

# FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO

Petra Nova Parish Holdings LLC

AUTHORIZING THE OPERATION OF

Carbon Capture Plant  
Electric Services

LOCATED AT

Fort Bend County, Texas

Latitude 29° 28' 31" Longitude 95° 38' 3"

Regulated Entity Number: RN100888312

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:   O3611   Issuance Date: \_\_\_\_\_

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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 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. When a grouped citation, notated with a [G] in the Applicable Requirements Summary, contains multiple compliance options, the permit holder must keep records of when each compliance option was used.
- E. Emission units subject to 40 CFR Part 63, Subparts YYYY and ZZZZ as identified in the attached Applicable Requirements Summary table are subject to 30 TAC Chapter 113, Subchapter C, § 113.1080 and 113.1090 respectively, which incorporate the 40 CFR Part 63 Subpart by reference.
- F. For the purpose of generating emission reduction credits through 30 TAC Chapter 101, Subchapter H, Division 1 (Emission Credit Banking and Trading), the permit holder shall comply with the following requirements:
  - (i) Title 30 TAC § 101.302 (relating to General Provisions)
  - (ii) Title 30 TAC § 101.303 (relating to Emission Reduction Credit Generation Certification)
  - (iii) Title 30 TAC § 101.304 (relating to Mobile Emission Reduction Credit Generation and Certification)
  - (iv) Title 30 TAC § 101.305 (relating to Emission Reductions Achieved Outside the United States)
  - (v) Title 30 TAC § 101.309 (relating to Emission Credit Banking and Trading)
  - (vi) The terms and conditions by which the emission limits are established to generate the reduction credit are applicable requirements of this permit
- G. The permit holder shall comply with the following 30 TAC Chapter 101, Subchapter H, Division 3 (Mass Emission Cap and Trade Program) Requirements:
  - (i) Title 30 TAC § 101.352 (relating to General Provisions)
  - (ii) Title 30 TAC § 101.353 (relating to Allocation of Allowances)
  - (iii) Title 30 TAC § 101.354 (relating to Allowance Deductions)

- (iv) Title 30 TAC § 101.356 (relating to Allowance Banking and Trading)
  - (v) Title 30 TAC § 101.358 (relating to Emission Monitoring and Compliance Demonstration)
  - (vi) Title 30 TAC § 101.359 (relating to Reporting)
  - (vii) Title 30 TAC § 101.360 (relating to Level of Activity Certification)
  - (viii) The terms and conditions by which the emission limits are established to meet or exceed the cap 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 with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 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 30 TAC § 111.111(a)(1)(B), 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<sub>x</sub>, 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; or vent emissions from any other source that does not obstruct the transmission of light. Vents, as specified in the

“Applicable Requirements Summary” attachment, that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) are not subject to the following periodic monitoring requirements:

- (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 applicable 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<sub>x</sub>, 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<sub>x</sub>, 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 § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
  - (v) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
- 4. For storage vessels maintaining working pressure as specified in 30 TAC Chapter 115, Subchapter B, Division 1: Storage of Volatile Organic Compounds, the permit holder shall comply with the requirements of 30 TAC § 115.112(e)(1).
- 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. 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.

## **New Source Review Authorization Requirements**

7. 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
8. 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.
9. 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.
  - A. If applicable, monitoring of control device performance or general work practice standards shall be made in accordance with the TCEQ Periodic Monitoring Guidance document.
  - B. 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).

## **Compliance Requirements**

10. 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.

11. Permit holder shall comply with the following 30 TAC Chapter 117 requirements:
  - A. The permit holder shall comply with the compliance schedules and submit written notification to the Executive Director as required in 30 TAC Chapter 117, Subchapter H, Division 1:
    - (i) For electric utilities in the Houston-Galveston-Brazoria Nonattainment area, 30 TAC § 117.9120
12. Use of Emission Credits to comply with applicable requirements:
  - A. Unless otherwise prohibited, the permit holder may use 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) Offsets for Title 30 TAC Chapter 116
  - B. The permit holder shall comply with the following requirements in order to use the emission credits to comply with the applicable requirements:
    - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.306(c)(2)
    - (ii) The 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 1
    - (iii) The executive director has approved the use of the credit according to 30 TAC § 101.306(c)(2)
    - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.302(g) and 30 TAC Chapter 122
13. 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
14. 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)

### **Risk Management Plan**

15. For processes subject to 40 CFR Part 68 and specified in 40 CFR § 68.10, the permit holder shall comply with the requirements of the Accidental Release Prevention Provisions in 40 CFR Part 68. The permit holder shall submit to the appropriate agency either a compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR § 68.10(a), or as part of the compliance certification submitted under this permit, a certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of a risk management plan.

### **Protection of Stratospheric Ozone**

16. 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 holders shall ensure that repairs on or refrigerant removal from refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart F.
- B. Any on site servicing, maintenance, and repair of fleet vehicle air conditioning using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR Part 82, Subpart B. Permit holders shall ensure that repairs or refrigerant removal are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart B.
- 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.

### **Permit Location**

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

### **Permit Shield (30 TAC § 122.148)**

- 18. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.

### **Acid Rain Permit Requirements**

- 19. For unit CTHRS8 (identified in the Certificate of Representation as unit CTHRS8), located at the affected source identified by ORIS/Facility code 58378, 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 SO<sub>2</sub> and NO<sub>x</sub> 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. SO<sub>2</sub> 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 SO<sub>2</sub>.
- (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 SO<sub>2</sub> for the previous calendar year.
- (iii) Each ton of SO<sub>2</sub> emitted in excess of the acid rain emissions limitations for SO<sub>2</sub> 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 SO<sub>2</sub> 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 SO<sub>2</sub> 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<sub>x</sub> 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<sub>x</sub> under 40 CFR Part 76.
- E. Excess emissions requirements for SO<sub>2</sub> and NO<sub>x</sub>.
- (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 an 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<sub>x</sub> 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 SO<sub>2</sub> allowances allocated by the EPA in 40 CFR Part 73 is enforceable only by the EPA Administrator.

### **Clean Air Interstate Rule Permit Requirements**

20. For unit CTHRSG8 (identified in the Certificate of Representation as unit CTHRSG8), located at the site identified by ORIS/Facility code 58378, 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 by EPA, 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<sub>x</sub> and the CAIR SO<sub>2</sub> 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<sub>x</sub> and the CAIR SO<sub>2</sub> 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<sub>x</sub> source and each CAIR NO<sub>x</sub> 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 SO<sub>2</sub> source and each CAIR SO<sub>2</sub> 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<sub>x</sub> source with the CAIR NO<sub>x</sub> 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 SO<sub>2</sub> source with the CAIR SO<sub>2</sub> emissions limitation.

**C. NO<sub>x</sub> emissions requirements**

- (i) As of the allowance transfer deadline for a control period, the owners and operators of the CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account,

CAIR NO<sub>x</sub> 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<sub>x</sub> units at the source, as determined in accordance with the requirements of 40 CFR Part 96, Subpart HH.

- (ii) A CAIR NO<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> allowance was allocated.
- (iv) CAIR NO<sub>x</sub> allowances shall be held in, deducted from or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with the requirements of 40 CFR Part 96, Subpart FF or Subpart GG.
- (v) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> unit's compliance account is incorporated automatically in this CAIR permit.

D. NO<sub>x</sub> excess emissions requirement

- (i) If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, the owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> 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. SO<sub>2</sub> emissions requirements

- (i) As of the allowance transfer deadline for a control period, the owners and operators of the CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, CAIR SO<sub>2</sub> 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 SO<sub>2</sub> units at the source, as determined in accordance with the requirements of 40 CFR Part 96, Subpart HHH.
- (ii) A CAIR SO<sub>2</sub> 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 SO<sub>2</sub> 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 SO<sub>2</sub> allowance was allocated.
- (iv) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with the requirements of 40 CFR Part 96, Subpart FFF or Subpart GGG.
- (v) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> 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 SO<sub>2</sub> 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 SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> unit's compliance account is incorporated automatically in this CAIR permit.

F. SO<sub>2</sub> excess emissions requirements

- (i) If a CAIR SO<sub>2</sub> source emits sulfur dioxides during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, the owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> 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<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source and the CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> 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<sub>x</sub> designated representative for the source and each CAIR NO<sub>x</sub> unit and the CAIR SO<sub>2</sub> designated representative for the source and each CAIR SO<sub>2</sub> 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<sub>x</sub> Annual Trading Program and CAIR SO<sub>2</sub> 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<sub>x</sub> Annual Trading Program and CAIR SO<sub>2</sub> Trading Program or to demonstrate compliance with the requirements of the

CAIR NO<sub>x</sub> Annual Trading Program and CAIR SO<sub>2</sub> Trading Program.

