



APR 20 2010

Raymond Rodriguez
Badger Creek Limited
34759 Lencioni Avenue, Suite A
Bakersfield, CA 93308

**Re: Notice of Preliminary Decision - Title V Permit Renewal
District Facility # S-1250
Project # S-1083885**

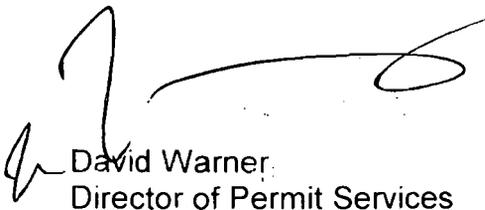
Dear Mr. Rodriguez:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Badger Creek Limited for its gas turbine cogeneration operation 535 Fano Road, Bakersfield, California.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,


David Warner
Director of Permit Services

Attachments

C: Dennis Roberts, Permit Services Engineer

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585



APR 20 2010

Gerardo C. Rios, Chief
Permits Office (AIR-3)
U.S. EPA - Region IX
75 Hawthorne St.
San Francisco, CA 94105

**Re: Notice of Preliminary Decision – Title V Permit Renewal
District Facility # S-1250
Project # S-1083885**

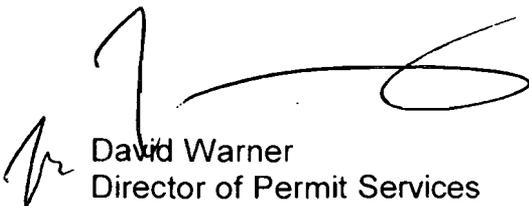
Dear Mr. Rios:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Badger Creek Limited for its gas turbine cogeneration operation 535 Fano Road, Bakersfield, California.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 45-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,



David Warner
Director of Permit Services

Attachments
C: Dennis Roberts, Permit Services Engineer

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585



APR 20 2010

Mike Tollstrup, Chief
Project Assessment Branch
Air Resources Board
P O Box 2815
Sacramento, CA 95812-2815

**Re: Notice of Preliminary Decision - Title V Permit Renewal
District Facility # S-1250
Project # S-1083885**

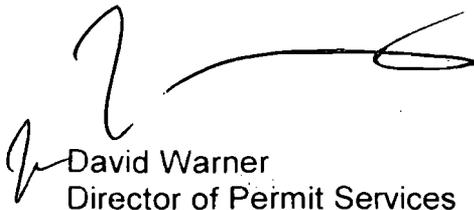
Dear Mr. Tollstrup:

Enclosed for your review and comment is the District's analysis of the application to renew the Federally Mandated Operating Permit for Badger Creek Limited for its gas turbine cogeneration operation 535 Fano Road, Bakersfield, California.

The notice of preliminary decision for this project will be published approximately three days from the date of this letter. Please submit your written comments on this project within the 30-day comment period which begins on the date of publication of the public notice.

Thank you for your cooperation in this matter. If you have any questions regarding this matter, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900.

Sincerely,


David Warner
Director of Permit Services

Attachments
C: Dennis Roberts, Permit Services Engineer

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

Bakersfield Californian

**NOTICE OF PRELIMINARY DECISION
FOR THE PROPOSED RENEWAL OF
THE FEDERALLY MANDATED OPERATING PERMIT**

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Air Pollution Control District solicits public comment on the proposed renewal of the Federally Mandated Operating Permit to Badger Creek Limited for its gas turbine cogeneration operation 535 Fano Road, Bakersfield, California.

The District's analysis of the legal and factual basis for this proposed action, project #S-1083885, is available for public inspection at http://www.valleyair.org/notices/public_notices_idx.htm and the District office at the address below. There are no emission changes associated with this proposed action. This will be the public's only opportunity to comment on the specific conditions of the proposed renewal of the Federally Mandated Operating permit. If requested by the public, the District will hold a public hearing regarding issuance of this renewed permit. For additional information, please contact Mr. Jim Swaney, Permit Services Manager, at (559) 230-5900. Written comments on the proposed renewed permit must be submitted within 30 days of the publication date of this notice to DAVID WARNER, DIRECTOR OF PERMIT SERVICES, SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 1990 E. GETTYSBURG AVE, FRESNO, CALIFORNIA 93726-0244.

