

# FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO  
NRG Texas Power LLC

AUTHORIZING THE OPERATION OF  
Cedar Bayou 4 Electric Generating Station  
Fossil Fuel Electric Power Generation

LOCATED AT  
Chambers County, Texas  
Latitude 29° 44' 54" Longitude 94° 55' 38"  
Regulated Entity Number: RN100825371

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:     O3092     Issuance Date: \_\_\_\_\_

\_\_\_\_\_  
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, Subpart ZZZZ as identified in the attached Applicable Requirements Summary table are subject to 30 TAC Chapter 113, Subchapter C, § 113.1090, which incorporates 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 § 101.309 (relating to Emission Credit Banking and Trading)
  - (v) 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 § 101.359 (relating to Reporting)
  - (vi) Title 30 TAC § 101.360 (relating to Level of Activity Certification)
  - (vii) 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 § 101.378 (relating to Discrete Emission Credit Banking and Trading)

- (v) 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) as soon as practicable, but no later than 24 hours after observing visible emissions 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) as soon as practicable, but no later than 24 hours after observing visible emissions 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) as soon as practicable, but no later than 24 hours after observing visible emissions 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 § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
  - (iv) 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.
- 7. The permit holder shall comply with certified registrations submitted to the TCEQ for purposes of establishing federally enforceable emission limits. A copy of the certified registration shall be maintained with the permit. Records sufficient to demonstrate compliance with the established limits shall be maintained. The certified registration and records demonstrating compliance shall be provided, on request, to representatives of the appropriate TCEQ regional office and any local air pollution control agency having jurisdiction over the site. The permit holder shall submit updated certified registrations when changes at the site require establishment of new emission limits. If changes result in emissions that do not remain below major source thresholds, the permit holder shall submit a revision application to codify the appropriate requirements in the permit.

#### **Additional Monitoring Requirements**

- 8. The permit holder shall comply with the periodic monitoring requirements as specified in the attached "Periodic Monitoring Summary" upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required

intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time or minimum frequency specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

### **New Source Review Authorization Requirements**

9. 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 (including the terms, conditions, monitoring, recordkeeping, and reporting identified in registered PBRs and permits by rule identified in the PBR Supplemental Tables dated July 7, 2025 in the application for project 38543), 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
10. 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.
11. 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, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).

### **Compliance Requirements**

12. 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.
13. 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

14. 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)-(d)
  - (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)-(d)
  - (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
  - (v) Title 30 TAC § 101.305 (relating to Emission Reductions Achieved Outside the United States)

15. 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
- (v) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)

### **Risk Management Plan**

16. 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**

17. 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. The permit holder shall comply with 40 CFR Part 82, Subpart H related to Halon Emissions Reduction requirements as specified in 40 CFR § 82.250 - § 82.270 and the applicable Part 82 Appendices.

### **Temporary Fuel Shortages (30 TAC § 112.15)**

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

### Permit Location

19. 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)

20. 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

21. For units CBY41 and CBY42 (identified in the Certificate of Representation as units CBY41 and CBY42), located at the affected source identified by ORIS/Facility code 56806, 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 in 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.

### **Cross-State Air Pollution Rule (CSAPR) Trading Program Requirements**

22. For units CBY41 and CBY42 (identified in the Certificate of Representation as units CBY41 and CBY42), located at the site identified by Plant code/ORIS/Facility code 56806, the designated representative and the owner or operator, as applicable, shall comply with the following CSAPR requirements.

#### **A. General Requirements**

- (i) The owners and operators of the CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall operate the source and the unit in compliance with the requirements of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program and all other applicable State and federal requirements.
- (ii) The owners and operators of the CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall comply with the requirements of 40 CFR Part 97, Subpart EEEEE for CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program, and with the General Terms and Conditions of the Federal Operating Permit (FOP) that incorporates the CSAPR requirements.

#### **B. Description of CSAPR Monitoring Provisions**

- (i) The CSAPR subject unit(s), and the unit-specific monitoring provisions at this source, are identified in the following paragraph(s). These unit(s) are subject to the requirements for the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program.
  - (1) For units CBY41 and CBY42, the owners and operators shall comply with the continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR Part 75, Subpart H for NO<sub>x</sub>, and with the excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D for heat input.
- (ii) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR §§ 97.830 through 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading program.
- (iii) Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR §§ 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at <https://www.epa.gov/airmarkets/clean-air-markets-monitoring-plans-part-75-sources>.
- (iv) Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative

monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR § 75.66 and § 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.

- (v) Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR §§ 97.830 through 97.834 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR § 75.66 and § 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.
- (vi) The descriptions of monitoring applicable to the unit(s) included above meet the requirement of 40 CFR §§ 97.830 through 97.834 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and therefore procedures for minor permit revisions, in accordance with 30 TAC § 122.217, may be used to add or change this unit's monitoring system description.

23. CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program Requirements (40 CFR § 97.806)

A. Designated representative requirements

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

B. Emissions monitoring, reporting, and recordkeeping requirements

- (i) The owners and operators, and the designated representative, of each CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR § 97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), § 97.831 (initial monitoring system certification and recertification procedures), § 97.832 (monitoring system out-of-control periods), § 97.833 (notifications concerning monitoring), § 97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and § 97.835 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).
- (ii) The emissions data determined in accordance with 40 CFR § 97.830 through § 97.835 and any other credible evidence shall be used to calculate allocations of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances under 40 CFR §§ 97.811(a)(2) and (b) and § 97.812 and to determine compliance with the CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation and assurance provisions under paragraph C. below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR §§ 97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

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

(i) CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation

- (1) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR § 97.824(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at the source.
- (2) If total NO<sub>x</sub> emissions during a control period in a given year from the CSAPR NO<sub>x</sub> Ozone Season Group 2 units at a CSAPR NO<sub>x</sub> Ozone Season Group 2 source are in excess of the CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation set forth in paragraph C.(i)(1) above, then:
  - (a) The owners and operators of the source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall hold the CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances required for deduction under 40 CFR § 97.824(d); and
  - (b) The owners and operators of the source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.

(ii) CSAPR NO<sub>x</sub> Ozone Season Group 2 assurance provisions

- (1) If total NO<sub>x</sub> emissions during a control period in a given year from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR § 97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR § 97.825(b), of multiplying -
  - (a) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the

respective common designated representative's assurance level;  
and

- (b) The amount by which total NO<sub>x</sub> emissions from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in the state for such control period exceed the state assurance level.
- (2) The owners and operators shall hold the CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances required under paragraph C.(ii)(1) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.
  - (3) Total NO<sub>x</sub> emissions from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in the state during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the state NO<sub>x</sub> Ozone Season Group 2 trading budget under 40 CFR § 97.810(a) and the state's variability limit under 40 CFR § 97.810(b).
  - (4) It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NO<sub>x</sub> emissions from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the CSAPR NO<sub>x</sub> Ozone Season Group 2 units at CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in the state during a control period exceeds the common designated representative's assurance level.
  - (5) To the extent the owners and operators fail to hold CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances for a control period in a given year in accordance with paragraphs C.(ii)(1) through (3) above,
    - (a) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
    - (b) Each CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs C.(ii)(1) through (3) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.
- (iii) Compliance periods
    - (1) A CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall be subject to the requirements under paragraph C.(i) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR § 97.830(b) and for each control period thereafter.
    - (2) A CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall be subject to the requirements under paragraph C.(ii) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor

certification requirements under 40 CFR § 97.830(b) and for each control period thereafter.

- (iv) Vintage of allowances held for compliance
  - (1) A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance held for compliance with the requirements under paragraph C.(i)(1) above for a control period in a given year must be a CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that was allocated for such control period or a control period in a prior year.
  - (2) A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs C.(i)(2)(a) and (ii)(1) through (3) above for a control period in a given year must be a CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.
- (v) Allowance Management System requirements. Each CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE.
- (vi) Limited authorization. A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows:
  - (1) Such authorization shall only be used in accordance with the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program; and
  - (2) Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.
- (vii) Property right. A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance does not constitute a property right.

D. FOP revision requirements

- (i) No FOP revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE.
- (ii) This FOP incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR §§ 97.830 through 97.835, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR Part 75, subpart H), an excepted monitoring system (pursuant to 40 CFR Part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR § 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, subpart E). Therefore the Description of CSAPR Monitoring Provisions for CSAPR subject unit(s) may be added to, or changed, in this FOP using procedures for minor permit revisions in accordance with 30 TAC § 122.217.

E. Additional recordkeeping and reporting requirements

- (i) Unless otherwise provided, the owners and operators of each CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
  - (1) The certificate of representation under 40 CFR § 97.816 for the designated representative for the source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR § 97.816 changing the designated representative.
  - (2) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program.
- (ii) The designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program, except as provided in 40 CFR § 97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under 30 TAC § 122.165.

F. Liability

- (i) Any provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program that applies to a CSAPR NO<sub>x</sub> Ozone Season Group 2 source or the designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NO<sub>x</sub> Ozone Season Group 2 units at the source.
- (ii) Any provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program that applies to a CSAPR NO<sub>x</sub> Ozone Season Group 2 unit or the designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall also apply to the owners and operators of such unit.

G. Effect on other authorities

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

## **Attachments**

**Applicable Requirements Summary**

**Additional Monitoring Requirements**

**Permit Shield**

**New Source Review Authorization References**

**Applicable Requirements Summary**

**Unit Summary** ..... 26

**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**

<b>Unit/Group/ Process ID No.</b>	<b>Unit Type</b>	<b>Group/Inclusive Units</b>	<b>SOP Index No.</b>	<b>Regulation</b>	<b>Requirement Driver</b>
BS-GEN	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-02	30 TAC Chapter 111, Visible Emissions	No changing attributes.
BS-GEN	SRIC ENGINES	N/A	60III-01	40 CFR Part 60, Subpart III	No changing attributes.
BS-GEN	SRIC ENGINES	N/A	63ZZZZ-01	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
C-TOWER1	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-01	30 TAC Chapter 111, Visible Emissions	No changing attributes.
CBY41	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-01	30 TAC Chapter 111, Visible Emissions	No changing attributes.
CBY41	STATIONARY TURBINES	N/A	R71200-01	30 TAC Chapter 117, Utility Electric Generation	NH3 Monitoring System = Mass balance.
CBY41	STATIONARY TURBINES	N/A	R71200-02	30 TAC Chapter 117, Utility Electric Generation	NH3 Monitoring System = Stain tube.
CBY41	STATIONARY TURBINES	N/A	60KKKK-01	40 CFR Part 60, Subpart KKKK	No changing attributes.
CBY41-LOV	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-02	30 TAC Chapter 111, Visible Emissions	No changing attributes.
CBY42	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-01	30 TAC Chapter 111, Visible Emissions	No changing attributes.
CBY42	STATIONARY TURBINES	N/A	R71200-01	30 TAC Chapter 117, Utility Electric Generation	NH3 Monitoring System = Mass balance.
CBY42	STATIONARY TURBINES	N/A	R71200-02	30 TAC Chapter 117, Utility Electric Generation	NH3 Monitoring System = Stain tube.

