

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	§	BEFORE THE TEXAS
AGREED ORDER CONCERNING	§	
PUBLIC SERVICE COMPANY OF	§	COMMISSION ON
OKLAHOMA,	§	
OKLAUNION POWER STATION	§	ENVIRONMENTAL QUALITY
ACCOUNT NO. WI-0025-C	§	
REGULATED ENTITY NO.	§	
RN101062255	§	

**AGREED ORDER
DOCKET NO. 2020-0072-SIP**

The Texas Commission on Environmental Quality (the Commission or TCEQ), hereby orders Public Service Company of Oklahoma to comply with the requirements herein regarding control of particulate matter (hereafter sometimes referred to as “PM”) emissions and opacity associated with planned maintenance, startup or shutdown (MSS) activities from the electric generating facility (EGF) boiler referenced below, pursuant to §§ 382.011, 382.012, 382.016, 382.023 and 382.024 of the Texas Clean Air Act (TCAA), Texas Health and Safety Code, Chapter 382, and § 110 of the Federal Clean Air Act (FCAA), 42 U.S.C. §7401 *et seq.*, for the purpose of revising the Texas State Implementation Plan (SIP) for control of PM and opacity. The Executive Director of the TCEQ and Public Service Company of Oklahoma (parties) have agreed on the emission limits and control requirements in Section II of this Agreed Order, subject to the approval of the Commission.

I. STIPULATIONS

For the purpose of this Agreed Order, the parties have agreed and stipulated as follows:

1. Sections 382.011 and 382.012 of the TCAA provide authority for the Commission to control the quality of the state’s air and prepare and develop a general, comprehensive plan for the proper control of the state’s air; § 382.016 of the TCAA provides the Commission’s authority for measuring and monitoring the emission of air contaminants; and §§ 382.023 and 382.024 of the TCAA provide the Commission authority to issue orders. The issuance of this Agreed Order complies with the TCAA.
2. The United States Environmental Protection Agency (EPA) established National Ambient Air Quality Standards (NAAQS) for PM with aerodynamic diameters of 2.5 microns or less (PM_{2.5}) and PM with nominal aerodynamic diameters of 10 microns or less (PM₁₀). Section 110 of the FCAA, 42 U.S.C. § 7410, requires Texas to submit SIP revisions to EPA for approval and that

such SIP revisions do not interfere with any applicable provision concerning attainment or any other applicable requirement of the FCAA.

3. The Commission and Public Service Company of Oklahoma agree that the Commission has jurisdiction to enter into this Agreed Order, and Public Service Company of Oklahoma is subject to the Commission's jurisdiction.
4. The Commission and Public Service Company of Oklahoma acknowledge that Public Service Company of Oklahoma has entered into this Agreed Order voluntarily. Nothing in this Agreed Order shall be interpreted as evidence that Public Service Company of Oklahoma is causing or contributing, or has caused or contributed, to a violation of the NAAQS for PM_{2.5} and PM₁₀ or is, or has been, in any respect non-compliant with any federal, state or local law. This Agreed Order shall not impair or adversely affect Public Service Company of Oklahoma's compliance history, except that if Public Service Company of Oklahoma is subject to enforcement action by the TCEQ for failure to comply with this Agreed Order, any such violation shall be subject to the TCEQ rules regarding Compliance History in 30 Tex. Admin. Code Chapter 60.
5. The opacity and PM limits in 30 Tex. Admin. Code § 111.111(a)(1) and § 111.153(b), respectively, do not apply during periods of planned MSS activities for coal-fired EGF boilers equipped with electrostatic precipitators (ESPs). Therefore, EPA requested the TCEQ submit an Agreed Order executed by Public Service Company of Oklahoma and TCEQ regarding control of PM emissions and opacity during periods of planned MSS activities from the EGF boilers, identified in Paragraph 6 of this Agreed Order. Public Service Company of Oklahoma and TCEQ agree that this Agreed Order will be submitted to EPA as a revision to the Texas SIP no later than 30 days after its final execution and approval by the Commission.
6. Public Service Company of Oklahoma owns and operates one EGF boiler [Emission Point Number 1 (Steam Generator)] authorized by Air Quality Permit No. 9015 (Boiler) and located at the Oklaunion Power Station (the Plant) (12567 FM 3430, Vernon, Wilbarger County, Texas). An ESP is used to control the PM emissions and opacity from the Boiler.
7. The Plant consists of one or more sources as defined in § 382.003(12) of the TCAA.
8. Public Service Company of Oklahoma applied for an amendment to Air Quality Permit Number 9015 to authorize planned MSS activities associated with the Boiler and other sources at the Plant, and the emissions associated with those activities. The permit amendment was issued on February 3, 2012.
9. Consistent with the TCEQ's obligations under the TCAA, the FCAA and the Texas SIP, Public Service Company of Oklahoma agrees to comply with the terms of this Agreed Order. This Agreed Order includes PM emissions and