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT

Proposed Title V Permit Renewal Evaluation
Badger Creek Limited
S-1250

TABLE OF CONTENTS

I.	PROPOSAL.....	2
II.	FACILITY LOCATION	2
III.	EQUIPMENT LISTING	3
IV.	GENERAL PERMIT TEMPLATE USAGE	3
V.	SCOPE OF EPA AND PUBLIC REVIEW	3
VI.	FEDERALLY ENFORCEABLE REQUIREMENTS	3
VII.	REQUIREMENTS NOT FEDERALLY ENFORCEABLE.....	5
VIII.	PERMIT REQUIREMENTS	6
IX.	PERMIT SHIELD	27
X.	PERMIT CONDITIONS	28
XI.	ATTACHMENTS.....	28
A.	DRAFT RENEWED TITLE V OPERATING PERMIT	
B.	PREVIOUS TITLE V OPERATING PERMIT	
C.	DETAILED FACILITY LIST	

TITLE V PERMIT RENEWAL EVALUATION
Gas Turbine Cogeneration Facility

Engineer: Dennis Roberts
Date: February 10, 2009

Facility Number: S-1250
Facility Name: Badger Creek Limited
Mailing Address: 34759 Lencioni Ave., Suite A
Bakersfield, CA 93308

Contact Name: Raymond Rodriguez
Phone: (661) 393-6885

Responsible Official: Raymond Rodriguez
Title: E H & S Manager

Project # : S-1083885
Deemed Complete: August 12, 2008

I. PROPOSAL

Badger Creek Limited was issued a Title V permit on October 22, 2004. As required by District Rule 2520, the applicant is requesting a permit renewal. The existing Title V permit shall be reviewed and modified to reflect all applicable District and federal rules updated, removed, or added since the issuance of the initial Title V permit.

The purpose of this evaluation is to provide the legal and factual basis for all updated applicable requirements and to determine if the facility will comply with these updated requirements. It also specifically identifies all additions, deletions, and/or changes made to permit conditions or equipment descriptions.

II. FACILITY LOCATION

Badger Creek Limited is located at 535 Fano Road, Bakersfield, CA.

III. EQUIPMENT LISTING

A detailed facility printout listing all permitted equipment at the facility is included as Attachment A.

IV. GENERAL PERMIT TEMPLATE USAGE

The applicant does not propose to use any model general permit templates.

V. SCOPE OF EPA AND PUBLIC REVIEW

The applicant is not requesting any model general permit templates. Therefore, all federally enforceable conditions in this current Title V permit will be subject to EPA and public review.

VI. FEDERALLY ENFORCEABLE REQUIREMENTS

A. Rules Updated

- District Rule 2020, Exemptions
(amended December 19, 2002 ⇒ amended July 20, 2007)
- District Rule 2201, New and Modified Stationary Source Review Rule
(amended September 21, 2006)
- District Rule 4101, Visible Emissions
(amended November 15, 2001 ⇒ amended February 17, 2005)
- District Rule 4601, Architectural Coatings (amended October 31, 2001 ⇒ amended December 17, 2009)
- District Rule 4703, Stationary Gas Turbines
(amended April 25, 2002 ⇒ amended September 20, 2007)
- District Rule 8011, General Requirements
(adopted November 15, 2001 ⇒ amended August 19, 2004)
- District Rule 8021, Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities
(adopted November 15, 2001 ⇒ amended August 19, 2004)

- District Rule 8031, Bulk Materials
(adopted November 15, 2001 ⇒ amended August 19, 2004)
- District Rule 8041, Carryout and Trackout
(adopted November 15, 2001 ⇒ amended August 19, 2004)
- District Rule 8051, Open Areas (adopted November 15, 2001)
(adopted November 15, 2001 ⇒ amended August 19, 2004)
- District Rule 8061, Paved and Unpaved Roads
(adopted November 15, 2001 ⇒ amended August 19, 2004)
- District Rule 8071, Unpaved Vehicle/Equipment Traffic Areas
(adopted November 15, 2001 ⇒ amended September 16, 2004)
- 40 CFR 60 Subpart GG, Standards of Performance for Stationary Gas Turbines
- 40 CFR Part 82, Subparts B and F, Stratospheric Ozone

B. Rules Removed

No Rules were removed.