**Unit Summary**

<b>Unit/Group/ Process ID No.</b>	<b>Unit Type</b>	<b>Group/Inclusive Units</b>	<b>SOP Index No.</b>	<b>Regulation</b>	<b>Requirement Driver</b>
CBY42	STATIONARY TURBINES	N/A	60KKKK-01	40 CFR Part 60, Subpart KKKK	No changing attributes.
CBY42-LOV	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-02	30 TAC Chapter 111, Visible Emissions	No changing attributes.
CBY4UNLOAD	LOADING/UNLOADING OPERATIONS	N/A	R5211-1	30 TAC Chapter 115, Loading and Unloading of VOC	No changing attributes.
EMGEN	SRIC ENGINES	N/A	60IIII-02	40 CFR Part 60, Subpart IIII	No changing attributes.
EMGEN	SRIC ENGINES	N/A	63ZZZZ-01	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
U4ST-LOV	EMISSION POINTS/STATIONARY VENTS/PROCESS VENTS	N/A	R1111-02	30 TAC Chapter 111, Visible Emissions	No changing attributes.

**Applicable Requirements Summary**

<b>Unit Group Process ID No.</b>	<b>Unit Group Process Type</b>	<b>SOP Index No.</b>	<b>Pollutant</b>	<b>State Rule or Federal Regulation Name</b>	<b>Emission Limitation, Standard or Equipment Specification Citation</b>	<b>Textual Description (See Special Term and Condition 1.B.)</b>	<b>Monitoring And Testing Requirements</b>	<b>Recordkeeping Requirements (30 TAC § 122.144)</b>	<b>Reporting Requirements (30 TAC § 122.145)</b>
BS-GEN	EP	R1111-02	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
BS-GEN	EU	60III-01	CO	40 CFR Part 60, Subpart III	§ 60.4205(b) § 1039-Appendix I § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	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 1039-Appendix I.	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
BS-GEN	EU	60III-01	NMHC and NO <sub>x</sub>	40 CFR Part 60, Subpart III	§ 60.4205(b) § 1039-Appendix I § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	Owners and operators of emergency stationary CI ICE, that are not fire pump engines, with a maximum engine power greater than 560 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 an NMHC+NO <sub>x</sub> emission limit of 6.4 g/KW-hr, as stated in 40 CFR	§ 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)
						60.4202(a)(2) and 40 CFR 1039-Appendix I.			
BS-GEN	EU	60III-01	PM	40 CFR Part 60, Subpart IIII	§ 60.4205(b) § 1039-Appendix I § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	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 PM emission limit of 0.20 g/KW-hr, as stated in 40 CFR 60.4202(a)(2) and 40 CFR 1039-Appendix I.	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
BS-GEN	EU	60III-01	PM (Opacity)	40 CFR Part 60, Subpart IIII	§ 60.4205(b) § 1039.105(b)(1) § 1039.105(b)(2) § 1039.105(b)(3) § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	Emergency stationary CI ICE, that are not fire pump engines, with displacement < 10 lpc and not constant-speed engines, with max engine power < 2237 KW and a 2007 model year and later or max engine power > 2237 KW and a 2011 model year and later, must comply with following opacity emission limits: 20% during acceleration, 15% during lugging, 50% during peaks in either acceleration or lugging modes as stated in §60.4202(a)(1)-(2), (b)(2), and 40 CFR	§ 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)
						1039.105(b)(1)-(3).			
BS-GEN	EU	63ZZZZ-01	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6590(c)	Stationary RICE subject to Regulations under 40 CFR Part 60. An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines as applicable. No further requirements apply for such engines under this part.	None	None	None
C-TOWER1	EP	R1111-01	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
CBY41	EP	R1111-01	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

**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)
CBY41	EU	R71200-01	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)
CBY41	EU	R71200-01	NH <sub>3</sub>	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(b)(2) § 117.1210(b) § 117.1210(b)(2)(A)	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, 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(a) § 117.1235(a)(2) § 117.1235(a)(3) § 117.1240(c) § 117.1240(i) § 117.8130 § 117.8130(1)	§ 117.1245(a) [G]§ 117.1245(e)	§ 117.1235(b) § 117.1245(b) § 117.1245(b)(1) § 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)
CBY41	EU	R71200-01	NO <sub>x</sub>	30 TAC Chapter	§ 117.1210(a)(3)	Emission specifications for	§ 117.1220(d)	§ 117.1220(f)	[G]§ 117.1203(c)

**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, Utility Electric Generation	[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) § 117.1240(o) § 117.1240(o)(3)	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 mass emissions cap and trade program of Chapter 101, Subchapter H, Division 3 of this title.	[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) § 117.1240(i) § 117.1240(n) § 117.1240(o)(1) § 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(2)	§ 117.1245(a) [G]§ 117.1245(e)	§ 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 § 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)
CBY41	EU	R71200-02	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	§ 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)	§ 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

**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)
						lb/MMBtu heat input for gas-fired stationary gas turbines.	[G]§ 117.8110(a)(2) § 117.8120 § 117.8120(1) § 117.8120(1)(A)		[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)
CBY41	EU	R71200-02	NH <sub>3</sub>	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(b)(2) § 117.1210(b) § 117.1210(b)(2)(A)	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, 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(a) § 117.1235(a)(2) § 117.1235(a)(3) § 117.1240(c) § 117.1240(i) § 117.8130 § 117.8130(3)	§ 117.1245(a) [G]§ 117.1245(e)	§ 117.1235(b) § 117.1245(b) § 117.1245(b)(1) § 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)
CBY41	EU	R71200-02	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)	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-	§ 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)	§ 117.1220(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)

**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(l) § 117.1240(l)(2) § 117.1240(o) § 117.1240(o)(3)	day averaging periods as specified in §117.1220 of this title, and as specified in the mass emissions cap and trade program of Chapter 101, Subchapter H, Division 3 of this title.	§ 117.1240(d) [G]§ 117.1240(d)(2) § 117.1240(i) § 117.1240(n) § 117.1240(o)(1) § 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(2)		§ 117.1254(c) § 117.1256 § 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)
CBY41	EU	60KKKK-01	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(d) § 60.4350(e) § 60.4350(f) § 60.4350(h) [G]§ 60.4400(a) § 60.4400(b) § 60.4400(b)(1) § 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
CBY41	EU	60KKKK-01	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 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	§ 60.4365 § 60.4365(b) § 60.4415(a) § 60.4415(a)(2) § 60.4415(a)(2)(ii)	§ 60.4365(b)	§ 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)
						simultaneously fires multiple fuels, each fuel must meet this requirement.			
CBY41-LOV	EP	R1111-02	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
CBY42	EP	R1111-01	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
CBY42	EU	R71200-01	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)

**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)
									§ 117.8010(4) [G]§ 117.8010(5) § 117.8010(6) [G]§ 117.8010(7) [G]§ 117.8010(8)
CBY42	EU	R71200-01	NH <sub>3</sub>	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(b)(2) § 117.1210(b) § 117.1210(b)(2)(A)	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, 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(a) § 117.1235(a)(2) § 117.1235(a)(3) § 117.1240(c) § 117.1240(i) § 117.8130 § 117.8130(1)	§ 117.1245(a) [G]§ 117.1245(e)	§ 117.1235(b) § 117.1245(b) § 117.1245(b)(1) § 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)
CBY42	EU	R71200-01	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) § 117.1240(o) § 117.1240(o)(3)	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 mass emissions cap and trade program of	§ 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) § 117.1240(i) § 117.1240(n) § 117.1240(o)(1)	§ 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 § 117.8010 [G]§ 117.8010(1) § 117.8010(2)

**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)
						Chapter 101, Subchapter H, Division 3 of this title.	§ 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(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)
CBY42	EU	R71200-02	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)
CBY42	EU	R71200-02	NH <sub>3</sub>	30 TAC Chapter 117, Utility Electric Generation	§ 117.1210(b)(2) § 117.1210(b) § 117.1210(b)(2)(A)	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)	§ 117.1235(a) § 117.1235(a)(2) § 117.1235(a)(3) § 117.1240(c) § 117.1240(i) § 117.8130	§ 117.1245(a) [G]§ 117.1245(e)	§ 117.1235(b) § 117.1245(b) § 117.1245(b)(1) § 117.1256 § 117.8010 [G]§ 117.8010(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)
						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.	§ 117.8130(3)		§ 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)
CBY42	EU	R71200-02	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) § 117.1240(o) § 117.1240(o)(3)	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 mass emissions cap and trade program of Chapter 101, Subchapter H, Division 3 of this title.	§ 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) § 117.1240(i) § 117.1240(n) § 117.1240(o)(1) § 117.8110(a) § 117.8110(a)(1) [G]§ 117.8110(a)(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 § 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)
CBY42	EU	60KKKK-01	NO <sub>x</sub>	40 CFR Part 60,	§ 60.4320(a)-Table 1	New, modified, or	§ 60.4335(b)(1)	[G]§ 60.4345	[G]§ 60.4345

**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)
				Subpart KKKK	§ 60.4320(a) § 60.4320(b) § 60.4325 § 60.4333(a) § 60.4335(b)(1) [G]§ 60.4345	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> .	[G]§ 60.4345 § 60.4350(a) § 60.4350(b) § 60.4350(d) § 60.4350(e) § 60.4350(f) § 60.4350(h) [G]§ 60.4400(a) § 60.4400(b) § 60.4400(b)(1) § 60.4400(b)(4) § 60.4400(b)(5) § 60.4400(b)(6) [G]§ 60.4405	§ 60.4350(b)	§ 60.4350(d) § 60.4375(a) § 60.4380 [G]§ 60.4380(b) § 60.4395
CBY42	EU	60KKKK-01	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 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.	§ 60.4365 § 60.4365(b) § 60.4415(a) § 60.4415(a)(2) § 60.4415(a)(2)(ii)	§ 60.4365(b)	§ 60.4375(a)
CBY42-LOV	EP	R1111-02	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
CBY4UNLO AD	EU	R5211-1	VOC	30 TAC Chapter 115, Loading and Unloading of VOC	§ 115.217(a)(1) § 115.212(a)(2) § 115.214(a)(1)(B) § 115.214(a)(1)(D)	Vapor pressure (at land-based operations). All land-based loading and unloading of VOC with a	§ 115.214(a)(1)(A) § 115.214(a)(1)(A)(i) § 115.215 § 115.215(4)	§ 115.216 § 115.216(2) § 115.216(3)(B)	None