- (ii) The CAIR designated representative of a CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source and a CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program and the CAIR SO<sub>2</sub> Trading Program including those under 40 CFR Part 96, Subpart HH and Subpart HHH.
- H. The CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program contained in 40 CFR Part 96, Subparts AA through II.
- I. The CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit shall meet the requirements of the CAIR SO<sub>2</sub> Trading Program contained in 40 CFR Part 96, Subparts AAA through III.
- J. Any provision of the CAIR NO<sub>x</sub> Annual Trading Program and the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR NO<sub>x</sub> source or CAIR SO<sub>2</sub> source or the CAIR designated representative of a CAIR NO<sub>x</sub> source or CAIR SO<sub>2</sub> 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<sub>x</sub> Annual Trading Program and the CAIR SO<sub>2</sub> Trading Program that applies to a CAIR NO<sub>x</sub> unit or CAIR SO<sub>2</sub> unit or the CAIR designated representative of a CAIR NO<sub>x</sub> unit or CAIR SO<sub>2</sub> unit shall also apply to the owners and operators of such unit.
- L. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> 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<sub>x</sub> source or CAIR NO<sub>x</sub> unit or a CAIR SO<sub>2</sub> source or CAIR SO<sub>2</sub> 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**

**Permit Shield**

**New Source Review Authorization References**

### **Applicable Requirements Summary**

**Unit Summary ..... 27**

**Applicable Requirements Summary ..... 28**

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
CTHRSG8STK	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-1	30 TAC Chapter 111, Visible Emissions	No changing attributes.
SCRUB	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1115-1	30 TAC Chapter 115, Vent Gas Controls	No changing attributes.
EMGEN8	SRIC ENGINES	N/A	60III-1	40 CFR Part 60, Subpart III	No changing attributes.
EMGEN8	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
CTHRSG8	STATIONARY TURBINES	N/A	R71200-1	30 TAC Chapter 117, Utility Electric Generation	No changing attributes.
CTHRSG8	STATIONARY TURBINES	N/A	60KKKK-1	40 CFR Part 60, Subpart KKKK	No changing attributes.
CTHRSG8	STATIONARY TURBINES	N/A	63YYYY-1	40 CFR Part 63, Subpart YYYY	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)
CTHRSG8S TK	EP	R1111-1	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
SCRUB	EP	R1115-1	VOC	30 TAC Chapter 115, Vent Gas Controls	§ 115.127(a)(2)(B) [G]§ 115.122(a)(4) § 115.127(a)(2)	A vent gas stream specified in § 115.121(a)(1) of this title with a concentration of VOC < 612 ppmv is exempt from § 115.121(a)(1).	[G]§ 115.125 § 115.126(2)	§ 115.126 § 115.126(2) § 115.126(4)	None
EMGEN8	EU	6oIII-1	CO	40 CFR Part 60, Subpart III	§ 60.4205(b) § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f) § 60.4218 § 89.112(a)	Owners and operators of emergency stationary CI ICE, that are not fire pump engines, with a maximum engine power greater than or equal to 130 KW and less than or equal to 2237 KW and a displacement of less than 10 liters per cylinder and is a 2007 model year and later must comply with a CO emission limit of 3.5 g/KW-hr, as stated in 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a).	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
EMGEN8	EU	6oIII-1	NMHC and NO <sub>x</sub>	40 CFR Part 60, Subpart III	§ 60.4205(b) § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f) § 60.4218 § 89.112(a)	Owners and operators of emergency stationary CI ICE, that are not fire pump engines, with a maximum engine power greater than or equal to 75 KW and less than or equal to 560 KW and a displacement of less than 10 liters per cylinder	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)

## 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)
						and is a 2007 model year and later must comply with an NMHC+NOx emission limit of 4.0 g/KW-hr, as stated in 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a).			
EMGEN8	EU	6oIII-1	PM (OPACITY)	40 CFR Part 60, Subpart III	§ 60.4205(b) § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f) § 60.4218 § 89.113(a)(1) § 89.113(a)(2) § 89.113(a)(3)	Owners and operators of emergency stationary CI ICE, that are not fire pump engines, with a maximum engine power of 2237 KW or less, 2007 model year and later and a displacement of less than 10 liters per cylinder must comply with the following opacity emission limits: 20% during the acceleration mode, 15% during the lugging mode, and 50% during the peaks in either the acceleration or lugging modes as stated in 40 CFR 60.4202(a)(1)-(2) and 40 CFR 89.113(a)(1)-(3) and 40 CFR 1039.105(b)(1)-(3).	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
EMGEN8	EU	6oIII-1	PM	40 CFR Part 60, Subpart III	§ 60.4205(b) § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f) § 60.4218 § 89.112(a)	Owners and operators of emergency stationary CI ICE, that are not fire pump engines, with a maximum engine power greater than or equal to 130 KW and less than or equal to 2237 KW and a displacement of less than 10 liters per cylinder and is a 2007 model year and later must comply with	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)

## 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)
						a PM emission limit of 0.20 g/KW-hr, as stated in 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a).			
EMGEN8	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6590(c)	A new/reconstructed stationary RICE located at an area source, or located at a major source of HAP emissions and is a spark ignition (SI) 2SLB < 500 HP, SI 4 SLB < 250 HP, or 4SRB, compression ignition (CI), emergency or limited use, or which combusts landfill or digester gas at > 10% of the gross heat input < 500 HP must meet the requirements of this part by meeting the requirements of 40 CFR Part 60, Subpart IIII, for CI engines or 40 CFR Part 60, Subpart JJJJ, for SI engines.	None	None	None
CTHRSG8	EU	R71200-1	NO <sub>x</sub>	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(a)(3) [G]§ 117.1203(c) § 117.1210(c)(3) § 117.1220(a) § 117.1220(b) [G]§ 117.1220(c) § 117.1220(d) § 117.1220(e) § 117.1220(i) § 117.1220(j) § 117.1220(k) § 117.1220(l) § 117.1220(m) § 117.1240(l) § 117.1240(l)(2)	Emission specifications for the Mass Emission Cap and Trade Program. The owner or operator of each stationary gas turbine (including duct burners used in turbine exhaust ducts), shall ensure that emissions of nitrogen oxides (NO <sub>x</sub> ) do not exceed 0.032, in lb/MMBtu heat input, on the basis of daily and 30-day averaging periods as specified in §117.1220 of this title, and as specified in the	§ 117.1220(d) [G]§ 117.1220(e)(1) § 117.1220(h) § 117.1220(k) § 117.1235(a) § 117.1235(a)(1) § 117.1235(a)(3) § 117.1235(c) § 117.1235(d) § 117.1235(d)(1) § 117.1235(d)(2) § 117.1235(d)(3) § 117.1240(a) § 117.1240(d) [G]§ 117.1240(d)(2)	§ 117.1220(f) § 117.1245(a) [G]§ 117.1245(e)	[G]§ 117.1203(c) § 117.1220(g) § 117.1235(b) § 117.1245(b) § 117.1245(b)(1) § 117.1245(b)(2) [G]§ 117.1245(c) § 117.1245(d) § 117.1245(d)(2) § 117.1245(d)(3) § 117.1245(d)(4) § 117.1245(d)(5) [G]§ 117.1254(b) § 117.1254(c) § 117.1256

## 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)
					§ 117.1240(o) § 117.1240(o)(3)	mass emissions cap and trade program of Chapter 101, Subchapter H, Division 3 of this title.	§ 117.1240(e) § 117.1240(e)(2) § 117.1240(i) § 117.1240(n) § 117.1240(o)(1) § 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(2)		§ 117.8010 [G]§ 117.8010(1) § 117.8010(2) § 117.8010(2)(A) § 117.8010(2)(B) § 117.8010(2)(C) § 117.8010(2)(D) [G]§ 117.8010(3) § 117.8010(4) [G]§ 117.8010(5) § 117.8010(6) [G]§ 117.8010(7) [G]§ 117.8010(8)
CTHRSG8	EU	R71200-1	CO	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(b)(1) § 117.1210(b) § 117.1210(b)(1)(B)	No person shall allow the discharge into the atmosphere from any unit subject to the NO <sub>x</sub> emission specifications specified in subsection (a) of this section, carbon monoxide (CO) emissions in excess of 400 parts per million by volume (ppmv) at 3.0% oxygen (O <sub>2</sub> ), dry, or alternatively, 0.30 lb/MMBtu heat input for gas-fired stationary gas turbines.	§ 117.1235(a) § 117.1235(a)(1) § 117.1235(a)(3) § 117.1235(c) § 117.1235(d) § 117.1235(d)(5) § 117.1240(b) § 117.1240(d) [G]§ 117.1240(d)(2) § 117.1240(i) § 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(2) § 117.8120 § 117.8120(1) § 117.8120(1)(A)	§ 117.1245(a) [G]§ 117.1245(e)	§ 117.1235(b) § 117.1245(b) § 117.1245(b)(1) § 117.1245(b)(2) [G]§ 117.1245(c) § 117.1245(d) § 117.1245(d)(2) § 117.1245(d)(3) § 117.1245(d)(4) § 117.1245(d)(5) § 117.1256 § 117.8010 [G]§ 117.8010(1) § 117.8010(2) § 117.8010(2)(A) § 117.8010(2)(B) [G]§ 117.8010(3) § 117.8010(4) [G]§ 117.8010(5) § 117.8010(6) [G]§ 117.8010(7) [G]§ 117.8010(8)
CTHRSG8	EU	R71200-1	NH <sub>3</sub>	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(b)(2) § 117.1210(b) § 117.1210(b)(2)(B)	No person shall allow the discharge into the atmosphere from any unit	§ 117.1235(a) § 117.1235(a)(2) § 117.1235(a)(3)	§ 117.1245(a) [G]§ 117.1245(e)	§ 117.1235(b) § 117.1245(b) § 117.1245(b)(1)