C. Rules Added

- 40 CFR 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines

D. Rules Not Updated

- District Rule 1070, Inspections (amended December 17, 1992)
- District Rule 1080, Stack Monitoring (amended December 17, 1992)
- District Rule 1081, Source Sampling (amended December 16, 1993)
- District Rule 1100, Equipment Breakdown (amended December 17, 1992)
- District Rule 1160, Emission Statements (adopted November 18, 1992)
- District Rule 2010, Permits Required (amended December 17, 1992)

- District Rule 2031, Transfer of Permits (amended December 17, 1992)
- District Rule 2040, Applications (amended December 17, 1992)
- District Rule 2070, Standards for Granting Applications (amended December 17, 1992)
- District Rule 2080, Conditional Approval (amended December 17, 1992)
- District Rule 2520, Federally Mandated Operating Permits (amended June 21, 2001)
- District Rule 4201, Particulate Matter Concentration (amended December 17, 1992)
- District Rule 4202, Particulate Matter - Emission Rate (amended December 17, 1992)
- District Rule 4301, Fuel Burning Equipment (amended December 17, 1992)
- District Rule 4601, Architectural Coatings (amended October 31, 2001)
- District Rule 4703, Stationary Gas Turbines (amended April 25, 2002)
- District Rule 4801, Sulfur Compounds (amended December 17, 1992)
- 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos
- 40 CFR Part 64, Compliance Assurance Monitoring (CAM)

VII. REQUIREMENTS NOT FEDERALLY ENFORCEABLE

For each Title V source, the District issues a single permit that contains the Federally Enforceable requirements, as well as the District-only requirements. The District-only requirements are not a part of the Title V Operating Permits. The terms and conditions that are part of the facility's Title V permit are designated as "Federally Enforceable Through Title V Permit".

For this facility, the following are not federally enforceable and will not be discussed in further detail:

A. Rules Added

No rules were added.

B. Rules Not Updated

District Rule 4102, Nuisance (as amended December 17, 1992)

VIII. PERMIT REQUIREMENTS

The purpose of this evaluation is to review changes to federally enforceable requirements; therefore, this compliance section will only address rules that have been amended or added since the issuance of the initial Title V permit.

A. District Rule 2020 - Exemptions

District Rule 2020 lists equipment which is specifically exempt from obtaining permits and specifies recordkeeping requirements to verify such exemptions. The amendments to this rule do not have any affect on current permit requirements and will therefore not be addressed in this evaluation.

B. District Rule 2201 - New and Modified Stationary Source Review Rule

District Rule 2201 has been amended since this facility's initial Title V permit was issued. This Title V permit renewal does not constitute a modification per section 3.26, defined as an action including at least one of the following items:

- 1) Any change in hours of operation, production rate, or method of operation of an existing emissions unit, which would necessitate a change in permit conditions.
- 2) Any structural change or addition to an existing emissions unit which would necessitate a change in permit conditions. Routine replacement shall not be considered to be a structural change.
- 3) An increase in emissions from an emissions unit caused by a modification of the Stationary Source when the emissions unit is not subject to a daily emissions limitation.
- 4) Addition of any new emissions unit which is subject to District permitting requirements.
- 5) A change in a permit term or condition proposed by an applicant to obtain an exemption from an applicable requirement to which the source would otherwise be subject.

Therefore, the updated requirements of this rule are not applicable at this time.

C. District Rule 4101 - Visible Emissions

Section 5.0 prohibits the discharge of any air contaminant for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart; or is of such opacity as to obscure an observer's view to a degree equal to or greater than the smoke described in Section 5.1 of Rule 4101. Condition 22 of permit unit -0-2 ensures compliance.

D. District Rule 4601

District Rule 4601 was amended on December 12, 2009. The following analysis shows that the current non-SIP approved version of District Rule 4601 is more stringent than the SIP approved version of District Rule 4601. Streamlining procedures, as documented in the following steps is utilized to substitute the proposed set of requirements for the otherwise applicable requirements.