**Applicable Requirements Summary**

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
					§ 115.214(a)(1)(D)(i)	true vapor pressure less than 0.5 psia is exempt from the requirements of this division, except as specified.			
EMGEN	EU	60III-02	CO	40 CFR Part 60, Subpart III	§ 60.4205(b) § 1039-Appendix I § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	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 1039-Appendix I.	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
EMGEN	EU	60III-02	NMHC and NO <sub>x</sub>	40 CFR Part 60, Subpart III	§ 60.4205(b) § 1039-Appendix I § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	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 and is a 2007 model year and later must comply with an NMHC+NO <sub>x</sub> emission limit of 4.0 g/KW-hr, as stated in 40 CFR 60.4202(a)(2) and 40 CFR 1039-Appendix I.	§ 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)
EMGEN	EU	60III-02	PM	40 CFR Part 60, Subpart IIII	§ 60.4205(b) § 1039-Appendix I § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	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 PM emission limit of 0.20 g/KW-hr, as stated in 40 CFR 60.4202(a)(2) and 40 CFR 1039-Appendix I.	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
EMGEN	EU	60III-02	PM (Opacity)	40 CFR Part 60, Subpart IIII	§ 60.4205(b) § 1039.105(b)(1) § 1039.105(b)(2) § 1039.105(b)(3) § 60.4202(a)(2) § 60.4206 § 60.4207(b) [G]§ 60.4211(a) § 60.4211(c) [G]§ 60.4211(f)	Emergency stationary CI ICE, that are not fire pump engines, with displacement < 10 lpc and not constant-speed engines, with max engine power < 2237 KW and a 2007 model year and later or max engine power > 2237 KW and a 2011 model year and later, must comply with following opacity emission limits: 20% during acceleration, 15% during lugging, 50% during peaks in either acceleration or lugging modes as stated in §60.4202(a)(1)-(2), (b)(2), and 40 CFR 1039.105(b)(1)-(3).	§ 60.4209(a)	§ 60.4214(b)	[G]§ 60.4214(d)
EMGEN	EU	63ZZZ-01	112(B) HAPS	40 CFR Part 63,	§ 63.6590(c)	Stationary RICE subject to	None	None	None

### Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
				Subpart ZZZZ		Regulations under 40 CFR Part 60. An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines as applicable. No further requirements apply for such engines under this part.			
U4ST-LOV	EP	R1111-02	Opacity	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(B) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 20% averaged over a six minute period for any source on which construction was begun after January 31, 1972.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None

**Additional Monitoring Requirements**

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### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: BS-GEN	
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.: R1111-02
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(B)
<b>Monitoring Information</b>	
Indicator: Visible Emissions	
Minimum Frequency: once per calendar quarter	
Averaging Period: N/A	
Deviation Limit: 20% averaged over a six-minute period	
<p>Periodic Monitoring Text: Visible emissions observations shall be made and recorded. Note that to properly determine the presence of visible emissions, all sources must be in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, time, and specific weather conditions shall be recorded. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor.</p> <p>If visible emissions are observed, the permit holder shall report a deviation. As an alternative, the permit holder may determine the opacity consistent with Test Method 9, as soon as practicable, but no later than 24 hours after observing visible emissions. If the result of the Test Method 9 is opacity above the opacity limit in the applicable requirement, the permit holder shall report a deviation.</p>	

### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: C-TOWER1	
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.: R1111-01
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(C)
<b>Monitoring Information</b>	
Indicator: Visible emissions	
Minimum Frequency: Annually	
Averaging Period: N/A	
Deviation Limit: 15% averaged over a six-minute period	
<p>Periodic Monitoring Text: Visible emissions observations shall be made and recorded. The source must be in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, time, and specific weather conditions shall be recorded. Documentation of all observations shall be maintained. If visible emissions are observed, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test Method 9. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be reported as a deviation.</p>	

### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: CBY41	
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.: R1111-01
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: If alternate fuel is fired it shall be reported as a deviation	
<p>Periodic Monitoring Text: Record the type of fuel used by the unit. If an alternate fuel is fired, either alone or in combination with the specified gas, for a period greater than or equal to 24 consecutive hours it shall be considered and reported as a deviation or the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are observed. Any time an alternate fuel is fired for a period of greater than 7 consecutive days then visible emissions observations will be conducted no less than once per week. Documentation of all observations shall be maintained. If visible emissions are present during the firing of an alternate fuel, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test Method 9. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be reported as a deviation.</p>	

### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: CBY41-LOV	
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.: R1111-02
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(B)
<b>Monitoring Information</b>	
Indicator: Visible emissions	
Minimum Frequency: Annually	
Averaging Period: N/A	
Deviation Limit: 20% averaged over a six-minute period	
<p>Periodic Monitoring Text: Visible emissions observations shall be made and recorded. The source must be in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, time, and specific weather conditions shall be recorded. Documentation of all observations shall be maintained. If visible emissions are observed, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test Method 9. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be reported as a deviation.</p>	

### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: CBY42	
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.: R1111-01
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: If alternate fuel is fired it shall be reported as a deviation.	
<p>Periodic Monitoring Text: Record the type of fuel used by the unit. If an alternate fuel is fired, either alone or in combination with the specified gas, for a period greater than or equal to 24 consecutive hours it shall be considered and reported as a deviation or the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are observed. Any time an alternate fuel is fired for a period of greater than 7 consecutive days then visible emissions observations will be conducted no less than once per week. Documentation of all observations shall be maintained. If visible emissions are present during the firing of an alternate fuel, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test Method 9. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be reported as a deviation.</p>	

### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: CBY42-LOV	
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.: R1111-02
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(B)
<b>Monitoring Information</b>	
Indicator: Visible emissions	
Minimum Frequency: Annually	
Averaging Period: N/A	
Deviation Limit: 20% averaged over a six-minute period	
<p>Periodic Monitoring Text: Visible emissions observations shall be made and recorded. The source must be in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, time, and specific weather conditions shall be recorded. Documentation of all observations shall be maintained. If visible emissions are observed, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test Method 9. Any opacity readings that are above the opacity limit from the underlying applicable requirement shall be reported as a deviation.</p>	

### Periodic Monitoring Summary

<b>Unit/Group/Process Information</b>	
ID No.: U4ST-LOV	
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.: R1111-02
Pollutant: Opacity	Main Standard: § 111.111(a)(1)(B)
<b>Monitoring Information</b>	
Indicator: Visible emissions	
Minimum Frequency: Annually	
Averaging Period: N/A	
Deviation Limit: 20% averaged over a six-minute period	
<p>Periodic Monitoring Text: Visible emissions observations shall be made and recorded. The source must be in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from the emission source during the observation. The observer shall select a position where the sun is not directly in the observer's eyes. If the observations cannot be conducted due to weather conditions, the date, time, and specific weather conditions shall be recorded. Documentation of all observations shall be maintained. If visible emissions are observed, 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**

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### 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 ID No.	Group / Inclusive Units	Regulation	Basis of Determination
B-108-1	N/A	30 TAC Chapter 115, Storage of VOCs	Storage tank capacity is less than 1000 gallons.
B-108-1	N/A	40 CFR Part 60, Subpart Kb	Storage tank capacity is less than 19,800 gallons.
B-110-1	N/A	30 TAC Chapter 115, Storage of VOCs	Storage tank capacity is less than 1000 gallons.
B-110-1	N/A	40 CFR Part 60, Subpart Kb	Storage tank capacity is less than 19,800 gallons.
B-112-1	N/A	30 TAC Chapter 115, Storage of VOCs	Storage tank capacity is less than 1000 gallons.
B-112-1	N/A	40 CFR Part 60, Subpart Kb	Storage tank capacity is less than 19,800 gallons.
BS-GEN	N/A	30 TAC Chapter 117, Commercial	The unit is not an affected unit under 30 TAC Chapter 117, Subchapter B since it is located at a site that is subject to 30 TAC Chapter 117, Subchapter C.
C-TOWER1	N/A	40 CFR Part 63, Subpart Q	Does not operate with chromium-based water treatment chemicals.
CBY41	N/A	30 TAC Chapter 115, Vent Gas Controls	Combustion unit is not used as a control device for any vent gas stream subject to Chapter 115, Vent Gas Controls.
CBY41	N/A	30 TAC Chapter 117, Subchapter B	The unit is defined as an electric generating facility subject to 30 TAC Chapter 117, Subchapter C.
CBY41	N/A	40 CFR Part 60, Subpart GG	Unit is subject to NSPS KKKK and is therefore exempt from NSPS GG.
CBY41	N/A	40 CFR Part 63, Subpart YYYY	The site is an area source of HAPs.
CBY41-LOV	N/A	30 TAC Chapter 115, Vent Gas Controls	Does not emit VOC.

### 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 ID No.	Group / Inclusive Units	Regulation	Basis of Determination
CBY42	N/A	30 TAC Chapter 115, Vent Gas Controls	Combustion unit is not used as a control device for any vent gas stream subject to Chapter 115, Vent Gas Controls.
CBY42	N/A	30 TAC Chapter 117, Subchapter B	The unit is defined as an electric generating facility subject to 30 TAC Chapter 117, Subchapter C.
CBY42	N/A	40 CFR Part 60, Subpart GG	Unit is subject to NSPS KKKK and is therefore exempt from NSPS GG.
CBY42	N/A	40 CFR Part 63, Subpart YYYY	The site is an area source of HAPs.
CBY42-LOV	N/A	30 TAC Chapter 115, Vent Gas Controls	Does not emit VOC.
FUG-NAS	N/A	40 CFR Part 61, Subpart J	Fugitive piping components do not operate in benzene service as defined in 40 CFR §61.111.
FUG-NAS	N/A	40 CFR Part 61, Subpart V	These sources do not operate in volatile hazardous air pollutant (VHAP) service.
FUG-NAS	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 that references 40 CFR Part 63, Subpart H.
FUG-SCR	N/A	40 CFR Part 61, Subpart J	Fugitive piping components do not operate in benzene service as defined in 40 CFR §61.111.
FUG-SCR	N/A	40 CFR Part 61, Subpart V	These sources do not operate in volatile hazardous air pollutant (VHAP) service.
FUG-SCR	N/A	40 CFR Part 63, Subpart H	Fugitive piping components do not operate in organic hazardous air pollutant service 300

### 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 ID No.	Group / Inclusive Units	Regulation	Basis of Determination
			hours or more during a calendar year within a source subject to the provisions of a specific subpart in 40 CFR Part 63 that references 40 CFR Part 63, Subpart H.
U4ST-LOV	N/A	30 TAC Chapter 115, Vent Gas Controls	Does not emit VOC.

