and the air pollution control equipment needed to comply with TACB regulations, were operating in a manner consistent with good engineering practice for minimizing the opacity of the emissions.

4. It is not economically reasonable for Big Brown SES Units 1 and 2 to comply with the established opacity limit during the interim period.

5. Emissions resulting from the proposed alternate opacity limit will not result in an exceedance of any ambient air quality standard during the interim period.

6. Emissions resulting from the proposed alternate opacity limit will not result in an exceedance of any ambient air concentration limit during the interim period.

7. Emissions resulting from the proposed alternate opacity limit will not exacerbate any existing exceedance of any ambient air quality standard during the interim period.

8. Emissions resulting from the proposed alternate opacity limit will not exacerbate any existing exceedance of any ambient air concentration limit during the interim period.

9. Emissions resulting from the proposed alternate opacity limit will not cause or contribute to a nuisance as defined in TACB Rule 101.4 during the interim period.

10. All applicable concentration and mass limitations will be met during the interim period.

11. An alternate opacity limitation of 30% averaged over a one hour-period should be approved during the interim period, as defined herein, for the Applicant's Big Brown SES Units 1 and 2.

NOW THEREFORE, in accordance with the Rule and the above Findings of Fact and Conclusions of Law, the TACB hereby grants and approves the Applicant's request for an alternate opacity limitation of 30% averaged over a one-hour period applicable to Applicant's Big Brown SES Units 1 and 2, on an interim basis and subject to the conditions as set forth below:

1. Applicant shall operate one of the two units at Big Brown SES in compliance with a 20%, six-minute average opacity limit no later than December 31, 1995.

2. Applicant shall operate the other of the two units at Big Brown SES in compliance with a 20%, six-minute average opacity limit no later than July 1, 1996.

3. Applicant shall develop and submit to the Director of the TACB a particulate control plan on or before December 31, 1992.

4. The dates specified above shall be subject to modification as provided in paragraph 10 on pages 6 and 7 of this Order.

5. The provisions of Tex. Admin. Code, tit. 31 §101.6, 101.7, and 101.11 as amended, are not preempted by this Agreed Board Order.

6. The interim period is defined as that period between the effective date of this order and December 31, 1995 respecting the first unit, and July 1, 1996 respecting the second unit.

7. During the interim period, the alternate opacity limit replaces the requirements of Tex. Admin. Code, tit. 31 §111.111(a) (1) (A) (1990-91 Supp. West), as it applies to Big Brown SES Units 1 and 2.

8. During the interim period visible emissions from Big Brown SES Units 1 and 2, and measurement and recording thereof, shall comply with the following requirements:

- a. Opacity shall not exceed 30% averaged over a one-hour period.
- b. An optical instrument (herein "Continuous Emission Monitor" or "CEM") capable of measuring the opacity of emissions shall be installed in the Unit 1 and Unit 2 stacks in accordance with subparagraph (c) of this paragraph. Big Brown SES Units 1 and 2 shall meet opacity limits outlined in paragraph (8) (a) above. Records of all such measurements shall be retained as provided for in §101.8 of the TACB General Rules (relating to Sampling).
- c. The opacity monitoring system installed as provided for in paragraph (b) of this paragraph must satisfy the New Source Performance Standards requirement for opacity continuous emission monitoring systems as contained in 40 CFR Part 60, Appendix B, Performance Specification 1, the system shall undergo performance specification testing as outlined in 40 CFR 60.13. The facility will maintain records of all such testing for a period of not less than two years. Compliance determinations may be based on results of monitoring with a certified opacity monitor or by a currently certified opacity reader, as described in TACB Regulation 111.111(a)(1)(G).
- d. Visible emission events during the cleaning of a firebox or the building of a new fire, soot blowing, equipment changes, ash removal, and rapping of precipitators may be excluded from consideration in the calculation of the one-hour average opacity values averaging period provided for herein. An excludable event shall be limited to not more than six minutes in discrete sixty minute period commencing on the hour and a series of excludable events shall be limited to not more than six hours in any ten-day period.
- e. Compliance with paragraphs (8)(a) and (b), above, shall be determined by calculating one-hour average opacity values from the discrete six-minute average opacity measurements provided by the following test methods, as appropriate:
 - (i) Test Method 9 (40 CFR Part 60, Appendix A),

- (ii) An opacity monitoring system that satisfies the requirements of (8)(b) and (8)(c) on page 5 of this Agreed Board Order, or
- (iii) Equivalent test method approved by the Director.

Compliance with this opacity limit shall be based on discrete sixty minute periods commencing on the hour and shall be calculated from all six-minute opacity readings for the hour. If less than eight six-minute readings are available, then no one-hour average opacity shall be calculated.