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
2.0 Applicability	This rule is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures any architectural coating for use within the District.	This rule is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures, blends or repackages any architectural coating for use within the District.	No change in the applicability, therefore, non-SIP version of rule is as stringent as SIP version.
4.0 Exemptions	The provisions of this rule shall not apply to: 4.1 Any architectural coating that is sold or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging. 4.2 Any architectural coating that is sold in a containers with a volume of one liter (1.057 quarts) or less. 4.3 Any aerosol coating product.	4.1 The provisions of this rule shall not apply to: 4.1.1 Any architectural coating that is supplied, sold, offered for sale, or manufactured for use outside of the District or for shipment to other manufacturers for reformulation or repackaging. 4.1.2 Any aerosol coating product. 4.2 With the exception of Section 6.2, the provisions of this rule shall not apply to any architectural coating that is sold in a container with a volume of one liter (1.057 quarts) or less.	The only change is to require reporting requirements as discussed in Section 6.2 of the non-SIP approved version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
5.0 Requirements	Note: Section 5.0 requirements refer to Table of Standards, Table of Standards 1, and Table of Standards 2. These tables are included as Attachment D.		
	5.1 VOC Content Limits: Except as provided in Sections 5.2, 5.3, 5.8 and 8.0, no person shall: 5.1.1 manufacture, blend, or repackage for sale within the District; 5.1.2 supply, sell, or offer for sale within the district; 5.1.3 solicit for application or apply	5.1 VOC Content Limits: Except as provided in Sections 5.2 and 5.3, no person shall: manufacture, blend, or repackage for use within the District; or supply, sell, or offer for sale within the District; or solicit for application or apply within the District any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards	Sections 5.8 and 8.0 of the SIP version are not included in the non-SIP version. As discussed in corresponding sections the non-SIP version is more stringent. The Table of Standards and