## 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)
						subject to the NO <sub>x</sub> emission specifications specified in subsection (a) of this section, ammonia emissions in excess of 10 ppmv, at 15% O <sub>2</sub> , dry, for stationary gas turbines (including duct burners used in turbine exhaust ducts) that inject urea or ammonia into the exhaust stream for NO <sub>x</sub> control.	§ 117.1235(c) § 117.1240(c) § 117.1240(d) [G]§ 117.1240(d)(2) § 117.1240(i) § 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(2) § 117.8130 § 117.8130(4)		§ 117.1245(b)(2) [G]§ 117.1245(c) § 117.1245(d) § 117.1245(d)(2) § 117.1245(d)(3) § 117.1245(d)(4) § 117.1245(d)(5) § 117.1256 § 117.8010 [G]§ 117.8010(1) § 117.8010(2) § 117.8010(2)(A) § 117.8010(2)(B) [G]§ 117.8010(3) § 117.8010(4) [G]§ 117.8010(5) § 117.8010(6) [G]§ 117.8010(7) [G]§ 117.8010(8)
CTHRSG8	EU	6oKkkk-1	NO <sub>x</sub>	40 CFR Part 60, Subpart Kkkk	§ 60.4320(a)-Table 1 § 60.4320(a) § 60.4320(b) § 60.4325 § 60.4333(a) § 60.4335(b)(1) [G]§ 60.4345	New, modified, or reconstructed turbine firing natural gas with a heat input at peak load > 850 MMBtu/h must meet the nitrogen oxides emission standard of 15 ppm at 15 percent O <sub>2</sub> .	§ 60.4335(b)(1) [G]§ 60.4345 § 60.4350(a) § 60.4350(b) § 60.4350(c) § 60.4350(d) § 60.4350(e) § 60.4350(f) [G]§ 60.4400(a) § 60.4400(b) § 60.4400(b)(1) § 60.4400(b)(2) § 60.4400(b)(4) § 60.4400(b)(5) § 60.4400(b)(6) [G]§ 60.4405	[G]§ 60.4345 § 60.4350(b)	[G]§ 60.4345 § 60.4350(d) § 60.4375(a) § 60.4380 [G]§ 60.4380(b) § 60.4395
CTHRSG8	EU	6oKkkk-1	SO <sub>2</sub>	40 CFR Part 60, Subpart Kkkk	§ 60.4330(a)(2) § 60.4333(a)	You must not burn in the subject stationary combustion turbine any fuel	§ 60.4365 § 60.4365(a) § 60.4415(a)	§ 60.4365(a)	§ 60.4375(a)

### 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)
						which contains total potential sulfur emissions in excess of 26 ng SO <sub>2</sub> /J (0.060 lb SO <sub>2</sub> /MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.	§ 60.4415(a)(1) § 60.4415(a)(1)(ii)		
CTHRSG8	EU	63YYYY-1	112(B) HAPS	40 CFR Part 63, Subpart YYYY	§ 63.6095(d)	If you start up a new or reconstructed stationary combustion turbine that is a lean premix gas-fired stationary combustion turbine or diffusion flame gas-fired stationary combustion turbine as defined by this subpart, you must comply with the Initial Notification requirements set forth in §63.6145 but need not comply with any other requirement of this subpart until EPA takes final action to require compliance.	None	None	§ 63.6145(a) § 63.6145(b) § 63.6145(c) § 63.6145(d)

**Additional Monitoring Requirements**

**Periodic Monitoring Summary..... 35**

## Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: CTHRSG8STK	
Control Device ID No.: N/A	Control Device Type: N/A
<b>Applicable Regulatory Requirement</b>	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111-1
Pollutant: OPACITY	Main Standard: § 111.111(a)(1)(C)
<b>Monitoring Information</b>	
Indicator: Fuel Type	
Minimum Frequency: Annually or at any time an alternate fuel is used	
Averaging Period: n/a	
Deviation Limit: Maximum Opacity = 15% averaged over a six-minute period	
<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>	

**Permit Shield**

**Permit Shield ..... 37**

## Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
COOLTWRS	N/A	40 CFR Part 63, Subpart Q	Cooling tower does not operate with chromium-based water treatment chemicals.
MEAFUG	N/A	40 CFR Part 61, Subpart J	Fugitive piping components do not operate in benzene service as defined in 40 CFR 61.111.
MEAFUG	N/A	40 CFR Part 61, Subpart V	Fugitive piping components do not operate in volatile hazardous air pollutant (VHAP) service as defined in CFR 61.241.
MEAFUG	N/A	40 CFR Part 63, Subpart H	Fugitive piping components do not operate in organic hazardous air pollutant service 300 hours or more during a calendar year within a source subject to the provisions of a specific subpart in 40 CFR Part 63, Subpart H.
NGFUG	N/A	40 CFR Part 61, Subpart J	Fugitive piping components do not operate in benzene service as defined in 40 CFR 61.111.
NGFUG	N/A	40 CFR Part 61, Subpart V	Fugitive piping components do not operate in volatile hazardous air pollutant (VHAP) service as defined in 40 CFR 61.241.
NGFUG	N/A	40 CFR Part 63, Subpart H	Fugitive piping components do not

## Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
			operate in organic hazardous air pollutant service 300 hours or more during a calendar year within a source subject to the provisions of a specific subpart in 40 CFR Part 63, Subpart H.
NH <sub>3</sub> FUG	N/A	40 CFR Part 61, Subpart J	Fugitive piping components do not operate in benzene service as defined in 40 CFR 61.111.
NH <sub>3</sub> FUG	N/A	40 CFR Part 61, Subpart V	Fugitive piping components do not operate in volatile hazardous air pollutant (VHAP) service as defined in CFR 61.241.
NH <sub>3</sub> FUG	N/A	40 CFR Part 63, Subpart H	Fugitive piping components do not operate in organic hazardous air pollutant service 300 hours or more during a calendar year within a source subject to the provisions of a specific subpart in 40 CFR Part 63, Subpart H.

**New Source Review Authorization References**

**New Source Review Authorization References .....40**

**New Source Review Authorization References by Emission Unit..... 41**

## 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.

<b>Prevention of Significant Deterioration (PSD) Permits</b>	
PSD Permit No.: PSDTX1268	Issuance Date: 12/21/2012
<b>Nonattainment (NA) Permits</b>	
NA Permit No.: N138	Issuance Date: 12/21/2012
<b>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.</b>	
Authorization No.: 98664	Issuance Date: 12/21/2012
<b>Permits By Rule (30 TAC Chapter 106) for the Application Area</b>	
Number: 106.122	Version No./Date: 09/04/2000
Number: 106.227	Version No./Date: 09/04/2000
Number: 106.265	Version No./Date: 09/04/2000

### 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
COOLTWRS	COOLING TOWER	98664, N138, PSDTX1268
CTHRSG8	GAS TURBINE/HRSG	98664, N138, PSDTX1268
CTHRSG8STK	GAS TURBINE/HRSG STACK	98664, N138, PSDTX1268
EMGEN8	EMERGENCY ENGINE	98664, N138, PSDTX1268
MEAFUG	MEA FUGITIVES	98664, N138, PSDTX1268
NGFUG	NATURAL GAS FUGITIVES	98664, N138, PSDTX1268
NH3FUG	AMMONIA FUGITIVES	98664, N138, PSDTX1268
SCRUB	CO2 SCRUBBER	98664, N138, PSDTX1268

**Appendix A**

**Acronym List ..... 43**

## 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 <sub>2</sub> 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 <sub>x</sub>	.....	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 <sub>2</sub>	.....	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