Visual readings in accordance with Test Method 9 (40 CFR Part 60, Appendix A) may begin at any appropriate time and continue thereafter for the necessary one-hour period.

Compliance with this opacity limit requires a continuous monitoring system to operate and record data during all periods of Big Brown SES Units 1 and 2 operation except: (i) CEM system breakdowns; (ii) CEM system repairs; (iii) routine CEM calibration checks; and (iv) routine CEM zero and span adjustments.

Applicant shall notify the TACB Regional office of any CEM system operation interruption that lasts longer than two (2) hours, which notice shall be in writing and shall state the period and reasons for such interruption.

- f. Current certification of opacity readers for determining opacities outlined above shall be determined by having completed the Texas Air Control Board Visible Emissions Evaluator's course within 180 days before the opacity reading.

9. The Applicant shall maintain records of opacity as required by the TACB Rules and all six minute and one-hour CEM records. These records shall be available for inspection by the Staff during normal working hours and copies of the records shall be delivered to the Staff upon request.

10. Should Applicant be rendered unable, either wholly or in part, to fulfill its obligations pursuant to this Agreed Board Order, including its obligation to comply with the compliance dates specified in paragraphs 1 and 2 above, Applicant shall promptly notify the Parties, in writing, of the occurrence of such event describing in detail the nature of and reason for such inability and length of any anticipated delay, the cause or causes of any delay, and the measures taken or to be taken to prevent or minimize any such delay. The Applicant shall take all reasonable measures to prevent or minimize any such delay. Upon receipt of notice under this provision the Director shall determine whether such inability and/or anticipated delay is warranted and may order appropriate relief or extension of the relevant deadline. In making any determination hereunder the Director shall apply Section 382.090, Texas Health and Safety Code, and shall take in account other relevant factors including at

a minimum: (1) the length of any anticipated delay, (2) measures implemented by Applicant to avoid and/or minimize any delay, (3) Applicant's good faith efforts to comply with the terms of this Agreed Board Order, and (4) Applicant's inability, despite reasonable diligence, to timely obtain services, materials and equipment essential to the design, engineering, and construction of pollution control systems at Big Brown SES Units 1 and 2 as may be necessary to comply with the terms of this Agreed Board Order. If any of the parties disagree with the determination of the Director, they may request a hearing in accordance with Tex. Admin. Code, tit. 31, §103.32 and §103.33, as amended.

11. During the interim period, the Applicant will conduct a study of the feasibility and effectiveness of a fuel quality monitoring program to minimize opacity. The study shall consist of an evaluation of the feasibility and effectiveness of the following:

- a. An on-line analyzer for measurement of ash and heat content of lignite feed from the mining operation;
- b. A data base of lignite ash and heat content as measured from core samples taken in the mining area;
- c. Plotting ash and heat content values of core samples on isopleth maps to improve prediction of quality of lignite to be mined; and
- d. Adjustment of boiler operating parameters to control opacity based on predicted and monitored lignite ash and heat content values.

The study shall be completed and a copy thereof shall be delivered to the Parties on or before December 31, 1992.

12. The Applicant shall continue to operate its existing control equipment in a manner consistent with good engineering practice for controlling opacity and particulate emissions during the interim period.

13. This Agreed Board Order, including the above Findings of Fact and Conclusions of Law, is entered pursuant to the Settlement Agreement and under authority of APTRA §13(e) for the purpose of compromise and settlement of this Contested Case and does not constitute an admission, waiver or agreement by any Party as to the sufficiency of the Application with respect to any element of the Rule. Additionally, this Agreed Board Order shall not be construed as a waiver by any Party or the Director of any rights, remedies, defenses, claims or obligations they may now have or that may hereafter accrue under the Texas Clean Air Act or other applicable law. Neither this Agreed Board Order nor the Settlement Agreement limit the Director's authority to hereafter enforce this Agreed Board Order, the Texas Clean Air Act and the TACB rules.

14. Settlement of this Contested Case in accordance with the terms of this Agreed Board Order is in the public interest.

15. The effective date of this Agreed Board Order shall be the date upon which it is passed and approved by the TACB as noted below.

16. The provisions of this Agreed Board Order shall apply to and be binding upon the Applicant and its successors and assigns. Applicant shall give written notice of this Agreed Board Order to any successor-in-interest of all or any part of the Big Brown SES prior to actual transfer of such interest. Within 10 (ten) days following any such transfer Applicant shall give TACB written notice of such transfer and confirm that written notification of this Agreed Board Order was given to said successor-in-interest.