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>within the District any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards, after the specified effective date in the Table of Standards.</p>	<p>1 or the Table of Standards 2, after the specified effective date in the Table of Standards 1 or the Table of Standards 2. Limits are expressed as VOC Regulatory, thinned to the manufacturer's maximum thinning recommendation, excluding any colorant added to tint bases.</p>	<p>Table of Standards 1 have the same VOC limits. Table of Standard 2 is more stringent as discussed below. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.2 Most Restrictive VOC Limit: If anywhere on the container of any architectural coating, or any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf, any representation is made that indicates that the coating meets the definition of or is recommended for use for more than one of the coating categories listed in the Table of Standards, then the most restrictive VOC content limit shall apply. This provision does not apply to the following coating categories:</p> <ul style="list-style-type: none"> 5.2.1 Lacquer coatings (including lacquer sanding sealers) 5.2.2 Metallic pigmented coatings 5.2.3 Shellacs 5.2.4 Fire-retardant coatings 5.2.5 Pretreatment wash primers 5.2.6 Industrial maintenance coatings 5.2.7 Low-solids coatings 5.2.8 Wood preservatives 5.2.9 High temperature coatings 5.2.10 Temperature-indicator safety coatings 5.2.11 Antenna coatings 5.2.12 Antifouling coatings 5.2.13 Flow coatings 5.2.14 Bituminous roof primers 5.2.15 Specialty primers, sealers and undercoaters 	<p>5.2 Most Restrictive VOC Limit: If a coating meets the definition in Section 3.0 for one or more specialty coating categories listed in the Table of Standards 1 or the Table of Standards 2, then that coating is not required to meet the VOC limits for Flat, Nonflat, or Nonflat – High Gloss coatings, but is required to meet the VOC limit for the applicable specialty coating listed in the Table of Standards 1 or the Table of Standards 2.</p> <p>5.2.1 Effective until December 31, 2010, with the exception of the specialty coating categories specified in Section 5.2.3.1 through 5.2.3.15, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 1, the most restrictive (or lowest) VOC content limit shall apply.</p> <p>5.2.2 Effective on and after January 1, 2011, with the exception of the specialty coating categories specified in Sections 5.2.3.2, 5.2.3.3, 5.2.3.5 through 5.2.3.9, and 5.2.3.14 through 5.2.3.18, if a coating is recommended for use in more than one of the specialty coating categories listed in the Table of Standards 2, the most restrictive (or lowest) VOC content limit shall apply.</p> <p>5.2.3 This requirement applies to: usage recommendations that appear anywhere on the coating container, anywhere on any label or sticker affixed to the container, or in any sales, advertising, or technical literature supplied by a manufacturer or anyone acting on their behalf.</p> <ul style="list-style-type: none"> 5.2.3.1 Lacquer coatings (including lacquer sanding sealers) 5.2.3.2 Metallic pigmented coatings 5.2.3.3 Shellacs 5.2.3.4 Fire-retardant coatings 5.2.3.5 Pretreatment wash primers 5.2.3.6 Industrial maintenance 	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		coatings 5.2.3.7 Low-solids coatings 5.2.3.8 Wood preservatives 5.2.3.9 High temperature coatings 5.2.3.10 Temperature-indicator safety coatings 5.2.3.11 Antenna coatings 5.2.3.12 Antifouling coatings 5.2.3.13 Flow coatings 5.2.3.14 Bituminous roof primers 5.2.3.15 Specialty primers, sealers and undercoaters 5.2.3.16 Aluminum roof coatings 5.2.3.17 Zinc-rich primers 5.2.3.18 Wood Coatings	
	<p>5.3 Sell-Through of Coatings:</p> <p>5.3.1 A coating manufactured prior to the January 1, 2003 or January 1, 2004 effective date specified for that coating in the Table of Standards may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that coating in the Table of Standards may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date-code required by Section 6.1.1.</p> <p>5.3.2 A coating included in an approved Averaging Program that does not comply with the specified limit in the Table of Standards may be sold, supplied, or offered for sale for up to three years after the end of the compliance period specified in the approved Averaging Program. In addition, such a coating may be applied at any time, both during and after the compliance period. This Section 5.3.2 does not apply to any coating that does not display on the container either the statement: "This product is subject to architectural coatings averaging provisions in California" or a substitute symbol specified by the Executive Officer of the California Air Resources Board (ARB). This Section 5.3.2 shall remain in effect until January 1, 2008.</p>	<p>5.3 Sell-Through of Coatings:</p> <p>A coating manufactured prior to the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2, and that complied with the standards in effect at the time the coating was manufactured, may be sold, supplied, or offered for sale for up to three years after the specified effective date. In addition, a coating manufactured before the effective date specified for that coating in the Table of Standards 1 or the Table of Standards 2 may be applied at any time, both before and after the specified effective date, so long as the coating complied with the standards in effect at the time the coating was manufactured. This Section 5.3 does not apply to any coating that does not display the date or date-code required by Section 6.1.1.</p>	<p>The VOC limit of the non-SIP version is at least as stringent as the SIP version. Section 5.3.2 was removed it is no longer applicable in the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>
	<p>5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding,</p>	<p>5.4 Painting Practices: All architectural coating containers used to apply the contents therein to a surface directly from the container by pouring, siphoning, brushing, rolling, padding,</p>	<p>No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC containing materials used for thinning and cleanup shall also be closed when not in use.	ragging or other means, shall be closed when not in use. These architectural coating containers include, but are not limited to, drums, buckets, cans, pails, trays or other application containers. Containers of any VOC-containing materials used for thinning and cleanup shall also be closed when not in use.	version.
	5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the Table of Standards.	5.5 Thinning: No person who applies or solicits the application of any architectural coating shall apply a coating that is thinned to exceed the applicable VOC limit specified in the Table of Standards 1 or the Table of Standards 2.	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
	5.6 Rust Preventative Coatings: Effective January 1, 2004, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards.	5.6 Rust Preventative Coatings: Effective through December 31, 2010, no person shall apply or solicit the application of any rust preventative coating for industrial use, unless such a rust preventative coating complies with the industrial maintenance coating VOC limit specified in the Table of Standards 1.	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
	5.7 Coatings Not Listed in the Table of Standards: For any coating that does not meet any of the definitions for the specialty coatings categories listed in the Table of Standards, the VOC content limit shall be determined by classifying the coating as a flat coating or a nonflat coating, based on its gloss, as defined in Sections 3.21, 3.36 and 3.37 and the corresponding flat or nonflat VOC limit shall apply.	5.7 Coatings Not Listed in the Table of Standards 1 or the Table of Standards 2: For any coating that does not meet any of the definitions for the specialty coatings categories listed in the Table of Standards 1 or the Table of Standards 2, the VOC content limit shall be determined by classifying the coating as a Flat, Nonflat, or Nonflat – High Gloss coating, based on its gloss, and the corresponding Flat, Nonflat, or Nonflat – High Gloss VOC limit in the Table of Standards 1 or the Table of Standards 2 shall apply.	The VOC limit of the non-SIP version is at least as stringent as the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.
	5.8 Lacquers: Notwithstanding the provisions of Section 3.1, a person or facility may add up to 10 percent by volume of VOC to a lacquer to avoid blushing of the finish during days with relative humidity greater than 70 percent and temperature below 65°F, at the time of application, provided that the coating contains acetone and no more than 550 grams of VOC per liter of coating, less water and exempt compounds, prior to the addition of VOC.	---	This section has been removed. The operation is required to meet the lacquer VOC limit regardless of temperature and humidity. Therefore, non-SIP version of rule is as stringent as SIP version
	5.9 Averaging Compliance Option: On or after January 1, 2003, in lieu of compliance with the specified limits in The Table of Standards for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; bituminous roof coatings; rust preventative coatings; stains; waterproofing sealers, as well as flats and non-flats (excluding recycled coatings), manufacturers may average	---	This section is removed from the non-SIP version, it is no longer applicable. Therefore, non-SIP version of rule is as stringent as SIP version.