**Appendix B**

**Major NSR Summary Table..... 45**

## Major NSR Summary Table

Permit Number: 98664, PSD-TX-1268, N138			Issuance Date: 12/21/2012				
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lb/hr	TPY (4)	Spec. Cond.	Spec. Cond.	Spec. Cond.
CTHRSG8	Combustion Turbine and HRSG with Duct Burner (GE7EA, ~80MW)(5)	NO <sub>x</sub>	9.36	37.63	3, 19, 20, 22	3, 19, 20, 22, 25, 26	3, 19, 20, 27
		NO <sub>x</sub> (MSS)	52.00	--	22	16, 17, 22, 26	--
		CO	25.66	102	19, 20, 22	19, 20, 22, 25, 26	19, 20, 27
		CO (MSS)	450	--	22	16, 17, 22, 26	--
		VOC	3.26	12.88	19, 22	4, 19, 22, 25, 26	4, 19
		VOC (MSS)	15.50	--	22	16, 17, 22, 26	--
		PM	16.58	71.70	10*, 19*, 22	10*, 19*, 22, 25*, 26*	19*
		PM <sub>10</sub>	16.58	71.70	10*, 19*, 22	10*, 19*, 22, 25*, 26*	19*
		PM <sub>2.5</sub>	16.58	71.70	10*, 19*, 22	10*, 19*, 22, 25*, 26*	19*
		SO <sub>2</sub>	1.75	6.92	3, 9, 19, 22	3, 9, 19, 22, 25, 26	3, 19
		H <sub>2</sub> SO <sub>4</sub>	0.62	2.44	19, 22	19, 22, 25, 26	19
NH <sub>3</sub>	8.67	34.20	19, 21, 22	19, 21, 22, 25, 26	19		
COOLTWR8	Cooling Tower	PM	1.10	4.82	23	23, 26	--
		PM <sub>10</sub>	0.39	1.69	23	23, 26	--
		PM <sub>2.5</sub>	<0.01	0.01	23	23, 26	--
SCRUB	Enhanced Scrubber	VOC	24.53	38.37	19	19, 25	19
		NH <sub>3</sub>	1.35	5.70	19, 21	19, 21, 25	19
EMGEN8	Emergency Generator (217 horsepower)	NO <sub>x</sub>	1.42	0.01	3	3, 8, 26	3
		CO	1.25	0.01	3	3, 8, 26	3
		VOC	1.42	0.01	3	3, 8, 26	3
		PM	0.07	<0.01	3*	3*, 8, 26	3*
		PM <sub>10</sub>	0.07	<0.01	3*	3*, 8, 26	3*
		PM <sub>2.5</sub>	0.07	<0.01	3*	3*, 8, 26	3*
		SO <sub>2</sub>	0.44	<0.01	9	9, 26	--
MEAFUG	MEA Fugitives (6)	VOC	0.02	0.08	14	14, 26	14
NGFUG	Natural Gas Fugitives (6)	VOC	0.11	0.49	--	--	--
NH3FUG	Ammonia Fugitives (6)	NH <sub>3</sub>	0.02	0.08	13	26	--

**Notes:**

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3)
  - VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1
  - NO<sub>x</sub> - total oxides of nitrogen
  - SO<sub>2</sub> - sulfur dioxide
  - PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented
  - PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented
  - PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter
  - CO - carbon monoxide
  - H<sub>2</sub>SO<sub>4</sub> - sulfuric acid
  - NH<sub>3</sub> - ammonia
- (4) Compliance with annual emission limits (tons per year) is based on a 12-month rolling period.

- (5) The planned maintenance, startup, and shutdown (MSS) pounds per hour (lbs/hr) emission limits apply only during each clock hour that includes one or more minutes of MSS activities. During all other clock hours, the normal operations lbs/hr emission limits apply. The tpy emission limit for this facility includes emissions from the facility during both normal operations and planned MSS activities.
  - (6) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.
- \* Opacity is used as an indicator of PM emissions, but the opacity limits in the permit are not directly correlated to the PM limit in the MAERT; therefore, non-compliance with the opacity limit does not constitute non-compliance with the PM limit.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
AIR QUALITY PERMIT



A Permit Is Hereby Issued To  
**NRG Texas Power LLC**  
Authorizing the Construction and Operation of  
**FGCC Demonstration Project**  
Located at **Thompsons, Fort Bend County, Texas**  
Latitude 29° 28' 41" Longitude 95° 38' 08"

Permits: 98664, PSDTX1268, and N138

Issuance Date : December 21, 2012

Renewal Date: December 21, 2022

  
For the Commission

1. **Facilities** covered by this permit shall be constructed and operated as specified in the application for the permit. All representations regarding construction plans and operation procedures contained in the permit application shall be conditions upon which the permit is issued. Variations from these representations shall be unlawful unless the permit holder first makes application to the Texas Commission on Environmental Quality (commission) Executive Director to amend this permit in that regard and such amendment is approved. [Title 30 Texas Administrative Code 116.116 (30 TAC 116.116)]
2. **Voiding of Permit.** A permit or permit amendment is automatically void if the holder fails to begin construction within 18 months of the date of issuance, discontinues construction for more than 18 months prior to completion, or fails to complete construction within a reasonable time. Upon request, the executive director may grant an 18-month extension. Before the extension is granted the permit may be subject to revision based on best available control technology, lowest achievable emission rate, and netting or offsets as applicable. One additional extension of up to 18 months may be granted if the permit holder demonstrates that emissions from the facility will comply with all rules and regulations of the commission, the intent of the Texas Clean Air Act (TCAA), including protection of the public's health and physical property; and (b)(1)the permit holder is a party to litigation not of the permit holder's initiation regarding the issuance of the permit; or (b)(2) the permit holder has spent, or committed to spend, at least 10 percent of the estimated total cost of the project up to a maximum of \$5 million. A permit holder granted an extension under subsection (b)(1) of this section may receive one subsequent extension if the permit holder meets the conditions of subsection (b)(2) of this section. [30 TAC 116.120(a), (b) and (c)]
3. **Construction Progress.** Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office of the commission not later than 15 working days after occurrence of the event. [30 TAC 116.115(b)(2)(A)]
4. **Start-up Notification.** The appropriate air program regional office shall be notified prior to the commencement of operations of the facilities authorized by the permit in such a manner that a representative of the commission may be present. The permit holder shall provide a separate notification for the commencement of operations for each unit of phased construction, which may involve a series of units commencing operations at different times. Prior to operation of the facilities authorized by the permit, the permit holder shall identify the source or sources of allowances to be utilized for compliance with Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program). [30 TAC 116.115(b)(2)(B)(iii)]
5. **Sampling Requirements.** If sampling is required, the permit holder shall contact the commission's Office of Compliance and Enforcement prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant. [30 TAC 116.115(b)(2)(C)]

6. **Equivalency of Methods.** The permit holder must demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the permit. Alternative methods shall be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the permit. [30 TAC 116.115(b)(2)(D)]
7. **Recordkeeping.** The permit holder shall maintain a copy of the permit along with records containing the information and data sufficient to demonstrate compliance with the permit, including production records and operating hours; keep all required records in a file at the plant site. If, however, the facility normally operates unattended, records shall be maintained at the nearest staffed location within Texas specified in the application; make the records available at the request of personnel from the commission or any air pollution control program having jurisdiction; comply with any additional recordkeeping requirements specified in special conditions attached to the permit; and retain information in the file for at least two years following the date that the information or data is obtained. [30 TAC 116.115(b)(2)(E)]
8. **Maximum Allowable Emission Rates.** The total emissions of air contaminants from any of the sources of emissions must not exceed the values stated on the table attached to the permit entitled "Emission Sources--Maximum Allowable Emission Rates." [30 TAC 116.115(b)(2)(F)]
9. **Maintenance of Emission Control.** The permitted facilities shall not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. The permit holder shall provide notification for upsets and maintenance in accordance with 30 TAC 101.201, 101.211, and 101.221 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements; Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements; and Operational Requirements). [30 TAC 116.115(b)(2)(G)]
10. **Compliance with Rules.** Acceptance of a permit by an applicant constitutes an acknowledgment and agreement that the permit holder will comply with all rules, regulations, and orders of the commission issued in conformity with the TCAA and the conditions precedent to the granting of the permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern and be the standard by which compliance shall be demonstrated. Acceptance includes consent to the entrance of commission employees and agents into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the permit. [30 TAC 116.115(b)(2)(H)]
11. **This** permit may not be transferred, assigned, or conveyed by the holder except as provided by rule. [30 TAC 116.110(e)]
12. **There** may be additional special conditions attached to a permit upon issuance or modification of the permit. Such conditions in a permit may be more restrictive than the requirements of Title 30 of the Texas Administrative Code. [30 TAC 116.115(c)]
13. **Emissions** from this facility must not cause or contribute to a condition of "air pollution" as defined in Texas Health and Safety Code (THSC) 382.003(3) or violate THSC 382.085. If the executive director determines that such a condition or violation occurs, the holder shall implement additional abatement measures as necessary to control or prevent the condition or violation.
14. **The** permit holder shall comply with all the requirements of this permit. Emissions that exceed the limits of this permit are not authorized and are violations of this permit.

## **Special Conditions**

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1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," including planned maintenance, startup, and shutdown (MSS) activities, and those sources are limited to the emission limits on that table and other conditions specified in this permit.
2. All sources of air contaminants shall be physically marked in a conspicuous location with the emission point numbers (EPNs) and/or the source names as identified on the maximum allowable emission rates table (MAERT).

### **Federal Applicability**

3. Affected facilities shall comply with applicable requirements of the U.S. Environmental Protection Agency (EPA) regulations on Standards of Performance for New Stationary Sources (NSPS), Title 40 Code of Federal Regulations (40 CFR) Part 60:
  - A. Subpart A: General Provisions.
  - B. Subpart IIII: Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
  - C. Subpart KKKK: Standards of Performance for Stationary Combustion Turbines.
4. Affected facilities shall comply with applicable requirements of the EPA regulations on National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP), 40 CFR Part 63:
  - A. Subpart A: General Provisions.
  - B. Subpart YYYY: National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines.
  - C. Subpart ZZZZ: National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.
5. If any condition of this permit is more stringent than the regulations so incorporated, then for the purposes of complying with this permit, the permit shall govern and be the standard by which compliance shall be demonstrated.