17. Any notice required to be given to the Parties shall be delivered as follows:

- a. Texas Air Control Board:
Executive Director
Texas Air Control Board
6330 Highway 290 East
Austin, Texas 78723
- b. Texas Utilities Electric Company:
Manager of Environmental Services
400 N. Olive
Dallas, Texas 75201
- c. Sierra Club:
Director
Lone Star Chapter of the Sierra Club
P. O. Box 1931
Austin, Texas 78767

All notices sent to the Parties shall reference Texas Air Control Board Agreed Board Order No. 90-14. A party may change the address for notices to be delivered by notifying the other Parties at least 10 (ten) days prior to the effective date of the change of address.

PASSED AND APPROVED at the regular meeting of the TACB in Austin, Texas on this 14th day of December, 1990.

TEXAS AIR CONTROL BOARD

By: Dick Whittington
Dick Whittington, P.E., Chairman

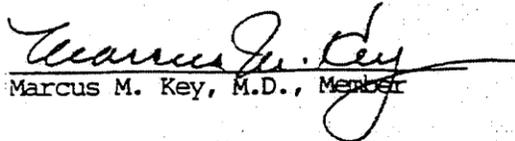
Calvin B. Parnell, Jr.
Calvin B. Parnell, Jr., Ph.D., P.E.
Member

Bob G. Bailey
Bob G. Bailey, Vice-Chairman

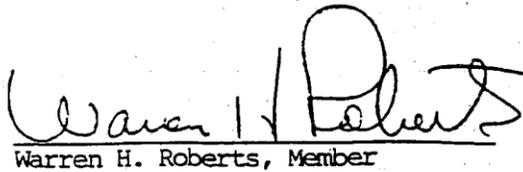
William H. Guertrup
William H. Guertrup, Member

John L. Blair
John L. Blair, Member

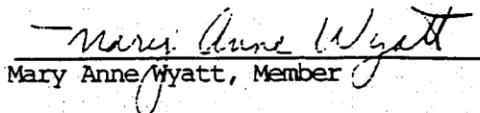
C. H. Rivers
C. H. Rivers, Member



Marcus M. Key, M.D., Member

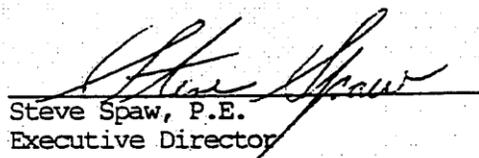


Warren H. Roberts, Member



Mary Anne Wyatt, Member

ATTEST:



Steve Spaw, P.E.
Executive Director

(SEAL)

40 CFR Part 63, Subpart UUUUU Compliance Extension
40 CFR Part 63, Subpart UUUUU Compliance Extension 70

Bryan W. Shaw, Ph.D., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Protecting Texas by Reducing and Preventing Pollution

September 20, 2013

MS KIM MIRELES
DIRECTION ENVIRONMENTAL GENERATION
LUMINANT GENERATION COMPANY LLC
1601 BRYAN ST
DALLAS TX 75201-3430

Re: Re: Title 40 Code of Federal Regulations Part 63, Subpart UUUUU Compliance Extension
Title V Operating Permit Number: 065
New Source Review Permit Number: 56445
Big Brown Steam Electric Station
Fairfield, Freestone County
Regulated Entity Number: RN101198059
Customer Reference Number: CN603256413
Account Number: FI-0020-W

Dear Ms. Mireles:

This is in response to your letter dated June 7, 2013, requesting an extension of one year to comply with the requirements in Title 40 Code of Federal Regulations (40 CFR) Part 63, Subpart UUUUU (National Emission Standards for Hazardous Air Pollutants from Coal- and Oil-Fired Electric Steam Generating Units). Based on the information in your letter dated June 7, 2013, electric generating Units 1 and 2 at the Big Brown Steam Electric Station are hereby granted a one year extension from April 16, 2015 to April 16, 2016 to comply with the requirements in 40 CFR Part 63, Subpart A and UUUUU.

Item numbers 1 through 4 below are conditions of the compliance extension approval.

Emission Control Installations and Compliance Schedule

1. The following compliance schedule shall be met, as represented in your request for compliance extension to satisfy the requirements of 40 CFR § 63.6(i)(6)(i):
 - (a) During the 2013 through 2014 time period, Luminant will; conduct engineering feasibility studies and test, complete demonstration testing of control options and fuel blends, analysis of test results, fuel blend changes, selection of control options, control equipment or process change selection, complete control equipment or process change bid documents and award potential contracts.
 - (b) During the 2014 through 2015 time period, Luminant will complete supplier engineering work and install control equipment or process changes as necessary.
 - (c) During the 2015 through 2016 time period, Luminant will startup and test control options and optimization for MATS compliance.
 - (d) Final compliance with the Subpart UUUUU standards for Units 1 and 2 shall be achieved by April 16, 2016.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • tceq.texas.gov

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Ms. Kim Mireles
Page 2
September 20, 2013

Re: Title V Operating Permit Number: 065

- (e) Initial compliance testing for Units 1 and 2 required by 40 CFR § 63.10005 shall be conducted no later than 180 days following the one year extension date of April 16, 2016.