**New Source Review Authorization References**

**New Source Review Authorization References ..... 56**

**New Source Review Authorization References by Emission Unit ..... 57**

### 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.: PSDTX1082M1	Issuance Date: 11/10/2020
<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.: 80289	Issuance Date: 11/10/2020
Authorization No.: PAL9	Issuance Date: 09/11/2025
<b>Permits By Rule (30 TAC Chapter 106) for the Application Area</b>	
Number: 106.102	Version No./Date: 11/15/1996
Number: 106.122	Version No./Date: 09/04/2000
Number: 106.227	Version No./Date: 09/04/2000
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.265	Version No./Date: 09/04/2000
Number: 106.352	Version No./Date: 09/04/2000
Number: 106.371	Version No./Date: 09/04/2000
Number: 106.373	Version No./Date: 09/04/2000
Number: 106.454	Version No./Date: 11/01/2001
Number: 106.472	Version No./Date: 03/14/1997
Number: 106.511	Version No./Date: 03/14/1997
Number: 106.532	Version No./Date: 03/14/1997

**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**
B-108-1	NG CONDENSATE TANK	106.352/09/04/2000
B-110-1	NG CONDENSATE TANK	106.352/09/04/2000
B-112-1	NG CONDENSATE TANK	106.352/09/04/2000
BS-GEN	BLACK START GENERATOR	80289, PAL9, PSDTX1082M1
C-TOWER1	COOLING TOWER 1	80289, PAL9, PSDTX1082M1
CBY41	COMBUSTION TURBINE 41	80289, PAL9, PSDTX1082M1
CBY41-LOV	COMBUSTION TURBINE 41 LUBE OIL VENT	80289, PAL9, PSDTX1082M1
CBY42	COMBUSTION TURBINE 42	80289, PAL9, PSDTX1082M1
CBY42-LOV	COMBUSTION TURBINE 42 LUBE OIL VENT	80289, PAL9, PSDTX1082M1
CBY4UNLOAD	CBY4 UNLOADING OPERATIONS	106.472/03/14/1997
EMGEN	EMERGENCY GENERATOR	106.511/03/14/1997
FUG-NAS	FUGITIVES: NATURAL GAS	80289, PAL9, PSDTX1082M1
FUG-SCR	FUGITIVES: SCR PIPING	80289, PAL9, PSDTX1082M1
U4ST-LOV	UNIT 4 STEAM TURBINE LUBE OIL VENT	80289, PAL9, PSDTX1082M1

\*\*This column may include Permit by Rule (PBR) numbers and version dates, PBR Registration numbers in brackets, Standard Permit Registration numbers, Minor NSR permit numbers, and Major NSR permit numbers.

**Appendix A**

**Acronym List ..... 59**

## 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
CEMS	continuous emissions monitoring system
CFR	Code of Federal Regulations
COMS	continuous opacity monitoring system
CVS	closed vent system
D/FW	Dallas/Fort Worth (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
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
MACT	Maximum Achievable Control Technology (40 CFR Part 63)
MMBtu/hr	Million British thermal units per hour
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NESHAP	National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61)
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
PEMS	predictive emissions monitoring system
PM	particulate matter
ppmv	parts per million by volume
PRO	process unit
PSD	prevention of significant deterioration
psia	pounds per square inch absolute
RO	Responsible Official
SIP	state implementation plan
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 ..... 61**

### Major NSR Summary Table

Permit Numbers: 80289, PSDTX1082M1				Issuance Date: February 11, 2019			
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lbs/hour	TPY (4)	Spec. Cond./Appl. Info.	Spec. Cond./Appl. Info.	Spec. Cond./Appl. Info.
CBY41	Combustion Turbine 41	NO <sub>x</sub> (6)	28	(8)	2, 3, 7, 8, 18, 19, 20	2, 8, 15, 16, 18, 19, 20, 22, 23	2, 18, 19, 20, 24
		NO <sub>x</sub> (MSS) (6)	206				
		CO (6)	72.3				
		CO (MSS) (6)	6675				
		VOC (6)	5.5				
		VOC (MSS) (6)	48				
		PM	15.5	51			
		PM <sub>10</sub>	15.5	51			
		PM <sub>2.5</sub>	15.5	51			
		SO <sub>2</sub>	17.7	11.6			
		H <sub>2</sub> SO <sub>4</sub>	2.7	1.8			
		NH <sub>3</sub>	20.5	80.3			
H <sub>2</sub> CO (7)	0.47	1.8					
CBY42	Combustion Turbine 42	NO <sub>x</sub> (6)	28	(8)	2, 3, 7, 8, 18, 19, 20	2, 8, 15, 16, 18, 19, 20, 22, 23	2, 18, 19, 20, 24
		NO <sub>x</sub> (MSS) (6)	206				
		CO (6)	72.3				
		CO (MSS) (6)	6675				
		VOC (6)	5.5				
		VOC (MSS) (6)	48				
		PM	15.5	51			
		PM <sub>10</sub>	15.5	51			
		PM <sub>2.5</sub>	15.5	51			
		SO <sub>2</sub>	17.7	11.6			

### Major NSR Summary Table

Permit Numbers: 80289, PSDTX1082M1					Issuance Date: February 11, 2019		
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lbs/hour	TPY (4)	Spec. Cond./Appl. Info.	Spec. Cond./Appl. Info.	Spec. Cond./Appl. Info.
		H <sub>2</sub> SO <sub>4</sub>	2.7	1.8			
		NH <sub>3</sub>	20.5	80.3			
		H <sub>2</sub> CO (7)	0.47	1.8			
CBY4CAP	Combustion Turbines CBY41 and CBY42 CAP	NO <sub>x</sub>	-	186.33	2, 3, 18, 19	2, 15, 16, 19, 22, 23	2, 18, 19, 24
		CO	-	1733.12			
		VOC	-	22.96			
CBY41-LOV	Combustion Turbine 41 Lube Oil Vent	PM	0.05	0.22			
		PM <sub>10</sub>	0.05	0.22			
CBY42-LOV	Combustion Turbine 42 Lube Oil Vent	PM	0.05	0.22			
		PM <sub>10</sub>	0.05	0.22			
U4ST-LOV	Unit 4 Steam Turbine Lube Oil Vent	PM	0.05	0.22			
		PM <sub>10</sub>	0.05	0.22			
BS-GEN	Black Start Generator	NO <sub>x</sub>	11.8	2.95	7	23	
		CO	0.53	0.13			
		PM	0.05	0.01			
		PM <sub>10</sub>	0.05	0.01			
		PM <sub>2.5</sub>	0.05	0.01			
		VOC	2.54	0.64			
		SO <sub>2</sub>	0.38	0.09			
C-Tower1	Cooling Tower 1	PM	0.14	0.62	21	21, 23	21
		PM <sub>10</sub>	0.14	0.62			
FUG-NAS	Fugitives: Natural Gas (5)	VOC	0.17	0.74			
FUG-SCR	Fugitives: SCR Piping (5)	NH <sub>3</sub>	0.02	0.1	11	23	

### Major NSR Summary Table

Permit Numbers: 80289, PSDTX1082M1					Issuance Date: February 11, 2019		
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lbs/hour	TPY (4)	Spec. Cond./Appl. Info.	Spec. Cond./Appl. Info.	Spec. Cond./Appl. Info.
MSSFUG	Miscellaneous Maintenance Activities (5)	VOC	32.65	0.61		15, 16, 23	
		PM	2.31	0.05			
		PM <sub>10</sub>	0.59	0.04			
		PM <sub>2.5</sub>	0.57	0.04			
		NO <sub>x</sub>	<0.01	<0.01			
		CO	<0.01	<0.01			
		SO <sub>2</sub>	<0.01	<0.01			
		NH <sub>3</sub>	<0.01	<0.01			

- (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)
  - NO<sub>x</sub> - total oxides of nitrogen
  - CO - carbon monoxide
  - VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1
  - PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>
  - PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>
  - PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter
  - SO<sub>2</sub> - sulfur dioxide
  - H<sub>2</sub>SO<sub>4</sub> - sulfuric acid
  - NH<sub>3</sub> - ammonia
  - H<sub>2</sub>CO - formaldehyde
  - MSS - maintenance, startup and shutdown
- (4) Compliance with annual emission limits (tons per year) is based on a 12 month rolling period.
- (5) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.
- (6) MSS lb/hr limits apply only during each clock hour that includes one or more minutes of MSS activities. During all other clock hours, the normal lb/hr limits apply.
- (7) The formaldehyde emission limits and initial demonstration of compliance become effective upon the EPA either lifting the stay that applies to lean premix gas-fired turbines and diffusion flame gas-fired turbines or taking final action declining to remove these subcategories from the source category list. (See 69 Fed. Reg. 51184 (August 18, 2004), available at: <http://www.epa.gov/ttn/atw/turbine/fr18au04.pdf>).
- (8) Emissions are included and represented under the annual cap emission rates.

### Major NSR Summary Table

Permit Numbers: PAL9			Issuance Date: September 11, 2025		
Source Name	Air Contaminant Name	Emission Rates	Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
		TPY (1)	Special Condition/Application Information	Special Condition/Application Information	Special Condition/Application Information
Plant wide emissions	NOx	2004.92	3	3, 5, 6	2

(1) Compliance with annual emission limits (tons per year) is based on a 12 month rolling period.



## Texas Commission on Environmental Quality Air Quality Permit

*A Permit Is Hereby Issued To*  
**NRG Texas Power LLC**  
*Authorizing the Construction and Operation of*  
**Cedar Bayou Electric Generating Station**  
*Located at Eldon, Chambers County, Texas*  
*Latitude 29° 44' 54" Longitude -94° 55' 38"*

Permit: 80289 and PSDTX1082M1

Revision Date: November 10, 2020

Expiration Date: April 5, 2027

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 (TAC) Section 116.116 (30 TAC § 116.116)]<sup>1</sup>
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]
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)]
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 in a timely manner; comply with any additional recordkeeping requirements specified in special conditions in 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)]<sup>1</sup>
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 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 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 "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.<sup>1</sup>

<sup>1</sup> Please be advised that the requirements of this provision of the general conditions may not be applicable to greenhouse gas emissions.