### **Emission Standards and Operating Specifications**

6. This permit authorizes a General Electric 7EA combustion turbine (CT), rated at a maximum base-load electric output of approximately 80 megawatts (MW), operating in cogeneration cycle with a heat recovery steam generator (HRSG) with duct burner. Emissions from the combined cycle CT with HRSG duct burner (EPN CTHRSG8) shall not exceed the following concentrations, except during periods of planned MSS activities:

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- A. Nitrogen oxides (NO<sub>x</sub>) - 2 parts per million by volume dry (ppmvd) corrected to 15 percent oxygen (O<sub>2</sub>), on a 3-hour rolling average.
  - B. Carbon monoxide (CO) - 4 ppmvd corrected to 15 percent O<sub>2</sub>, on a 24-hour rolling average.
  - C. Volatile organic compounds (VOC) - 2 ppmvd corrected to 15 percent O<sub>2</sub>, on a 3-hour average.
  - D. Ammonia (NH<sub>3</sub>) - 5 ppmvd corrected to 15 percent O<sub>2</sub>, on a rolling 24-hour average.
7. The HRSG duct burner shall be limited to a maximum heat input capacity of 225 million British thermal units per hour (MMBtu/hr) based on the high heating value (HHV) of the fuel fired.
  8. The 217 horsepower Emergency Generator is limited to 12 hours of operation per year, based on a rolling 12-month period, for non-emergency operation.
  9. Fuel shall be limited as follows:
    - A. Fuel for the CT and HRSG duct burner is limited to pipeline-quality natural gas containing no more than 5 grains total sulfur per 100 dry standard cubic feet (dscf) on an hourly basis and 0.5 grain total sulfur per 100 dscf on an annual basis. The sulfur content shall be monitored pursuant to 40 CFR 60 Subpart KKKK.
    - B. Fuel fired in the Emergency Generator is limited to diesel containing no more than 15 ppm by weight sulfur.
    - C. Upon request by representatives of the Texas Commission on Environmental Quality (TCEQ), EPA, or any local air pollution control program having jurisdiction, the permit holder shall provide a sample and/or an analysis of the fuel fired or shall allow air pollution control agency representatives to obtain a sample for analysis.
  10. Except during planned MSS activities, the opacity shall not exceed five percent averaged over a six-minute period from the stack (EPN CTHRSG8). During MSS activities, the opacity shall not exceed 15 percent averaged over a six-minute period. Each determination shall be made by first observing for visible emissions while each facility is in operation. Observations shall be made at least 15 feet and no more than 0.25 mile from the emission point. If visible emissions are observed from an emission point, then the opacity shall be determined and documented within 24 hours of observing the visible emissions for that emission point using 40 CFR Part 60, Appendix A, Test Method 9. Contributions from uncombined water shall not be included in determining compliance with this condition. Observations shall be performed and recorded quarterly. If the opacity exceeds five percent during normal operations or 15 percent during MSS

activities, corrective action to eliminate the source of visible emissions shall be taken promptly and documented within one week of first observation.

11. The permit holder is authorized to emit from EPN SCRUB those emissions from EPN WAP8 authorized under Permit Numbers 7704 and PSDTX234M2 that have been rerouted to EPN SCRUB from the existing Unit 8 duct work at a point upstream of the Unit 8 stack and downstream of the Unit 8 air quality control systems. The emissions from EPN SCRUB and EPN WAP8 shall not exceed the combined maximum allowable emission rates for those EPNs authorized under this permit and Permit Numbers 7704 and PSDTX234M2.
12. The permit holder shall adhere to the following operational limitations and monitoring requirements to insure compliance with additional sulfur dioxide reductions and emission limitations in Permit Numbers 7704 and PSDTX234M2 as follows:
  - A. The combustion turbine (EPN CTHRSG8) may not fire more than 1,242 million standard cubic feet of natural gas on a 12-month rolling average, unless the demonstration project scrubber system is also operational while the combustion turbine is operational.
  - B. The permit holder shall operate the demonstration project scrubber system as represented in the permit application dated September 2011.
  - C. The permit holder shall install continuous emissions monitoring system (CEMS) equipment as described in Special Condition No. 20 to ensure that the combined emissions from the rerouted exhaust stream vented through EPN SCRUB combined with the reduced volume flue gas vented through EPN WAP8 do not exceed the emission limits for NO<sub>x</sub> and SO<sub>2</sub> identified in the MAERT of Permit Numbers 7704 and PSDTX234M2.

### **Ammonia Handling**

13. The permit holder shall maintain the piping and valves in NH<sub>3</sub> service as follows:
  - A. Audio, visual, and olfactory (AVO) checks for NH<sub>3</sub> leaks shall be made once a day.
  - B. As soon as possible, following the detection of a leak, plant personnel shall take one or more of the following actions:
    - (1) Locate and isolate the leak, if necessary.
    - (2) Commence repair or replacement of the leaking component.
    - (3) Use a leak collection or containment system to control the leak until repair or replacement can be made if immediate repair is not possible.

**Demonstration Unit Solvent Handling: Piping, Valves, Pumps, Agitators, and Compressors - Intensive Directed Maintenance - 28LAER**

14. Except as may be provided for in the special conditions of this permit, the following requirements apply to the above-referenced equipment:

- A. The requirements of paragraphs F and G shall not apply (1) where the VOC has an aggregate partial pressure or vapor pressure of less than 0.044 pounds per square inch, absolute (psia) at 68°F or (2) operating pressure is at least 5 kilopascals (0.725 psi) below ambient pressure. Equipment excluded from this condition shall be identified in a list or by one of the methods described below to be made readily available upon request.

The exempted components may be identified by one or more of the following methods:

- (1) piping and instrumentation diagram (PID);
  - (2) a written or electronic database or electronic file;
  - (3) color coding;
  - (4) a form of weatherproof identification; or
  - (5) designation of exempted process unit boundaries.
- B. Construction of new and reworked piping, valves, pump systems, and compressor systems shall conform to applicable American National Standards Institute (ANSI), American Petroleum Institute (API), American Society of Mechanical Engineers (ASME), or equivalent codes.
- C. New and reworked underground process pipelines shall contain no buried valves such that fugitive emission monitoring is rendered impractical. New and reworked buried connectors shall be welded.
- D. To the extent that good engineering practice will permit, new and reworked valves and piping connections shall be so located to be reasonably accessible for leak-checking during plant operation. Difficult-to-monitor and unsafe-to-monitor valves, as defined by Title 30 Texas Administrative Code (30 TAC) Chapter 115, shall be identified in a list to be made readily available upon request. The difficult-to-monitor and unsafe-to-monitor valves may be identified by one or more of the methods described in subparagraph A above. If an unsafe to monitor component is not considered safe to monitor within a calendar year, then it shall be monitored as soon as possible during safe to monitor times. A difficult to monitor component for which quarterly monitoring is specified may instead be monitored annually.

- E. New and reworked piping connections shall be welded or flanged. Screwed connections are permissible only on piping smaller than two-inch diameter. Gas or hydraulic testing of the new and reworked piping connections at no less than operating pressure shall be performed prior to returning the components to service or they shall be monitored for leaks using an approved gas analyzer within 15 days of the components being returned to service. Adjustments shall be made as necessary to obtain leak-free performance.

Connectors shall be inspected by visual, audible, and/or olfactory means at least weekly by operating personnel walk-through. In addition, all connectors shall be monitored by leak-checking for fugitive emissions at least quarterly using an approved gas analyzer with a directed maintenance program in accordance with items F thru J of this special condition.

In lieu of the monitoring frequency specified above, connectors may be monitored on a semiannual basis if the percent of connectors leaking for two consecutive quarterly monitoring periods is less than 0.5 percent.

Connectors may be monitored on an annual basis if the percent of connectors leaking for two consecutive semiannual monitoring periods is less than 0.5 percent.

If the percent of connectors leaking for any semiannual or annual monitoring period is 0.5 percent or greater, the facility shall revert to quarterly monitoring until the facility again qualifies for the alternative monitoring schedules previously outlined in this paragraph.

The percent of connectors leaking used in paragraph B shall be determined using the following formula:

$$(Cl + Cs) \times 100 / Ct = Cp$$

Where:

Cl = the number of connectors found leaking by the end of the monitoring period, either by Method 21 or sight, sound, and smell.

Cs = the number of connectors for which repair has been delayed and are listed on the facility shutdown log.

Ct = the total number of connectors in the facility subject to the monitoring requirements, as of the last day of the monitoring period, not including non-accessible and unsafe to monitor connectors.

Cp = the percentage of leaking connectors for the monitoring period.