Support for Compliance Schedule

2. Luminant proposes an alternate compliance schedule based upon receiving a one year extension. The compliance schedule takes into consideration the engineering studies, operational testing, construction schedule to install additional pollution controls, and optimization of controls and fuel blending for Units 1 and 2.

Notification and Other Requirements

3. Luminant shall submit two reports updating the status of progress towards reaching compliance with the MATS for Units 1 and 2. The first report shall be submitted no later than July 30, 2014 and the second report shall be submitted no later than July 30, 2015. Once compliance with the standards is achieved for Units 1 and 2, which shall be no later than April 16, 2016, Luminant shall submit a notification to the TCEQ and the U.S. Environmental Protection Agency (EPA) Region 6, postmarked within 30 days of the date compliance was achieved, specifying the new compliance date and detailing the affected site and equipment. All monitoring, performance testing, recordkeeping, and reporting required by the applicable standards in Subpart A and UUUUU must begin on the new compliance date, or where time frames in the standards are established from the compliance date, must be based on the new compliance date.

The notification required in this condition should be directed to:

Air Section Manager
TCEQ Region 9
6801 Sanger Avenue, Ste. 2500
Waco, Texas 76710 - 7826

With Copies To:

Texas Commission on Environmental Quality
Air Permits Division, MC-163
Mr. Erik Hendrickson
P.O. Box 13087
Austin, Texas 78711-3087

U.S. Environmental Protection Agency
Region 6
Attn: Air Permits Section (6PD-R)
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Ms. Kim Mireles
Page 3
September 20, 2013

Re: Title V Operating Permit Number: 065

4. This compliance extension may be terminated, or additional requirements imposed, at any time the TCEQ or EPA determines that Luminant is not making reasonable efforts to comply consistent with the compliance extension application.

Pursuant to 40 CFR § 63.6(i)(4)(i)(A), Luminant is required to apply for a revision of the affected source's Title V permit (Permit Number 065) to incorporate the conditions of this compliance extension.

The TCEQ appreciates your attention to the changing applicable rule requirements. If you need further information or have any questions, please contact Mr. Erik Hendrickson, P.E. at (512) 239-1095 or write to the TCEQ, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,



Michael Wilson, P.E., Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

MPW/EH/eh

Enclosure

cc: Air Section Manager, Region 9 - Waco
Air Permits Section Chief, New Source Review, Section (6PD-R), U.S. Environmental
Protection Agency, Region 6, Dallas

Project Number: 195044

Appendix A

Acronym List 74

Acronym List

The following abbreviations or acronyms may be used in this permit:

ACFM	actual cubic feet per minute
AMOC	alternate means of control
ARP	Acid Rain Program
ASTM	American Society of Testing and Materials
B/PA	Beaumont/Port Arthur (nonattainment area)
CAM	Compliance Assurance Monitoring
CD	control device
COMS	continuous opacity monitoring system
CVS	closed-vent system
D/FW	Dallas/Fort Worth (nonattainment area)
DR	Designated Representative
ELP	El Paso (nonattainment area)
EP	emission point
EPA	U.S. Environmental Protection Agency
EU	emission unit
FCAA Amendments	Federal Clean Air Act Amendments
FOP	federal operating permit
GF	grandfathered
gr/100 scf	grains per 100 standard cubic feet
HAP	hazardous air pollutant
H/G/B	Houston/Galveston/Brazoria (nonattainment area)
H ₂ S	hydrogen sulfide
ID No.	identification number
lb/hr	pound(s) per hour
MMBtu/hr	Million British thermal units per hour
MRRT	monitoring, recordkeeping, reporting, and testing
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NO _x	nitrogen oxides
NSPS	New Source Performance Standard (40 CFR Part 60)
NSR	New Source Review
ORIS	Office of Regulatory Information Systems
Pb	lead
PBR	Permit By Rule
PM	particulate matter
ppmv	parts per million by volume
PSD	prevention of significant deterioration
RO	Responsible Official
SO ₂	sulfur dioxide
TCEQ	Texas Commission on Environmental Quality
TSP	total suspended particulate
TVP	true vapor pressure
U.S.C.	United States Code
VOC	volatile organic compound