## Common Acronyms in Air Permits

°C = Temperature in degrees Celsius	GLC <sub>max</sub> = maximum (predicted) ground-level concentration
°F = Temperature in degrees Fahrenheit	gpm = gallon per minute
°K = Temperature in degrees Kelvin	gr/1000scf = grain per 1000 standard cubic feet
µg = microgram	gr/dscf = grain per dry standard cubic feet
µg/m <sup>3</sup> = microgram per cubic meter	H <sub>2</sub> CO = formaldehyde
acfm = actual cubic feet per minute	H <sub>2</sub> S = hydrogen sulfide
AMOC = alternate means of control	H <sub>2</sub> SO <sub>4</sub> = sulfuric acid
AOS = alternative operating scenario	HAP = hazardous air pollutant as listed in § 112(b) of the Federal Clean Air Act or Title 40 Code of Federal Regulations Part 63, Subpart C
AP-42 = Air Pollutant Emission Factors, 5th edition	HC = hydrocarbons
APD = Air Permits Division	HCl = hydrochloric acid, hydrogen chloride
API = American Petroleum Institute	Hg = mercury
APWL = air pollutant watch list	HGB = Houston/Galveston/Brazoria
BPA = Beaumont/ Port Arthur	hp = horsepower
BACT = best available control technology	hr = hour
BAE = baseline actual emissions	IFR = internal floating roof tank
bbl = barrel	in H <sub>2</sub> O = inches of water
bbl/day = barrel per day	in Hg = inches of mercury
bhp = brake horsepower	IR = infrared
BMP = best management practices	ISC3 = Industrial Source Complex, a dispersion model
Btu = British thermal unit	ISCST3 = Industrial Source Complex Short-Term, a dispersion model
Btu/scf = British thermal unit per standard cubic foot or feet	K = Kelvin; extension of the degree Celsius scaled-down to absolute zero
CAA = Clean Air Act	LACT = lease automatic custody transfer
CAM = compliance-assurance monitoring	LAER = lowest achievable emission rate
CEMS = continuous emissions monitoring systems	lb = pound
cfm = cubic feet (per) minute	hp = horsepower
CFR = Code of Federal Regulations	hr = hour lb/day = pound per day
CN = customer ID number	lb/hr = pound per hour
CNG = compressed natural gas	lb/MMBtu = pound per million British thermal units
CO = carbon monoxide	LDAR = Leak Detection and Repair (Requirements)
COMS = continuous opacity monitoring system	LNG = liquefied natural gas
CPMS = continuous parametric monitoring system	LPG = liquefied petroleum gas
DFW = Dallas/ Fort Worth (Metroplex)	LT/D = long ton per day
DE = destruction efficiency	m = meter
DRE = destruction and removal efficiency	m <sup>3</sup> = cubic meter
dscf = dry standard cubic foot or feet	m/sec = meters per second
dscfm = dry standard cubic foot or feet per minute	MACT = maximum achievable control technology
ED = (TCEQ) Executive Director	MAERT = Maximum Allowable Emission Rate Table
EF = emissions factor	MERA = Modeling and Effects Review Applicability
EFR = external floating roof tank	mg = milligram
EGU = electric generating unit	mg/g = milligram per gram
EI = Emissions Inventory	mL = milliliter
ELP = El Paso	MMBtu = million British thermal units
EPA = (United States) Environmental Protection Agency	MMBtu/hr = million British thermal units per hour
EPN = emission point number	MSDS = material safety data sheet
ESL = effects screening level	MSS = maintenance, startup, and shutdown
ESP = electrostatic precipitator	MW = megawatt
FCAA = Federal Clean Air Act	NAAQS = National Ambient Air Quality Standards
FCCU = fluid catalytic cracking unit	NESHAP = National Emission Standards for Hazardous Air Pollutants
FID = flame ionization detector	NGL = natural gas liquids
FIN = facility identification number	NNSR = nonattainment new source review
ft = foot or feet	NO <sub>x</sub> = total oxides of nitrogen
ft/sec = foot or feet per second	
g = gram	
gal/wk = gallon per week	
gal/yr = gallon per year	
GLC = ground level concentration	

NSPS = New Source Performance Standards  
PAL = plant-wide applicability limit  
PBR = Permit(s) by Rule  
PCP = pollution control project  
PEMS = predictive emission monitoring system  
PID = photo ionization detector  
PM = periodic monitoring  
PM = total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
PM<sub>2.5</sub> = particulate matter equal to or less than 2.5 microns in diameter  
PM<sub>10</sub> = total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
POC = products of combustion  
ppb = parts per billion  
ppm = parts per million  
ppmv = parts per million (by) volume  
psia = pounds (per) square inch, absolute  
psig = pounds (per) square inch, gage  
PTE = potential to emit  
RA = relative accuracy  
RATA = relative accuracy test audit  
RM = reference method  
RVP = Reid vapor pressure  
scf = standard cubic foot or feet  
scfm = standard cubic foot or feet (per) minute  
SCR = selective catalytic reduction  
SIL = significant impact levels  
SNCR = selective non-catalytic reduction  
SO<sub>2</sub> = sulfur dioxide  
SOCMI = synthetic organic chemical manufacturing industry  
SRU = sulfur recovery unit  
TAC = Texas Administrative Code  
TCAA = Texas Clean Air Act  
TCEQ = Texas Commission on Environmental Quality  
TD = Toxicology Division  
TLV = threshold limit value  
TMDL = total maximum daily load  
tpd = tons per day  
tpy = tons per year  
TVP = true vapor pressure  
VOC = volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
VRU = vapor recovery unit or system

## Special Conditions

Permit Numbers 80289 and PSDTX1082M1

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in that attached table. Compliance with the annual emission limits shall be based on throughput for a rolling 12-month year rather than the calendar year. This permit authorizes maintenance, start-up and shutdown (MSS) activities which comply with the emission limits in the maximum allowable emission rates table (MAERT). **(03/11)**

### Federal Applicability

2. These facilities shall comply with applicable requirements of the U.S. Environmental Protection Agency (EPA) regulations in Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60) on Standards of Performance for New Stationary Sources promulgated for:

- A. Subpart A: General Conditions.
- B. Subpart KKKK: Standards of Performance for Stationary Combustion Turbines.

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.

3. These facilities shall comply with applicable requirements of the EPA regulations in 40 CFR Part 63 on National Emission Standards for Hazardous Air Pollutants for Source Categories promulgated for:

- A. Subpart A: General Conditions.
- B. Subpart YYYY: National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines. The emission limits and initial demonstration of compliance becomes effective upon the EPA either lifting the stay that applies to lean pre-mix gas-fired turbines and diffusion flame gas-fired turbines or taking final action declining to remove these subcategories from the source category list. (see Fed. Reg. 51184, August 18, 2004, available at <http://www.epa.gov/ttn/atw/turbine/fr18au04.pdf>) **(9/09)**

### Emissions Standards and Operating Specifications

4. The concentration of emissions from the combustions turbine generators (CTGs), Emission Point Numbers (EPNs): CBY41 and CBY42, during normal operating range of 65 to 100 percent of base load shall not exceed the following emission limits expressed in parts per million by volume dry (ppmvd) at 15% oxygen (O<sub>2</sub>) subject to the following specifications: **(11/18)**

Pollutant	Concentration	Averaging Time
Nitrogen Oxide (NO <sub>x</sub> )	3.5	Rolling 3-hr average
Carbon monoxide (CO)	15	Rolling 3-hr average

- A. Start-up events begin with detection flame in the CTGs and end when the unit reaches 70% load. Start-up events shall not exceed 300 minutes in duration per unit and are excluded.
  - B. A shutdown event is defined as beginning when CTGs drops below normal operating load following a fired shutdown command and ends when a flame is no longer detected in the unit. Shutdown events shall not exceed 60 minutes in duration per unit and are excluded.
  - C. In the event turbines CTGs are instructed to return to normal operating load during shutdown events, this will immediately end the shutdown event, i.e., an interrupted shutdown, and begin a start-up event and is excluded.
5. The CO and ammonia (NH<sub>3</sub>) mass emissions limits in the MAERT attached to this permit that apply during planned MSS activities constitute alternative case specific specifications for the CO and NH<sub>3</sub> concentration limits in 30 TAC § 117.1210 during planned MSS activities.
  6. Reduced load operation below normal operating loads not associated with start-up, shutdown, upset, or maintenance is authorized up to 876 hours per year per turbine, provided the NO<sub>x</sub> and CO maximum pounds per hour (lb/hr) emission rates specified in the MAERT are not exceeded.
  7. Fuel for the gas turbines shall be limited to firing pipeline-quality, sweet natural gas containing no more than 3.0 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. **(03/11)**

The Black Start Generator (EPN: BS-GEN) is authorized to fire diesel fuel containing no more than 0.05 weight percent sulfur and is limited to a maximum of 500 hours of operation annually.

Upon request by the Executive Director of the TCEQ or any air pollution control program having jurisdiction, the holder of this permit shall provide a sample and/or an analysis of the fuel-fired in the gas turbines or shall allow air pollution control agency representatives to obtain a sample for analysis.

8. Opacity of emissions from EPNs: CBY41 and CBY42 shall not exceed 5 percent averaged over a six-minute period. During periods of MSS, the opacity shall not exceed 15 percent over a six-minute period.
  - A. This 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 miles from the emission point(s).
  - B. If visible emissions are observed from an emission point, then the opacity shall be determined for that emission point by Title 40 Code of Federal Regulations Part 60 (40 CFR Part 60), Appendix A, Test Method 9.
  - C. Contributions from uncombined water shall not be included in determining compliance with this condition.
  - D. Observations shall be performed and recorded quarterly. **(03/11)**

### **Aqueous Ammonia (NH<sub>3</sub>)**

9. Concentrations of NH<sub>3</sub> from EPNs: CBY41 and CBY42 shall not exceed 7 ppmvd when corrected to 15 percent O<sub>2</sub> on a three-hour rolling average. **(03/11)**
10. The permit holder shall maintain prevention and protection measures for the NH<sub>3</sub> storage system including (but is not limited to) marking and securing the NH<sub>3</sub> storage tank area so as to protect the tank from accidents that could cause a rupture. **(03/11)**
11. The permit holder shall maintain the piping and valves in NH<sub>3</sub> service as follows: **(9/09)**
  - A. All operating practices and procedures relating to the handling and storage of NH<sub>3</sub> shall conform to the safety recommendations specified for that compound by guidelines of the American National Standards Institute and the Compressed Gas Association.
  - B. Audio, visual, and olfactory (AVO) checks for NH<sub>3</sub> leaks within the operating area shall be made once per day. **(03/11)**
  - C. As soon as practicable, 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.