Each open-ended valve or line shall be equipped with an appropriately sized cap, blind flange, plug, or a second valve to seal the line. Except during sampling, both valves shall be closed. If the isolation of equipment for hot work or the removal of a component for repair or replacement results in an open ended line or valve, it is exempt from the requirement to install a cap, blind flange, plug, or second valve for 72 hours. If the repair or replacement is not completed within 72 hours, the permit holder must complete either of the following actions within that time period;

- (1) a cap, blind flange, plug, or second valve must be installed on the line or valve; or
- (2) the open-ended valve or line shall be monitored once for leaks above background for a plant or unit turnaround lasting up to 45 days with an approved gas analyzer and the results recorded. For all other situations, the open-ended valve or line shall be monitored once by the end of the 72 hours period following the creation of the open ended line and monthly thereafter with an approved gas analyzer and the results recorded. For turnarounds and all other situations, leaks are indicated by readings of 500 ppmv and must be repaired within 24 hours or a cap, blind flange, plug, or second valve must be installed on the line or valve.

- F. Accessible valves shall be monitored by leak checking for fugitive emissions at least quarterly using an approved gas analyzer with a directed maintenance program. Non-accessible valves shall be monitored by leak-checking for fugitive emissions at least annually using an approved gas analyzer with a directed maintenance program. Sealless/leakless valves (including, but not limited to, welded bonnet bellows and diaphragm valves) and relief valves equipped with a rupture disc upstream or venting to a control device are not required to be monitored. For valves equipped with rupture discs, a pressure-sensing device shall be installed between the relief valve and rupture disc to monitor disc integrity. All leaking discs shall be replaced at the earliest opportunity but no later than the next process shutdown. A check of the reading of the pressure-sensing device to verify disc integrity shall be performed at least quarterly and recorded in the unit log or equivalent. Pressure-sensing devices that are continuously monitored with alarms are exempt from recordkeeping requirements specified in this paragraph.

The gas analyzer shall conform to requirements listed in Method 21 of 40 CFR part 60, appendix A. The gas analyzer shall be calibrated with methane. In addition, the response factor of the instrument for a specific VOC of interest shall be determined and meet the requirements of Section 8 of Method 21. If a mixture of VOCs is being monitored, the response factor shall be calculated for the average composition of the process fluid. A calculated average is not required when all of the compounds in the mixture have a response factor less than 10 using methane. If a response factor less than 10 cannot be achieved using methane, then the instrument may be calibrated with one of the VOC to be

measured or any other VOC so long as the instrument has a response factor of less than 10 for each of the VOC to be measured.

A directed maintenance program shall consist of the repair and maintenance of components assisted simultaneously by the use of an approved gas analyzer such that a minimum concentration of leaking VOC is obtained for each component being maintained. Replaced components shall be re-monitored within 15 days of being placed back into VOC service.

- G. All new and replacement pumps, compressors, and agitators shall be equipped with a shaft sealing system that prevents or detects emissions of VOC from the seal. These seal systems need not be monitored and may include (but are not limited to) dual pump seals with barrier fluid at higher pressure than process pressure, seals degassing to vent control systems kept in good working order, or seals equipped with an automatic seal failure detection and alarm system. Submerged pumps or sealless pumps (including, but not limited to, diaphragm, canned, or magnetic-driven pumps) may be used to satisfy the requirements of this condition and need not be monitored.

All other pump, compressor, and agitator seals shall be monitored with an approved gas analyzer at least quarterly.

- H. Damaged or leaking valves, connectors, compressor seals, pump seals, and agitator seals found to be emitting VOC in excess of 500 ppmv or found by visual inspection to be leaking (e.g., dripping process fluids) shall be tagged and replaced or repaired. A first attempt to repair the leak must be made within 5 days. Records of the first attempt to repair shall be maintained. A leaking component shall be repaired as soon as practicable, but no later than 15 days after the leak is found. If the repair of a component would require a unit shutdown that would create more emissions than the repair would eliminate, the repair may be delayed until the next scheduled shutdown. All leaking components which cannot be repaired until a scheduled shutdown shall be identified for such repair by tagging. A listing of all components that qualify for delay of repair shall be maintained on a delay of repair list. The cumulative daily emissions from all components on the delay of repair list shall be estimated by multiplying by 24 the mass emission rate for each component calculated in accordance with the instructions in 30 TAC 115.782 (c)(1)(B)(i)(II). The calculations of the cumulative daily emissions from all components on the delay of repair list shall be updated within ten days of when the latest leaking component is added to the delay of repair list. When the cumulative daily emission rate of all components on the delay of repair list times the number of days until the next scheduled unit shutdown is equal to or exceeds the total emissions from a unit shutdown as calculated in accordance with 30 TAC 115.782 (c)(1)(B)(i)(I), the TCEQ Regional Manager and any local programs shall be notified and may require early unit shutdown or other appropriate action based on the number and severity of tagged leaks awaiting shutdown. This notification shall be made within 15 days of making this determination.

- I. Records of repairs shall include date of repairs, repair results, justification for delay of repairs, and corrective actions taken for all components. Records of instrument monitoring shall indicate dates and times, test methods, and instrument readings. The instrument monitoring record shall include the time that monitoring took place for no less than 95% of the instrument readings recorded. Records of physical inspections shall be noted in the operator's log or equivalent.
- J. Compliance with the requirements of this condition does not assure compliance with requirements of 30 TAC Chapter 115, an applicable NSPS, or an applicable NESHAP, and does not constitute approval of alternative standards for these regulations.
- K. In lieu of the monitoring frequency specified in paragraph F, valves in gas and light liquid service may be monitored on a semiannual basis if the percent of valves leaking for two consecutive quarterly monitoring periods is less than 0.5 percent.

Valves in gas and light liquid service may be monitored on an annual basis if the percent of valves leaking for two consecutive semiannual monitoring periods is less than 0.5 percent.

If the percent of valves leaking for any semiannual or annual monitoring period is 0.5 percent or greater, the facility shall revert to quarterly monitoring until the facility again qualifies for the alternative monitoring schedules previously outlined in this paragraph.

- L. The percent of valves leaking used in paragraph K shall be determined using the following formula:

$$(Vl + Vs) \times 100 / Vt = Vp$$

Where:

Vl = the number of valves found leaking by the end of the monitoring period, either by Method 21 or sight, sound, and smell.

Vs = the number of valves for which repair has been delayed and are listed on the facility shutdown log.

Vt = the total number of valves in the facility subject to the monitoring requirements, as of the last day of the monitoring period, not including non-accessible and unsafe to monitor valves.

Vp = the percentage of leaking valves for the monitoring period.

- M. Any component found to be leaking by physical inspection (i.e., sight, sound, or smell) shall be repaired or monitored with an approved gas analyzer within 15 days to determine whether the component is leaking in excess of 500 ppmv of VOC. If the component is found to be leaking in excess of 500 ppmv of VOC, it shall be subject to the repair and replacement requirements contained in this special condition.

### **Planned Maintenance, Startup, and Shutdown**

- 15. The permit holder shall minimize emissions during planned MSS activities by operating the facility and associated air pollution control equipment in accordance with good air pollution control practices, safe operating practices, and protection of the facility.
- 16. This permit authorizes CT planned combustion optimization maintenance activities, which includes leak and operability checks (e.g., turbine over-speed tests, troubleshooting), balancing, and tuning activities that occur during seasonal tuning or after the completion of initial construction, a combustor change-out, a major repair, maintenance to a combustor, or other similar circumstances. Combustion optimization maintenance activities shall not exceed eight hours per event.
- 17. This permit authorizes CT planned startup and shutdown activities. Emissions during planned startup and shutdown activities will be minimized by limiting the duration of operation in planned startup and shutdown modes as follows:
  - A. A startup begins with the ignition of the fuel in the combustion system, as detected by the primary flame scanner, and ends when the CT load reaches 50 percent. A planned startup for the CT is limited to four hours.
  - B. A shutdown begins when the CT transfers from the premix mode of operation to a lean-lean mode of operation with the intent of shutting the unit down. A planned shutdown for each CT is limited to one hour.

### **Initial Determination of Compliance**

- 18. Safe sampling ports and platforms shall be incorporated into the design of all exhaust stacks according to the specifications set forth in the attachment entitled "Chapter 2, Stack Sampling Facilities." Alternate sampling facility designs may be submitted for approval by the TCEQ Regional Director.
- 19. The permit holder shall perform stack sampling and other testing as required to establish the actual quantities of air contaminants being emitted into the atmosphere from EPNs CTHRSG8 and SCRUB. In addition, the permit holder shall perform stack sampling and other testing if requested by the TCEQ Regional Director to establish the actual quantities of air contaminants being emitted into the atmosphere from EPNs CTHRSG8 and SCRUB. Sampling shall be conducted in accordance with the appropriate

procedures of the TCEQ Sampling Procedures Manual and in accordance with EPA Test Methods or by other equivalent methods approved by the TCEQ Regional Director.

Fuel sampling using the methods and procedures of 40 CFR § 60.4415 may be conducted in lieu of stack sampling for sulfur dioxide (SO<sub>2</sub>). If fuel sampling is used, compliance with NSPS Subpart KKKK, SO<sub>2</sub> limits shall be based on 100 percent conversion of the sulfur in the fuel to SO<sub>2</sub>. Any deviations from those procedures must be approved by the Executive Director of the TCEQ prior to sampling. The TCEQ Executive Director or his designated representative shall be afforded the opportunity to observe all such sampling.

The permit holder is responsible for providing sampling and testing facilities and conducting the sampling and testing operations at his expense.