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in Section 8.0, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Section 5.9 and Section 8.0 shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.</p>		
	---	<p>5.8 Prior to January 1, 2011, any coating that meets a definition in Section 3.0 for a coating category listed in the Table of Standards 2 and complies with the applicable VOC limit in the Table of Standards 2 and with Sections 5.2 and 6.1 (including those provision of Section 6.1 otherwise effective on January 1, 2011) shall be considered in compliance with this rule.</p>	<p>Table of Standards 2 is more stringent than the VOC limits of Table of Standards in the SIP-Approved version. Therefore, non-SIP version of rule is as stringent as SIP version.</p>
	<p>Table of Standards (See Attachment D for Table)</p>	<p>Table of Standards 1 (Effective through 12/31/10) (See Attachment D for Table)</p>	<p>The non-SIP rule requirements are the same as the Table of Standards in the SIP approved rule, except Table of Standards 1 expires at which time Table of Standards 2 is in effect. As discussed below these standards are more stringent. Therefore, non-SIP version of rule is as stringent as SIP version.</p>
		<p>Table of Standards 2 (Effective on and after 1/1/11) (See Attachment D for Table)</p>	<p>The requirements of Table of Standards 2 are more stringent than the Table of Standards in the SIP rule. Therefore, non-SIP version of rule is as stringent as SIP version.</p>
<p>6.0 Administrative Requirements</p>	<p>6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.9 on the coating container (or label) in which the coating is sold or distributed.</p> <p>6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive Officer of</p>	<p>6.1 Labeling Requirements: Each manufacturer of any architectural coating subject to this rule shall display the information listed in Sections 6.1.1 through 6.1.14 on the coating container (or label) in which the coating is sold or distributed.</p> <p>6.1.1 Date Code: The date the coating was manufactured, or a date code representing the date, shall be indicated on the label, lid or bottom of the container. If the manufacturer uses a date code for any coating, the manufacturer shall file an explanation of each code with the Executive</p>	<p>The non-SIP approved rule contain sections listed in the SIP rule plus additional requirements not found in the SIP version. Therefore, non-SIP version of rule is as stringent as SIP version.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>the ARB.</p> <p>6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.</p> <p>6.1.3 VOC Content: Each container of any coating subject to this rule shall display either the maximum or actual VOC content of the coating, as supplied, including the maximum thinning as recommended by the manufacturer. VOC content shall be displayed in grams of VOC per liter of coating. VOC content displayed shall be calculated using product formulation data, or shall be determined using the test methods in Section</p> <p>6.3.1. The equations in Sections 3.25 or 3.26, as appropriate, shall be used to calculate VOC content.</p> <p>6.1.4 Industrial Maintenance Coatings: In addition to the information specified in Sections 6.1.1, 6.1.2 and 6.1.3, each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the following descriptions listed in Section 6.1.4.1 through 6.1.4.3.</p> <p>6.1.4.1 "For industrial use only"</p> <p>6.1.4.2 "For professional use only"</p> <p>6.1.4.3 "Not for residential use" or "Not intended for residential use"</p> <p>6.1.5 Clear Brushing Lacquers: Effective January 1, 2003, the labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed."</p> <p>6.1.6 Rust Preventative Coatings: Effective January 1, 2003, the labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only"</p> <p>6.1.7 Specialty Primers, Sealers and Undercoaters: Effective January 1, 2003, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions listed in Section</p> <p>6.1.7.1 through 6.1.7.5.</p> <p>6.1.7.1 For blocking stains.</p> <p>6.1.7.2 For fire-damaged substrates.</p> <p>6.1.7.3 For smoke-damaged substrates.</p>	<p>Officer of the ARB.</p> <p>6.1.2 Thinning Recommendations: A statement of the manufacturer's recommendation regarding thinning of the coating shall be indicated on the label or lid of the container. This requirement does not apply to the thinning of architectural coatings with water. If thinning of the coating prior to use is not necessary, the recommendation must specify that the coating is to be applied without thinning.</p> <p>6.1.3 VOC Content: Each container of any coating subject to this rule shall display one of the following values, in grams of VOC per liter of coating:</p> <p>6.1.3.1 Maximum VOC Content, as determined from all potential product formulations; or</p> <p>6.1.3.2 VOC Content, as determined from actual formulation data; or</p> <p>6.1.3.3 VOC Content, as determined using the test methods in Section 6.3.2.