### **Routine Maintenance, Startup, and Shutdown**

12. This permit authorizes emissions from planned maintenance, startup, and shutdown (MSS) activities listed in Attachment A, Attachment B, or the MAERT attached to this permit. Attachment A identifies inherently low emitting (ILE) planned maintenance activities and Attachment B identifies the planned maintenance activities that are non-ILE planned maintenance activities that are authorized by the permit to be performed. **(03/11)**
13. The holder of this permit shall operate the equipment and associated air pollution control equipment in accordance with good air pollution control practice to minimize emissions during planned maintenance, start-up and shutdown (MSS). The emissions from MSS activities are reflected in the MAERT. These emissions will be minimized by the following: **(03/11)**
  - A. Facility and air pollution control equipment will be operated in a manner consistent with good practices for minimizing emissions.
  - B. The duration of operation in MSS mode will be minimized and the applicable emissions monitoring systems will be kept in operation.
  - C. MSS activities are authorized provided that the emission rates in pounds per hour (lb/hr) do not exceed those specified in the MAERT and comply with the tons per year specified in the MAERT.
  - D. Emissions from combustion turbine diagnostic load reduction activities, as identified in Attachment B, shall be subject to the hourly MSS emission rates listed on the MAERT and shall not exceed 54 hours per year for all gas turbines combined. **(11/20)**

14. Vacuum trucks that are used to move liquids during planned maintenance activities as authorized by this permit shall utilize submerged loading. **(03/11)**
15. Compliance with the emissions limits for planned MSS activities identified in the MAERT attached to this permit may be demonstrated as follows. **(03/11)**
  - A. Inherently low emitting (ILE) planned maintenance activities (see Attachment A to this permit):
    - (1) The total emissions from all ILE planned maintenance activities shall be considered to be no more than the estimated potential to emit for those activities that are represented in the permit application.
    - (2) The permit holder shall annually confirm the continued validity of the estimated potential to emit represented in the permit application for all ILE planned maintenance activities.
  - B. Planned MSS activities that are not ILE planned maintenance activities (see Attachment B to this permit or the MAERT):

For each pollutant emitted during non-ILE planned MSS activities whose emissions are measured using a Continuous Emission Monitoring System (CEMS), the permit holder shall do the following for each calendar month:

    - (1) Compare the pollutant's hourly emissions during planned MSS activities as measured by the CEMS to the applicable hourly planned MSS emissions limit in the MAERT, and
    - (2) Once the pollutant's emissions during planned MSS activities have been measured by the CEMS for 12 months after the permit is issued, compare the rolling 12-month emissions of the pollutant, as determined using the CEMS data, to the applicable annual planned MSS emissions limit in the MAERT.
16. The permit holder shall determine the emissions during planned MSS activities for use in Special Condition No. 15 as follows. **(03/11)**
  - A. For each pollutant whose emissions during normal facility operations are measured with a CEMS that is certified to measure the pollutant's emissions across the entire range of a planned MSS activity, the permit holder shall continue to measure the emissions of the pollutant during the planned MSS activity using the CEMS. If subsequent to the issuance of the permit, the permit holder installs a CEMS for the pollutant, the permit holder shall begin to measure the pollutant's emissions during planned MSS activities using the CEMS no later than 30 days after the CEMS has been certified in accordance 40 CFR Part 60 or Part 75, as applicable.
  - B. For each pollutant not described in Special Condition No. 16A, the permit holder shall calculate the pollutant's emissions during all occurrences of each type of planned MSS activity for each calendar month using the frequency of the planned MSS activity identified in work orders or equivalent records and the emissions of the pollutant during the planned MSS activity as represented in the planned MSS permit application. In lieu of using the emissions of the pollutant during the planned MSS activity as represented in the planned MSS permit application to calculate such emissions, the permit holder may determine the emissions of the pollutant during the planned MSS activity using an appropriate method, including but not limited to, any of the methods described in paragraphs 1 through 4 below, provided that the permit holder maintains appropriate records supporting such determination:

- (1) Use of the emission factor(s), facility-specific parameter(s), and/or engineering knowledge of the facility's operations.
- (2) Use of emissions data measured (by a CEMS or during emissions testing) during the same type of planned MSS activity occurring at or on an identical or similar facility, and correlation of that data with the facility's relevant operating parameters, including, but not limited to, electric load, temperature, fuel input, and fuel sulfur content.
- (3) Use of emissions testing data collected during a planned MSS activity occurring at or on the facility, and correlation of that data with the facility's relevant operating parameters, including, but not limited to, electric load, temperature, fuel input, and fuel sulfur content.
- (4) Use of parametric monitoring system data applicable to the facility.

### **Initial Determination of Compliance**

17. 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 Houston Regional Director. **(9/09)**
18. The holder of this permit shall perform stack sampling and other testing as required to establish the actual quantities of air contaminants being emitted into the atmosphere from EPNs: CBY41 and CBY42. Sampling shall be conducted in accordance with the appropriate procedures of the TCEQ Sampling Procedures Manual and in accordance with the appropriate EPA Test Methods. **(03/11)**

Fuel sampling using the methods and procedures of 40 CFR § 60.334(h) may be conducted in lieu of stack sampling for SO<sub>2</sub>. If fuel sampling is used, compliance with New Source Performance Standards (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 holder of this permit is responsible for providing sampling and testing facilities and conducting the sampling and testing operations at his expense.

- A. The TCEQ Houston 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 TCEQ or EPA sampling procedures shall be made available to the TCEQ prior to the pretest meeting. The TCEQ Houston Regional Director shall approve or disapprove of any deviation from specified sampling procedures. **(9/09)**

Requests to waive testing for any air contaminant specified in this condition shall be submitted to the TCEQ Office of Permitting and Registration, 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 Houston Regional Office. **(9/09)**

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

[As noted above, fuel sampling using the methods and procedures of 40 CFR § 60.334(h) may be conducted in lieu of stack sampling for SO<sub>2</sub>. Also, see Special Condition No. 3B regarding the emission limits and initial demonstration of compliance for formaldehyde.]  
**(9/09)**

- C. Each turbine shall be tested at a minimum and maximum load of the permitted operating range that is defined in Special Condition No. 4 for the atmospheric conditions which exist during testing. Each 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 but no later than 180 days after initial start-up of each unit. Additional sampling shall occur as may be required by the TCEQ or EPA.
- E. Within 60 days after the completion of the testing and sampling required herein, three copies of the sampling reports shall be distributed as follows: **(9/09)**
- (1) One copy to the EPA Region 6 Office, Dallas.
  - (2) One copy to the TCEQ Houston Regional Office.
  - (3) One copy to the TCEQ Air Permits Division, Austin.

### **Continuous Determination of Compliance**

19. The holder of this permit shall install, calibrate, maintain, and operate a continuous emission monitoring system (CEMS) to measure and record the concentrations of NO<sub>x</sub>, and CO from EPNs CBY41 and CBY42. Diluents to be measured include O<sub>2</sub> or CO<sub>2</sub>. The CEMS data shall be used to determine continuous compliance with the NO<sub>x</sub> and CO emission limitations in Special Condition No. 4 and the attached MAERT. The CEMS shall be operated according to the methods and procedures as set out in 40 CFR § 60.4345. Reporting of monitoring data shall be in accordance with methods and procedures as set out in 40 CFR § 60.7. Compliance with the continuous emissions monitor requirements above can be demonstrated by meeting the requirements of 40 CFR Part 75 provided that the holder of this permit demonstrates compliance with all applicable NSPS regulations. **(03/11)**

20. The NH<sub>3</sub> concentration in each Exhaust Stack (EPNs: CBY41 and CBY42) 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 SCR unit is in operation. **(03/11)**
- A. The holder of this permit 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. 9.
  - 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 parts per million (ppm) range. The frequency of sorbent or 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 NH<sub>3</sub> from being introduced in the SCR unit and when operation of the SCR unit has 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. 9.
  - C. As an approved alternative to sorbent or stain tube testing or an NH<sub>3</sub> CEMS, the permit holder may install and operate a second NO<sub>x</sub> CEMS probe located upstream of the SCR, which may be used in association with the SCR efficiency and NH<sub>3</sub> injection rate to estimate NH<sub>3</sub> slip. This condition shall not be construed to set a minimum NO<sub>x</sub> reduction efficiency on the SCR unit. These results shall be recorded and used to determine compliance with Special Condition No. 9.
  - D. If the sorbent or stain tube testing indicates an ammonia slip concentration which exceeds 5 ppm at any time, the permit holder shall begin NH<sub>3</sub> testing by either the Phenol-Nitroprusside Method, the Indophenol Method, or 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 4 ppm or less, the Phenol-Nitroprusside/Indophenol/CTM 27 tests may be suspended until sorbent or stain tube testing again indicate 5 ppm NH<sub>3</sub> slip or greater. These results shall be recorded and used to determine compliance with Special Condition No. 9.
  - E. 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 delta 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. 9.
  - F. Any other method used for measuring NH<sub>3</sub> slip shall require prior approval from the TCEQ Houston Regional Office. **(9/09)**
21. The Cooling Tower (EPN: C-Tower1) shall not exceed a total dissolved solids (TDS) concentration of 2,500 parts per million by weight (ppmw). **(03/11)**

The holder of this permit shall perform sampling and other testing, as necessary, to establish the lb/hr and TPY of particulate matter (PM) being emitted to the atmosphere from the cooling tower

associated with this permit and to establish the conductivity to TDS conversion factor that shall be used by the permit holder to demonstrate compliance in accordance with Special Condition No. 21. **(03/11)**

- 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. A cooling water sample shall be collected in each of the three-calendar months following the start of commercial operation of the turbine 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. Within 30 days after completion of the sampling, copies of the sampling report shall be submitted to the TCEQ Austin Office of Air, Air Permits Division; and the TCEQ Houston Regional Office. **(9/09)**
- D. Continuous compliance with the lb/hr and TPD particulate matter emission rates for the cooling tower in the MAERT shall be demonstrated by the holder of this permit by monitoring the conductivity of the cooling water at a monitoring point in the recirculating water of the cooling tower, and recording these conductivity readings on a no less than weekly basis. Each conductivity measurement shall be converted to TDS concentration in ppmw using the conductivity to TDS conversion factor established in accordance with Special Condition No. 21B. **(03/11)**

The monitoring data required by this special condition shall be kept for at least five years from the date monitoring is done, and the data shall be made available immediately upon request to the U.S. Environmental Protection Agency (EPA) or TCEQ personnel. 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 parts per million in the recirculating water of the cooling tower.