- A. The TCEQ Regional Office shall be contacted as soon as testing is scheduled but not less than 30 days prior to sampling to schedule a pretest meeting. The notice shall include:
- (1) Date for pretest meeting.
  - (2) Date sampling will occur.
  - (3) Name of firm conducting sampling.
  - (4) Type of sampling equipment to be used.
  - (5) Method or procedure to be used in sampling.
  - (6) Procedure used to determine turbine loads during and after the sampling period.

The purpose of the pretest meeting is to review the necessary sampling and testing procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for submitting the test reports.

A written proposed description of any deviation from sampling procedures specified in permit conditions or the TCEQ or EPA sampling procedures shall be made available to the TCEQ prior to the pretest meeting. The TCEQ Regional Director shall approve or disapprove of any deviation from specified sampling procedures.

Requests to waive testing for any pollutant specified in this condition shall be submitted to the TCEQ Office of Air, Air Permits Division. Test waivers and alternate or equivalent procedure proposals for NSPS testing which must have EPA approval shall be submitted to the TCEQ Air Permits Division.

- B. Air contaminants and diluents to be sampled and analyzed from EPN CTHRS8 include (but are not limited to) NO<sub>x</sub>, CO, VOC, SO<sub>2</sub>, NH<sub>3</sub>, sulfuric acid, opacity,

particulate matter (filterable and condensable), and O<sub>2</sub>. Air contaminants to be sampled and analyzed from EPN SCRUB include (but are not limited to) VOC and NH<sub>3</sub>. Fuel sampling using the methods and procedures of 40 CFR § 60.4415 or 40 CFR § 60.4365(a) may be conducted for monitoring SO<sub>2</sub>.

- C. The turbine shall be tested at the maximum load for the atmospheric conditions which exist during testing. The tested turbine load shall be identified in the sampling report. The permit holder shall present at the pretest meeting the manner in which stack sampling will be executed in order to demonstrate compliance with emission standards found in 40 CFR Part 60, Subpart KKKK.
- D. Sampling as required by this condition shall occur within 60 days after achieving the maximum production rate at which the turbine will be operated, but no later than 180 days after initial startup of each unit. Additional sampling may be required by the TCEQ or EPA.
- E. Within 60 days after the completion of the testing and sampling required herein, two copies of the sampling reports shall be distributed as follows:
  - (1) One copy to the TCEQ Air Permits Division in Austin.
  - (2) One copy to the TCEQ Regional Office.

### **Continuous Determination of Compliance**

- 20. The permit holder shall install, calibrate, operate, and maintain a CEMS to measure and record the concentrations of NO<sub>x</sub>, CO, and diluent (O<sub>2</sub> or carbon dioxide) from the exhaust stack of EPN CTHRSG8. In addition, the permit holder shall install, calibrate, operate, and maintain a CEMS to measure and record the concentrations of NO<sub>x</sub>, SO<sub>2</sub>, and diluent from the exhaust stack of EPN SCRUB.
  - A. Monitored NO<sub>x</sub> and CO concentrations for EPN CTHRSG8 shall be corrected and reported in dimensional units corresponding to the emission rate and concentration limits established in this permit. Monitored NO<sub>x</sub> and SO<sub>2</sub> concentrations for EPN SCRUB shall be corrected and reported in dimensional units corresponding to the emission limits established in Permit Numbers 7704 and PSDTX234M2.
  - B. The CEMS data for EPN CTHRSG8 shall be used to demonstrate compliance with the NO<sub>x</sub> and CO emission limits in Special Condition No. 6 and the MAERT. The CEMS data for EPN SCRUB shall be used to demonstrate compliance with the NO<sub>x</sub> and SO<sub>2</sub> emission limits in Permit Numbers 7704 and PSDTX234M2. A valid hour consists of a minimum of 4, and normally 60, approximately equally-spaced data points.

- C. The NO<sub>x</sub>/diluent CEMS for EPN CTHRSG8 shall be operated according to the methods and procedures as set out in 40 CFR § 60.4345. The NO<sub>x</sub>, SO<sub>2</sub>, and diluent CEMS for EPN SCRUB shall be operated according to the methods and procedures as set out in 40 CFR § 60.49Da.
  - D. The CO CEMS shall meet the appropriate quality assurance requirements specified in 40 CFR Part 60, Appendix F, Procedure 1. Each CO monitor shall be quality-assured at least quarterly using Cylinder Gas Audits (CGA) in accordance with 40 CFR Part 60, Appendix F, Procedure 1, Section 5.1.2, with the following exception: a relative accuracy test audit (RATA) is not required once every four quarters if four successive quarterly CGA have been conducted for that four-quarter period. An equivalent quality-assurance method approved by the TCEQ may also be used. Successive quarterly audits shall occur at least two months apart.
  - E. Reporting of monitoring data for demonstrating compliance with NSPS Subpart KKKK and this permit for EPN CTHRSG8 shall be conducted in accordance with the methods and procedures as set out in 40 CFR § 60.4380(b). Reporting of monitoring data for demonstrating compliance with NSPS Subpart Da and this permit for EPN CTHRSG8 shall be conducted in accordance with the methods and procedures as set out in 40 CFR § 60.51Da.
  - F. Compliance with the NO<sub>x</sub>/diluent or NO<sub>x</sub>, SO<sub>2</sub>, and diluent continuous emissions monitor requirements above can be demonstrated by meeting the requirements of 40 CFR Part 75 provided that the permit holder demonstrates compliance with applicable NSPS regulations.
  - G. The TCEQ Regional Office shall be notified at least 21 days prior to any required relative accuracy test audit in order to provide them the opportunity to observe the testing.
21. The NH<sub>3</sub> concentration from the exhaust stacks (EPNs CTHRSG8 and SCRUB) shall be tested or calculated according to one of the methods listed below and shall be tested or calculated according to frequency listed below. Testing for NH<sub>3</sub> slip is only required on days when the selective catalytic reduction (SCR) unit is in operation.
- A. The permit holder may install, calibrate, maintain, and operate a CEMS to measure and record the concentrations of NH<sub>3</sub>. The NH<sub>3</sub> concentrations shall be corrected and reported in accordance with Special Condition No. 6. Each ammonia CEMS shall be audited at least once each calendar quarter.
  - B. As an approved alternative, the NH<sub>3</sub> slip may be measured using a sorbent or stain tube device specific for NH<sub>3</sub> measurement in the 5 to 10 ppm range. The frequency of sorbent/stain tube testing shall be daily for the first 60 days of operation, after which, the frequency may be reduced to weekly testing if operating procedures have been developed to prevent excess amounts of urea from being introduced in the SCR unit and when operation of the SCR unit have

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been proven successful with regard to controlling NH<sub>3</sub> slip. Daily sorbent or stain tube testing shall resume when the catalyst is within 30 days of its useful life expectancy. These results shall be recorded and used to determine compliance with Special Condition No. 6.

If the sorbent or stain tube testing indicates an ammonia slip concentration exceeds 10 ppm for a consecutive one-hour period or the average of one or more sorbent or stain tube tests in an hour, the permit holder shall begin NH<sub>3</sub> testing by either the Phenol Nitroprusside Method, the Indophenol Method, or the EPA Conditional Test Method (CTM) 27 on a quarterly basis, in addition to the weekly sorbent or stain tube testing. The quarterly testing shall continue until such time as the SCR unit catalyst is replaced; or if the quarterly testing indicates NH<sub>3</sub> slip is 7 ppm or less, the Phenol-Nitroprusside/Indophenol/CTM 27 tests may be suspended until sorbent/stain tube testing again indicate 10 ppm NH<sub>3</sub> slip or greater. These results shall be recorded and used to determine compliance with Special Condition No. 6.

- C. As an approved alternative to sorbent or stain tube testing, NH<sub>3</sub> CEMS, or a second NO<sub>x</sub> CEMS, the permit holder may install and operate a dual stream system of NO<sub>x</sub> CEMS at the exit of the SCR. One of the exhaust streams would be routed, in an unconverted state, to one NO<sub>x</sub> CEMS, and the other exhaust stream would be routed through a NH<sub>3</sub> converter to convert NH<sub>3</sub> to NO<sub>x</sub> and then to a second NO<sub>x</sub> CEMS. The NH<sub>3</sub> slip concentration shall be calculated from the difference between the two NO<sub>x</sub> CEMS readings (converted and unconverted). These results shall be recorded and used to determine compliance with Special Condition No. 6.
  - D. Any other method used for measuring NH<sub>3</sub> slip shall require prior approval from the TCEQ.
22. The permit holder shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the average hourly natural gas consumption of the CT. The permit holder shall comply with the initial certification and quality assurances as specified in 40 CFR Part 75, Appendix D.