</p> <p>If the manufacturer does not recommend thinning, the container must display the VOC Content, as supplied. If the manufacturer recommends thinning, the container must display the VOC Content, including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multicomponent product, the container must display the VOC content as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.</p> <p>6.1.4 Faux Finishing Coatings: Effective January 1, 2011, the labels of all clear topcoat Faux Finishing coatings shall prominently display the statement "This product can only be sold or used as part of a Faux Finishing coating system".</p> <p>6.1.5 Industrial Maintenance Coatings: Each manufacturer of any industrial maintenance coating subject to this rule shall display on the label or lid of the container in which the coating is sold or distributed one or more of the following descriptions listed in Section 6.1.5.1 through 6.1.5.3.</p> <p>6.1.5.1 "For industrial use only"</p> <p>6.1.5.2 "For professional use only"</p> <p>6.1.5.3 "Not for residential use" or "Not intended for residential</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>6.1.7.4 For water-damaged substrates.</p> <p>6.1.7.5 For excessively chalky substrates.</p> <p>6.1.8 Quick Dry Enamels: Effective January 1, 2003, the labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time.</p> <p>6.1.9 Non-flat – High Gloss Coatings: Effective January 1, 2003, the labels of all non-flat – high gloss coatings shall prominently display the words "High Gloss".</p>	<p>use"</p> <p>6.1.6 Clear Brushing Lacquers: The labels of all clear brushing lacquers shall prominently display the statements "For brush application only," and "This product must not be thinned or sprayed." (Category deleted effective January 1, 2011.)</p> <p>6.1.7 Rust Preventative Coatings: The labels of all rust preventative coatings shall prominently display the statement "For Metal Substrates Only".</p> <p>6.1.8 Specialty Primers, Sealers and Undercoaters: Effective until December 31, 2010, the labels of all specialty primers, sealers and undercoaters shall prominently display one or more of the descriptions listed in Section 6.1.8.1 through 6.1.8.5. Effective on and after January 1, 2011, the labels of all specialty primers, sealers, and undercoaters shall prominently display one or more of the descriptions listed in Sections 6.1.8.1 through 6.1.8.3. On and after January 1, 2011, Sections 6.1.8.4 and 6.1.8.5 will be no longer effective.</p> <p>6.1.8.1 For fire-damaged substrates.</p> <p>6.1.8.2 For smoke-damaged substrates.</p> <p>6.1.8.3 For water-damaged substrates.</p> <p>6.1.8.4 For excessively chalky substrates.</p> <p>6.1.8.5 For blocking stains.</p> <p>6.1.9 Quick Dry Enamels: The labels of all quick dry enamels shall prominently display the words "Quick Dry" and the dry hard time. (Category deleted effective January 1, 2011.)</p> <p>6.1.10 Reactive Penetrating Sealers: Effective January 1, 2011, the labels of all Reactive Penetrating Sealers shall prominently display the statement "Reactive Penetrating Sealer."</p> <p>6.1.11 Stone Consolidants: Effective January 1, 2011, the labels of all Stone Consolidants shall prominently display the statement "Stone Consolidant - For Professional Use Only."</p> <p>6.1.12 Nonflat– High Gloss Coatings: The labels of all Nonflat – high gloss coatings shall prominently display the words "High Gloss."</p> <p>6.1.13 Wood Coatings: Effective January 1, 2011, the labels of all Wood Coatings shall prominently display the statement "For Wood Substrates</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>Only."</p> <p>6.1.14 Zinc Rich Primers: Effective January 1, 2011, the labels of all Zinc Rich Primers shall prominently display one or more of the following descriptions listed in Section 6.1.14.1 through 6.1.14.3.</p> <p>6.1.14.1 "For industrial use only"</p> <p>6.1.14.2 "For professional use only"</p> <p>6.1.14.3 "Not for residential use" or "Not intended for residential use"</p>	
	<p>6.2 Reporting Requirements</p> <p>6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB the following information for products sold in the State during the preceding year:</p> <p>6.2.4.1 the product brand name and</p>	<p>6.2 Reporting Requirements</p> <p>The reporting requirements specified in Sections 6.2.1 through 6.2.6 shall apply until December 31, 2010.