### **Recordkeeping Requirements**

- 22. The following records shall be kept at the plant for the life of the permit. All records required in this permit shall be made available at the request of personnel from the TCEQ, EPA, or any air pollution control agency with jurisdiction.
  - A. A copy of this permit.
  - B. Permit application dated November 1, 2006, 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. 18 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.
  - E. Records of diagnostic load reduction activities of the turbine generators according to Special Condition 13.D. **(11/20)**
23. The following information shall be maintained by the holder of this permit in a form suitable for inspection for a period of five years after collection and shall be made immediately available upon request to representatives of the TCEQ, EPA, or any local air pollution control program having jurisdiction:
- A. The NO<sub>x</sub>, CO, and dilutant gases, O<sub>2</sub> or CO<sub>2</sub>, CEMS emissions data to demonstrate compliance with the emission rates listed in the MAERT.
  - B. Raw data files of all CEMS data including calibration checks and adjustments and maintenance performed on these systems.
  - C. Records of the hours of operation of the black start generator.
  - D. Records of sulfur analysis of natural gas pursuant to Special Condition No. 7. **(03/11)**
  - E. Records of fuel sampling conducted pursuant to 40 CFR Part 60, Subpart KKKK.
  - F. Field records of visible emissions observations as specified in Special Condition No. 8. **(03/11)**
  - G. Records of NH<sub>3</sub> emissions sampling and calculations pursuant to Special Condition No. 20.
  - H. Written records of any accidental releases, spills, or venting of NH<sub>3</sub> and the corrective action taken.
  - I. Written records of maintenance performed to any piping and valves in NH<sub>3</sub> service pursuant to Special Condition No. 11.
  - J. Records to identify the times when emissions data have been excluded from the calculation of average concentration because of MSS pursuant to Special Condition No. 4 along with the justification for excluding data. The records will list maintenance activities that are performed, if applicable.
  - K. Monthly records of TDS concentrations and circulation rates from the cooling tower pursuant to Special Condition No. 21. **(03/11)**
  - L. Information and data supporting a site-specific cooling water conductivity to TDS conversion factor.

### Reporting

24. The holder of this permit shall submit to the TCEQ Houston Regional Office and the Air Enforcement Branch of the EPA in Dallas semiannual 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.

**Additional Authorizations**

25. The following sources are authorized under Title 30 Texas Administrative Code Chapter 106 (30 TAC Chapter 106): **(03/11)**

<b>Permit By Rule (PBR)</b>	<b>PBR Registration No.</b>	<b>Activity</b>
Comfort Heating	106.102	Comfort heating system maintenance and repair
Bench-Scale Laboratory Equipment	106.122	Bench-scale laboratory equipment
Brazing, Soldering and Welding	106.227	Brazing, soldering and welding
Routine Maintenance, Startup and Shutdown of Facilities, and Temporary Maintenance Facilities	106.263	Enclosed and outdoor dry abrasive blasting Miscellaneous surface coating
Hand-Held and Manually Operated Machines	106.265	Hand-held equipment for buffing, polishing, cutting, drilling, sawing, grinding, turning or machining wood, metal or plastic
Refrigeration Systems	106.373	Refrigeration system maintenance and repair
Degreasing Units	106.454	Solvent cleaning parts degreaser
Portable and Emergency Engines and Turbines	106.511	Portable engines
Water and Wastewater Treatment	106.532	Water and wastewater treatment

Date: November 10, 2020

ATTACHMENT A

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Inherently Low Emitting (ILE) Maintenance Activities						
Activity	Emissions					
	NO <sub>x</sub>	CO	VOC	PM	SO <sub>2</sub>	NH <sub>3</sub> /urea
Water-based washing			X			
Miscellaneous particulate filter maintenance <sup>1</sup>				X		
Catalyst handling and maintenance <sup>2</sup>				X		
Management of sludge from pits, ponds, sumps, and water conveyances <sup>3</sup>			X			
Inspection, repair, replacement, adjusting, testing, and calibration of analytical equipment, process instruments including sight glasses, meters, gauges, CEMS, PEMS.	X	X	X		X	
Small equipment and fugitive component repair/replacement in VOC and NH <sub>3</sub> service <sup>4</sup>			X			X
Storage vessel maintenance (<0.5 psia VP)			X			
Organic chemical usage not covered by “manual surface coating or solvent cleaning operations” or by “use and disposal of aerosol productions”			X			
Outdoor/unenclosed dry abrasive blasting				X		
Gaseous fuel venting			X			
Online turbine washing				X		

Date: May 31, 2018

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<sup>1</sup> Includes, but is not limited to, baghouse filters, ash silo/transfer filters, coal handling filters, process-related building air filters, and combustion turbine air intake filters.

<sup>2</sup> Includes, but is not limited to, replacement, cleaning, activation, and deactivation of SCR and oxidation catalysts.

<sup>3</sup> Includes, but is not limited to, management by vacuum truck/dewatering of materials in open pits and ponds, and sumps, tanks and other closed or open vessels. Materials managed include water and sludge mixtures containing miscellaneous VOCs such as diesel, lube oil, and other waste oils.

<sup>4</sup> Includes, but is not limited to, (i) repair/replacement of pumps, compressors, valves, pipes, flanges, transport lines, filters and screens in natural gas, fuel oil, diesel oil, ammonia, lube oil, and gasoline service, (ii) vehicle and mobile equipment maintenance that may involve small VOC emissions, such as oil changes, transmission service, and hydraulic system service, and (iii) off-line NO<sub>x</sub> control device maintenance (including maintenance of the anhydrous ammonia systems and aqueous ammonia systems associated with SCR systems.)

ATTACHMENT B

Permit Numbers 80289 and PSDTX1082M1

Non-ILE Maintenance Activities							
Activity	EPN	Emissions					
		NO <sub>x</sub>	CO	VOC	PM	SO <sub>2</sub>	NH <sub>3</sub> /urea
Combustion unit tuning and maintenance reliability testing <sup>5</sup>	CBY41 CBY42	X	X	X	X	X	X
Diagnostic Load Reduction Activities <sup>6,7</sup>	CBY41 CBY42	X	X	X	X	X	X

Date: November 10, 2020

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5 Includes, but is not limited to, leak and operability checks (e.g., turbine overspeed tests, troubleshooting), seasonal tuning, and balancing.

6 Includes, but is not limited to combustion turbine load reductions (runbacks) associated with: initiation of steam turbine operation, low load steam turbine operation, variability in water or fuel supply, electric generator protection, and variation in turbine operations (including but not limited to, combustor flashback, primary combustion zone re-ignition, or combustion exhaust blade path spread).

7 Emissions associated with this activity are no higher than the maximum hourly emission rate occurring during startup or shutdown. Hourly emissions from these activities will be subject to the hourly emission limit for MSS activities from gas turbines listed on the MAERT.

Emission Sources - Maximum Allowable Emission Rates

Permit Number 80289 and PSDTX1082M1

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)
CBY41	Combustion Turbine 41	NO <sub>x</sub> (6)	28	(8)
		NO <sub>x</sub> (MSS) (6)	206	
		CO (6)	72.3	
		CO (MSS) (6)	6675	
		VOC (6)	5.5	
		VOC (MSS) (6)	48	
		PM	15.5	51
		PM <sub>10</sub>	15.5	51
		PM <sub>2.5</sub>	15.5	51
		SO <sub>2</sub>	17.7	11.6
		H <sub>2</sub> SO <sub>4</sub>	2.7	1.8
		NH <sub>3</sub>	20.5	80.3
		H <sub>2</sub> CO (7)	0.47	1.8

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
CBY42	Combustion Turbine 42	NO <sub>x</sub> (6)	28	(8)
		NO <sub>x</sub> (MSS) (6)	206	
		CO (6)	72.3	
		CO (MSS) (6)	6675	
		VOC (6)	5.5	
		VOC (MSS) (6)	48	
		PM	15.5	51
		PM <sub>10</sub>	15.5	51
		PM <sub>2.5</sub>	15.5	51
		SO <sub>2</sub>	17.7	11.6
		H <sub>2</sub> SO <sub>4</sub>	2.7	1.8
		NH <sub>3</sub>	20.5	80.3
		H <sub>2</sub> CO (7)	0.47	1.8
CBY4CAP	Combustion Turbines CBY41 and CBY42 CAP	NO <sub>x</sub>	-	186.33
		CO	-	1733.12
		VOC	-	22.96
CBY41-LOV	Combustion Turbine 41 Lube Oil Vent	PM	0.05	0.22
		PM <sub>10</sub>	0.05	0.22
CBY42-LOV	Combustion Turbine 42 Lube Oil Vent	PM	0.05	0.22
		PM <sub>10</sub>	0.05	0.22
U4ST-LOV	Unit 4 Steam Turbine Lube Oil Vent	PM	0.05	0.22
		PM <sub>10</sub>	0.05	0.22

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
BS-GEN	Black Start Generator	NO <sub>x</sub>	11.8	2.95
		CO	0.53	0.13
		PM	0.05	0.01
		PM <sub>10</sub>	0.05	0.01
		PM <sub>2.5</sub>	0.05	0.01
		VOC	2.54	0.64
		SO <sub>2</sub>	0.38	0.09
C-Tower1	Cooling Tower 1	PM	0.14	0.62
		PM <sub>10</sub>	0.14	0.62
FUG-NAS	Fugitives: Natural Gas (5)	VOC	0.17	0.74
FUG-SCR	Fugitives: SCR Piping (5)	NH <sub>3</sub>	0.02	0.1
MSSFUG	Miscellaneous Maintenance Activities (5)	VOC	32.65	0.61
		PM	2.31	0.05
		PM <sub>10</sub>	0.59	0.04
		PM <sub>2.5</sub>	0.57	0.04
		NO <sub>x</sub>	<0.01	<0.01
		CO	<0.01	<0.01
		SO <sub>2</sub>	<0.01	<0.01
		NH <sub>3</sub>	<0.01	<0.01

(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) NO<sub>x</sub> - total oxides of nitrogen  
 CO - carbon monoxide  
 VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
 PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>  
 PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>  
 PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter  
 SO<sub>2</sub> - sulfur dioxide  
 H<sub>2</sub>SO<sub>4</sub> - sulfuric acid  
 NH<sub>3</sub> - ammonia  
 H<sub>2</sub>CO - formaldehyde

Emission Sources - Maximum Allowable Emission Rates

MSS - maintenance, startup and shutdown

- (4) Compliance with annual emission limits (tons per year) is based on a 12 month rolling period.
- (5) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.
- (6) MSS lb/hr limits apply only during each clock hour that includes one or more minutes of MSS activities. During all other clock hours, the normal lb/hr limits apply.
- (7) The formaldehyde emission limits and initial demonstration of compliance become effective upon the EPA either lifting the stay that applies to lean premix gas-fired turbines and diffusion flame gas-fired turbines or taking final action declining to remove these subcategories from the source category list. (See 69 Fed. Reg. 51184 (August 18, 2004), available at: <http://www.epa.gov/ttn/atw/turbine/fr18au04.pdf>).
- (8) Emissions are included and represented under the annual cap emission rates.