opacity limits and emission control requirements, specifically the measures in Paragraph 12 of this Agreed Order, which are in addition to those measures considered to be necessary to attain and maintain compliance with the NAAQS for PM_{2.5} and PM₁₀.

10. Because the work practice and other requirements in Paragraph 12 of this Agreed Order do not replace or modify any current provision in the approved Texas SIP, TCEQ has determined the PM emissions and opacity resulting from compliance with those requirements will not interfere with attainment or maintenance of the NAAQS for PM_{2.5} or PM₁₀ nor cause adverse impacts to public health or physical property.
11. This Agreed Order does not authorize or prohibit any modification of the sources at the Plant listed above, nor does it authorize or prohibit the construction of any abatement equipment that may be necessary to achieve the emission limits set forth in this Agreed Order.

II. ORDERING PROVISIONS

It is therefore ordered by the TCEQ that Public Service Company of Oklahoma shall, from and after the date of this Agreed Order, comply with the following:

12. Emissions from the Boiler [Emission Point Number 1 (Steam Generator)] during each planned MSS activity shall comply with the opacity limit in 30 Tex. Admin. Code § 111.111(a)(1) and the PM limit in 30 Tex. Admin. Code § 111.153(b), or the following work practice and other requirements:
 - A. Emissions during planned startup or shutdown activities will be minimized by limiting the duration of operation in planned startup and shutdown modes as follows:
 1. A planned startup of the Boiler begins when fans are placed in service for the initiating of combustion and is complete when the Boiler has achieved the lowest sustainable load on lignite for at least 60 consecutive minutes while coal is being fired. Normal startup shall not exceed 2,880 minutes. An extended startup is allowed for greater than 2,880 minutes after a major outage, but the cumulative annual minutes of extended startups shall not exceed 18,000 minutes.
 2. A planned shutdown of the Boiler begins when the Boiler has dropped below the lowest sustainable load for at least 30 consecutive minutes and is complete 24 hours after combustion has ceased. Each shutdown shall not exceed 2,880 minutes.
 - B. Opacity greater than 20 percent from the Boiler is authorized when Public Service Company of Oklahoma complies with the planned startup

or planned shutdown duration limits in Paragraph 12.A. and the following work practices:

1. Emissions during planned startup and shutdown activities shall be minimized by employing the following work practices: During planned startup and shutdown activities, Public Service Company of Oklahoma shall comply with the parts of the Boiler and ESP manufacturers' operating procedures or the procedures in the Public Service Company of Oklahoma's written Standard Operating Procedures manual that impact opacity, and shall operate the Boiler and ESP in a manner consistent with those procedures to minimize opacity by placing the ESP into service during planned startups once the outlet gas temperature to the ESP is greater than 300°F, or removing the ESP from service as late as possible during planned shutdowns.
 2. The Boiler and ESP manufacturers' operating procedures or written Standard Operating Procedure manual shall be located on-site and available to the TCEQ regional investigator.
- C. Periods of opacity greater than 20 percent from the following planned maintenance activities are authorized for no more than 600 minutes in a calendar year.
1. Boiler general maintenance (includes pre-heater basket handling and maintenance, refractory change-out, fan maintenance and balancing, damper, air heater, and soot blower maintenance, and any other general Boiler maintenance.
 2. De-slagging of Boiler (includes, but is not limited to, explosive blasting, clinker shooting, and other Boiler de-slagging activities; does not include dry abrasive blasting that may occur in the Boiler).
 3. Combustion optimization (includes, but is not limited to (i) leak and operability checks, (ii) balancing, and (iii) tuning activities that occur during seasonal tuning or after the completion of initial construction, a burner change-out, a major repair, maintenance to a burner, or other similar circumstances.)
 4. PM control device maintenance when the Boiler is online.
 5. Use of fans during maintenance-unit when the Boiler is offline.
 6. Smoke test Boiler.
- D. Public Service Company of Oklahoma shall minimize emissions during planned MSS activities associated with the Boiler by operating it and its ESP in accordance with good air pollution control practices, safe operating practices, and protection of the Boiler and its ESP.
- E. Public Service Company of Oklahoma shall keep records to identify periods of planned MSS, the opacity measured by the continuous opacity monitoring system (COMS) for the duration of the planned startup and

shutdown activities, the planned maintenance activities in Paragraph 12.C., and the work practices in Paragraphs 12.A. and 12.B. followed during the planned MSS activities for demonstrating compliance with the work practice and other requirements in Paragraphs 12.A. - C. and this Agreed Order.

13. Public Service Company of Oklahoma shall maintain the records required by Paragraph 12 of this Agreed Order for at least five years and shall make these records available upon request by the TCEQ or any other air pollution control agency with jurisdiction.
14. As part of any air quality application or registration to change the authorization of the planned MSS emissions for the Boiler [Emission Point Number 1 (Steam Generator)], Public Service Company of Oklahoma shall notify the TCEQ within 30 days so the TCEQ can determine whether an amendment to this Agreed Order or issuance of a new agreed order with corresponding revisions to the Texas SIP are needed. After issuance of this Agreed Order by the TCEQ, an application to amend or renew Air Quality Permit Number 9015, or the use of permits by rule or standard permits to make changes at the Plant, including the addition of new equipment, are not prohibited.
15. Within 30 days of EPA's approval of this Agreed Order as a revision to the Texas SIP, Public Service Company of Oklahoma will submit an application to revise Federal Operating Permit No. O38 to incorporate this Agreed Order into the Federal Operating Permit. If, however, this Agreed Order is not approved by EPA as a revision to the Texas SIP, Public Service Company of Oklahoma shall not be obligated to apply to revise Permit No. O38 to incorporate this Agreed Order, and may elect to terminate this Agreed Order by notifying the TCEQ Executive Director in writing that Public Service Company of Oklahoma has elected to terminate this Agreed Order.
16. This Agreed Order applies to and is binding upon Public Service Company of Oklahoma, its successors and assigns. Public Service Company of Oklahoma is hereby ordered to give notice of this Agreed Order to any successor in interest prior to transfer of ownership of all or any part of the Plant, and, within thirty (30) days of any such transfer, provide the TCEQ with written certification of such transfer, and that such notice has been given.

This Agreed Order remains in effect until revision or revocation by the Commission and any necessary action to revise the Texas SIP accordingly.

If any portion of this Agreed Order is for any reason held to be invalid by a court of competent jurisdiction, the invalidity of any portion shall not affect the validity of the remaining portions.

SIGNATURE PAGE

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of Public Service Company of Oklahoma indicated below my signature, and I do agree to the terms and conditions specified therein.

Public Service Company of Oklahoma
[Title]

Date

Toby Baker
Executive Director
Texas Commission on Environmental Quality

Date

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission
Jon Niermann
Chairman
Texas Commission on Environmental Quality

Date