## Cooling Towers

23. The Cooling Tower (EPN COOLTWR8) shall not exceed a total dissolved solids (TDS) concentration of 4,400 parts per million by weight (ppmw).
- A. A conservative default conversion factor of 0.80 (conductivity to TDS) may be used initially until a site specific demonstrated value is determined.
  - B. The permit holder shall perform sampling to establish the conductivity to TDS conversion factor that shall be used by the permit holder to demonstrate compliance in accordance with paragraph A above. A minimum of three cooling

water samples shall be collected and a conductivity and TDS analysis performed for each of the three samples in order to establish the actual cooling water conductivity to TDS conversion factor. The conductivity and TDS analyses shall be performed in accordance with "Standard Methods for the Examination of Water and Wastewater" Method 2510 (Conductivity) and Method 2540 (Solids). An average conversion factor and standard deviation based on the three values shall be determined from the cooling water sample results.

- C. A copy of the sampling report shall be kept on site.
- D. Continuous compliance with the hourly and annual particulate matter emission rates for the Cooling Towers in the MAERT shall be demonstrated by the permit holder by monitoring the conductivity of the cooling water at a monitoring point in the recirculating water of each cooling tower, and recording these conductivity readings on a no less than weekly basis. Monitoring may be performed in any manner that produces accurate results. Each conductivity measurement shall be converted to TDS concentration in ppmw using the conductivity to TDS conversion factor established in accordance with paragraph B above.
- E. The monitoring data required by this special condition shall be kept on site. These records shall include:
  - (1) Location of the monitoring point for the cooling tower recirculating water and date and time of monitoring.
  - (2) Weekly measured conductivity in ohms and the equivalent TDS in ppmw in the recirculating water of the cooling tower.

#### **Nonattainment New Source Review (NNSR) - Emission Reductions**

- 24. The permit holder shall comply with the following NNSR emission reductions:
  - A. The permit holder shall provide total offsets equivalent to 48.93 tons per year (tpy) of NO<sub>x</sub>, based on 37.64 tpy of NO<sub>x</sub> authorized, at an offset ratio of 1.3:1, prior to the start of operation of the equipment authorized under this permit.
  - B. The permit holder shall provide total offsets equivalent to 67.38 tpy of VOC, based on 51.83 tpy of VOC authorized, at an offset ratio of 1.3:1, prior to the start of operation of the equipment authorized under this permit.
  - C. Based on the rules under 30 TAC § 101.372(a) and the TCEQ and EPA approved NO<sub>x</sub> to VOC 1:1 inter-pollutant ratio, a total of 2,022.0 tons of NO<sub>x</sub> discrete emission reduction credits (DERCs) will be set aside from DERC Certificate D-2932 to satisfy the 1.3:1 VOC offset requirement for a 30-year period. If the TCEQ establishes a different NO<sub>x</sub> to VOC ratio in the future, the permit holder may submit a request to alter this permit and revise the 1:1 ratio. Any request to

revise the ratio must receive approval from the TCEQ and the EPA. Any final change to the 1:1 ratio would not be applicable to DERCs already used at a 1:1 ratio and would thus be prospective only in nature. Any DERCs set aside based upon the 1:1 ratio that are no longer needed to satisfy the VOC offset requirement if the ratio is revised will be returned to the permit holder for future use. Future rulemaking may affect the value and/or potential use of any returned credits.

- D. A total of 339.0 tons of NO<sub>x</sub> DERCs will be set aside from DERC Certificate D-2932 to satisfy the 0.3:1 portion of the NO<sub>x</sub> offset requirement for a 30-year period.
- E. The remaining 1:1 portion of the NO<sub>x</sub> offset requirement will be satisfied through the use of emission reduction credits (ERCs), DERCs, and/or participation in the Mass Emissions Cap and Trade (MECT) Program. If participation in the MECT program is used for any part of the 1:1 portion of the offset, at the beginning of the MECT compliance period in which a source will commence operation and at the beginning of each MECT compliance period after that, the permit holder must have sufficient MECT allowances to cover the potential to emit of that source or the portion of the potential to emit being offset through participation in the MECT program.
- F. The 1:1 inter-pollutant ratio and DERCs set aside from DERC Certificate D-2932 for the NO<sub>x</sub> and VOC offset requirement will remain valid and available for use for a 30-year period. The permit holder must acquire additional offsets if the operation of the facility exceeds 30 years.

### **Recordkeeping Requirements**

- 25. The following records shall be kept at the plant for the life of the permit and shall be made available upon request by representatives of the TCEQ, EPA, or any local air pollution control program having jurisdiction:
  - A. A copy of this permit.
  - B. The permit application dated September 19, 2011 and subsequent representations submitted to the TCEQ.
  - C. A complete copy of the testing reports and records of the initial performance testing completed pursuant to Special Condition No. 19 to demonstrate initial compliance.
  - D. Stack sampling results or other air emissions testing (other than CEMS data) that may be conducted on units authorized under this permit after the date of issuance of this permit.

Special Conditions

Permit Numbers 98664, PSDTX1268, and N138

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26. The following information shall be maintained by the permit holder in a form suitable for inspection for a period of five years after collection and shall be made available upon request by representatives of the TCEQ, EPA, or any local air pollution control program having jurisdiction:
  - A. The CEMS data of NO<sub>x</sub>, CO, and diluent emissions from EPN CTHRSG8 to demonstrate compliance with the emission limits in the MAERT and Special Condition No. 6. The CEMS data of NO<sub>x</sub>, SO<sub>2</sub>, and diluent emissions from EPN SCRUB to demonstrate compliance with the emission limits in Permit Numbers 7704 and PSDTX234M2.
  - B. Raw data files of all CEMS data including calibration checks, adjustments, and maintenance performed on these systems in a permanent form suitable for inspection.
  - C. Records of hours of operations on a rolling 12-month basis for the Emergency Generator to demonstrate compliance with Special Condition No. 8.
  - D. Records of sulfur analysis of natural gas pursuant to Special Condition No. 9.
  - E. Records of visible emission/opacity observations and date and description of corrective actions taken pursuant to Special Condition No. 10.
  - F. Records of NH<sub>3</sub> AVO checks and corrective actions pursuant to Special Condition No. 13.
  - G. Records as specified in Special Condition No. 14 for piping, valves, pumps, agitators, and compressors.
  - H. Records of planned MSS activities pursuant to Special Condition Nos. 16-17, including the date, time, and duration of those activities, emissions from those activities, and periods when CEMS data have been excluded for purposes of demonstrating compliance with Special Condition No. 6.
  - I. Records of NH<sub>3</sub> monitoring or testing pursuant to Special Condition No. 21.
  - J. Records of sampling and monitoring of the cooling tower water pursuant to Special Condition No. 23.

**Reporting**

27. The permit holder shall submit to the TCEQ Regional Office and the Air Enforcement Branch of EPA in Dallas reports as described in 40 CFR § 60.7. Such reports are required for each emission unit which is required to be continuously monitored pursuant to this permit.

Date: December 21, 2012

Emission Sources - Maximum Allowable Emission Rates

Permit Numbers 98664, PSDTX1268, and N138

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

Air Contaminants Data

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
CTHRSG8	Combustion Turbine and HRSG with Duct Burner (GE 7EA, ~ 80 MW) (5)	NO <sub>x</sub>	9.36	37.63
		NO <sub>x</sub> (MSS)	52.00	--
		CO	25.66	102
		CO (MSS)	450	--
		VOC	3.26	12.88
		VOC (MSS)	15.50	--
		PM	16.58	71.70
		PM <sub>10</sub>	16.58	71.70
		PM <sub>2.5</sub>	16.58	71.70
		SO <sub>2</sub>	1.75	6.92
		H <sub>2</sub> SO <sub>4</sub>	0.62	2.44
		NH <sub>3</sub>	8.67	34.20
COOLTWR8	Cooling Tower	PM	1.10	4.82
		PM <sub>10</sub>	0.39	1.69
		PM <sub>2.5</sub>	<0.01	0.01
SCRUB	Enhanced Scrubber	VOC	24.53	38.37
		NH <sub>3</sub>	1.35	5.70

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
EMGEN8	Emergency Generator (217 horsepower)	NO <sub>x</sub>	1.42	0.01
		CO	1.25	0.01
		VOC	1.42	0.01
		PM	0.07	<0.01
		PM <sub>10</sub>	0.07	<0.01
		PM <sub>2.5</sub>	0.07	<0.01
		SO <sub>2</sub>	0.44	<0.01
MEAFUG	MEA Fugitives (6)	VOC	0.02	0.08
NGFUG	Natural Gas Fugitives (6)	VOC	0.11	0.49
NH3FUG	Ammonia Fugitives (6)	NH <sub>3</sub>	0.02	0.08

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3) VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
 NO<sub>x</sub> - total oxides of nitrogen  
 SO<sub>2</sub> - sulfur dioxide  
 PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
 PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
 PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter  
 CO - carbon monoxide  
 H<sub>2</sub>SO<sub>4</sub> - sulfuric acid  
 NH<sub>3</sub> - ammonia
- (4) Compliance with annual emission limits (tons per year) is based on a 12-month rolling period.
- (5) The planned maintenance, startup, and shutdown (MSS) pounds per hour (lbs/hr) emission limits apply only during each clock hour that includes one or more minutes of MSS activities. During all other clock hours, the normal operations lbs/hr emission limits apply. The tpy emission limit for this facility includes emissions from the facility during both normal operations and planned MSS activities.
- (6) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.

Date: December 21, 2012