Dated: May 31, 2018



## Texas Commission on Environmental Quality Air Quality Permit

*A Permit Is Hereby Issued To*  
**NRG Texas Power LLC**  
*Authorizing the Continued Operation of*  
**Electric Generating Unit**  
*Located at* **Baytown, Chambers County, Texas**  
*Latitude* 29.748333 *Longitude* -94.927222

Permit: PAL9

Issuance Date: September 11, 2025

Expiration Date: May 29, 2028

  
\_\_\_\_\_  
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 (TAC) Section 116.116 (30 TAC § 116.116)]<sup>1</sup>
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]
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)]
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 in a timely manner; comply with any additional recordkeeping requirements specified in special conditions in 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)]<sup>1</sup>
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 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 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 "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.<sup>1</sup>

<sup>1</sup> Please be advised that the requirements of this provision of the general conditions may not be applicable to greenhouse gas emissions.

## Common Acronyms in Air Permits

°C = Temperature in degrees Celsius	GLC <sub>max</sub> = maximum (predicted) ground-level concentration
°F = Temperature in degrees Fahrenheit	gpm = gallon per minute
°K = Temperature in degrees Kelvin	gr/1000scf = grain per 1000 standard cubic feet
µg = microgram	gr/dscf = grain per dry standard cubic feet
µg/m <sup>3</sup> = microgram per cubic meter	H <sub>2</sub> CO = formaldehyde
acfm = actual cubic feet per minute	H <sub>2</sub> S = hydrogen sulfide
AMOC = alternate means of control	H <sub>2</sub> SO <sub>4</sub> = sulfuric acid
AOS = alternative operating scenario	HAP = hazardous air pollutant as listed in § 112(b) of the Federal Clean Air Act or Title 40 Code of Federal Regulations Part 63, Subpart C
AP-42 = Air Pollutant Emission Factors, 5th edition	HC = hydrocarbons
APD = Air Permits Division	HCl = hydrochloric acid, hydrogen chloride
API = American Petroleum Institute	Hg = mercury
APWL = air pollutant watch list	HGB = Houston/Galveston/Brazoria
BPA = Beaumont/ Port Arthur	hp = horsepower
BACT = best available control technology	hr = hour
BAE = baseline actual emissions	IFR = internal floating roof tank
bbl = barrel	in H <sub>2</sub> O = inches of water
bbl/day = barrel per day	in Hg = inches of mercury
bhp = brake horsepower	IR = infrared
BMP = best management practices	ISC3 = Industrial Source Complex, a dispersion model
Btu = British thermal unit	ISCST3 = Industrial Source Complex Short-Term, a dispersion model
Btu/scf = British thermal unit per standard cubic foot or feet	K = Kelvin; extension of the degree Celsius scaled-down to absolute zero
CAA = Clean Air Act	LACT = lease automatic custody transfer
CAM = compliance-assurance monitoring	LAER = lowest achievable emission rate
CEMS = continuous emissions monitoring systems	lb = pound
cfm = cubic feet (per) minute	lb/day = pound per day
CFR = Code of Federal Regulations	lb/hr = pound per hour
CN = customer ID number	lb/MMBtu = pound per million British thermal units
CNG = compressed natural gas	LDAR = Leak Detection and Repair (Requirements)
CO = carbon monoxide	LNG = liquefied natural gas
COMS = continuous opacity monitoring system	LPG = liquefied petroleum gas
CPMS = continuous parametric monitoring system	LT/D = long ton per day
DFW = Dallas/ Fort Worth (Metroplex)	m = meter
DE = destruction efficiency	m <sup>3</sup> = cubic meter
DRE = destruction and removal efficiency	m/sec = meters per second
dscf = dry standard cubic foot or feet	MACT = maximum achievable control technology
dscfm = dry standard cubic foot or feet per minute	MAERT = Maximum Allowable Emission Rate Table
ED = (TCEQ) Executive Director	MERA = Modeling and Effects Review Applicability
EF = emissions factor	mg = milligram
EFR = external floating roof tank	mg/g = milligram per gram
EGU = electric generating unit	mL = milliliter
EI = Emissions Inventory	MMBtu = million British thermal units
ELP = El Paso	MMBtu/hr = million British thermal units per hour
EPA = (United States) Environmental Protection Agency	MSDS = material safety data sheet
EPN = emission point number	MSS = maintenance, startup, and shutdown
ESL = effects screening level	MW = megawatt
ESP = electrostatic precipitator	NAAQS = National Ambient Air Quality Standards
FCAA = Federal Clean Air Act	NESHAP = National Emission Standards for Hazardous Air Pollutants
FCCU = fluid catalytic cracking unit	NGL = natural gas liquids
FID = flame ionization detector	NNSR = nonattainment new source review
FIN = facility identification number	NO <sub>x</sub> = total oxides of nitrogen
ft = foot or feet	NSPS = New Source Performance Standards
ft/sec = foot or feet per second	
g = gram	
gal/wk = gallon per week	
gal/yr = gallon per year	
GLC = ground level concentration	

PAL = plant-wide applicability limit  
PBR = Permit(s) by Rule  
PCP = pollution control project  
PEMS = predictive emission monitoring system  
PID = photo ionization detector  
PM = periodic monitoring  
PM = total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
PM<sub>2.5</sub> = particulate matter equal to or less than 2.5 microns in diameter  
PM<sub>10</sub> = total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
POC = products of combustion  
ppb = parts per billion  
ppm = parts per million  
ppmv = parts per million (by) volume  
psia = pounds (per) square inch, absolute  
psig = pounds (per) square inch, gage  
PTE = potential to emit  
RA = relative accuracy  
RATA = relative accuracy test audit  
RM = reference method  
RVP = Reid vapor pressure  
scf = standard cubic foot or feet  
scfm = standard cubic foot or feet (per) minute  
SCR = selective catalytic reduction  
SIL = significant impact levels  
SNCR = selective non-catalytic reduction  
SO<sub>2</sub> = sulfur dioxide  
SOCMI = synthetic organic chemical manufacturing industry  
SRU = sulfur recovery unit  
TAC = Texas Administrative Code  
TCAA = Texas Clean Air Act  
TCEQ = Texas Commission on Environmental Quality  
TD = Toxicology Division  
TLV = threshold limit value  
TMDL = total maximum daily load  
tpd = tons per day  
tpy = tons per year  
TVP = true vapor pressure  
VOC = volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
VRU = vapor recovery unit or system

## Special Conditions

Permit Number PAL9

### Plantwide Applicability Limit

1. Any project to be authorized by permit amendment, permit by rule, or other Texas Commission on Environmental Quality (TCEQ) permitting mechanisms, including the modification of existing facilities or the addition of new facilities, shall not be subject to federal new source review for the air pollutants listed below provided the total plantwide emissions from the Cedar Bayou Electrical Generating Station (Cedar Bayou) does not exceed the Plantwide Applicability Limit (PAL) in tons per year (tpy) of nitrogen oxides (NO<sub>x</sub>) on a rolling 12-month basis as follows below: **(09/25)**

Pollutant	PAL (tpy)
NO <sub>x</sub>	2004.92

2. If future actual emission rates exceed the PAL thresholds listed above, the permittee shall be subject to federal new source review for that air pollutant. Only the changes that cause the new emission rates to exceed the PAL threshold are subject to federal new source review. The permittee shall submit to the TCEQ a federal new source review permit application for the changes that cause actual emissions to exceed the PAL.

### Determination of Compliance

3. Emission rates of NO<sub>x</sub>, in tons per year, shall be calculated for each emission point number (EPN) at Cedar Bayou which has NO<sub>x</sub> emissions (excluding those sources identified in Special Condition No. 4).
  - A. Emissions data from a continuous emission monitoring system (CEMS) located in the exhaust from each EPN listed below shall be used to calculate the emission rates.

EPN	Source	Permit Number
CBY1	Unit 1 Steam Boiler	1532
CBY2	Unit 2 Steam Boiler	
AB2N	Auxiliary Boiler 2	49590
AB3N	Auxiliary Boiler 3	
CBY41	Combustion Turbine 41	80289
CBY42	Combustion Turbine 42	
CBY51	Combustion Turbine 51	105810
CBY52	Combustion Turbine 52	

- B. Emission rates from all EPNs not equipped with a CEMS and not listed in Paragraph 3A shall be calculated as follows:

- (1) For the auxiliary boilers (EPNs: AB1 and AUX-BLR), records of monthly fuel usage in each facility shall be used and fuel-based emission factors determined from the most recent source emission test. If no source emission test has been performed, then AP-42 fuel-based emission factors shall be used.

- (2) For the black start generator (EPN BS-GEN), records of facility operating hours shall be used and source-specific emission factors determined from manufacturer specifications.

EPN	Source	Permit Number
AB1	Auxiliary Boiler 1	53235
BS-GEN	Black Start Generator	80289
AUX-BLR	Auxiliary Boiler	105810

4. Additional minor facilities and activities that are not reported in the annual Emissions Inventory for Cedar Bayou may have emissions to the atmosphere; however, they are considered negligible and were not quantified in establishing the PALs and are not required to be quantified in assessing compliance with the PALs.

#### **Recordkeeping Requirements**

5. The following records shall be kept at the plant for the life of the permit. All records required in this permit shall be made available at the request of personnel from the TCEQ, the U.S. Environmental Protection Agency (EPA), or any air pollution control agency with jurisdiction.
- A. A copy of this permit.
  - B. Permit application dated October 31, 2006, and subsequent representations submitted to the TCEQ.
  - C. 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.
6. Raw data files of all CEMS data including calibration checks and adjustments and maintenance performed on these systems shall be maintained by the holder of this permit in a form suitable for inspection for a period of five years after collection and shall be made immediately available upon request to representatives of the TCEQ, EPA, or any local air pollution control program having jurisdiction.

Date: September 11, 2025