</p> <p>6.2.1 Clear Brushing Lacquers: Each manufacturer of clear brushing lacquers shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of clear brushing lacquers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.2 Rust Preventative Coatings: Each manufacturer of rust preventative coatings shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of rust preventative coatings sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.3 Specialty Primers, Sealers and Undercoaters: Each manufacturer of specialty primers, sealers and undercoaters shall, on or before April 1 of each calendar year beginning in the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall specify the number of gallons of specialty primers, sealers and undercoaters sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p> <p>6.2.4 Toxic Exempt Compounds: For each architectural coating that contains perchloroethylene or methylene chloride, the manufacturer shall, on or before April 1 of each calendar year beginning in the year 2004,</p>	<p>Until December 31, 2010 both versions of the rule have the same reporting requirements. After that date the non-SIP approved rule includes very specific information to be kept and is required for all architectural coatings. Therefore, non-SIP version of rule is as stringent as SIP version.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>a copy of the product label with legible usage instructions;</p> <p>6.2.4.2 the product category listed in the Table of Standards to which the coating belongs;</p> <p>6.2.4.3 the total sales in California during the calendar year to the nearest gallon;</p> <p>6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.</p> <p>6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.</p> <p>6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate State sales.</p>	<p>submit an annual report to the Executive Officer of the ARB the following information for products sold in the State during the preceding year:</p> <p>6.2.4.1 the product brand name and a copy of the product label with legible usage instructions;</p> <p>6.2.4.2 the product category listed in the Table of Standards 1 or the Table of Standards 2 to which the coating belongs;</p> <p>6.2.4.3 the total sales in California during the calendar year to the nearest gallon;</p> <p>6.2.4.4 the volume percent, to the nearest 0.10 percent, of perchloroethylene and methylene chloride in the coating.</p> <p>6.2.5 Recycled Coatings: Manufacturers of recycled coatings must submit a letter to the Executive Officer of the ARB certifying their status as a Recycled Paint Manufacturer. The manufacturer shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of the ARB. The report shall include, for all recycled coatings, the total number of gallons distributed in the State during the preceding year, and shall describe the method used by the manufacturer to calculate State distribution.</p> <p>6.2.6 Bituminous Coatings: Each manufacturer of bituminous roof coatings or bituminous roof primers shall, on or before April 1 of each calendar year beginning with the year 2004, submit an annual report to the Executive Officer of ARB. The report shall specify the number of gallons of bituminous roof coatings or bituminous roof primers sold in the State during the preceding calendar year, and shall describe the method used by the manufacturer to calculate state sales.</p> <p>6.2.7 Effective on and after January 1, 2011, Sales Data: All sales data listed in Sections 6.2.7.1 to 6.2.7.14 shall be maintained on-site by the responsible official for a minimum of three years. A responsible official from each manufacturer shall upon request of the Executive Officer of the ARB, or his or her delegate, provide data concerning the distribution and sales of architectural coatings. Sales data submitted by the</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>responsible official to the Executive Officer of the ARB may be claimed as confidential, and such information shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations Sections 91000-91022. The responsible official shall within 180 days provide information, including, but not limited to the data listed in Sections 6.2.7.1 through 6.2.7.14:</p> <p>6.2.7.1 the name and mailing address of the manufacturer;</p> <p>6.2.7.2 the name, address and telephone number of a contact person;</p> <p>6.2.7.3 the name of the coating product as it appears on the label and the applicable coating category;</p> <p>6.2.7.4 whether the product is marketed for interior or exterior use or both;</p> <p>6.2.7.5 the number of gallons sold in California in containers greater than one liter (1.057 quart) and equal to or less than one liter (1.057 quart);</p> <p>6.2.7.6 the VOC Actual content and VOC Regulatory content in grams per liter. If thinning is recommended, list the VOC Actual content and VOC Regulatory content after maximum recommended thinning. If containers less than one liter have a different VOC content than containers greater than one liter, list separately. If the coating is a multi-component product, provide the VOC content as mixed or catalyzed;</p> <p>6.2.7.7 the names and CAS numbers of the VOC constituents in the product;</p> <p>6.2.7.8 the names and CAS numbers of any compounds in the product specifically exempted from the VOC definition;</p> <p>6.2.7.9 whether the product is marketed as solvent-borne, waterborne, or 100% solids;</p> <p>6.2.7.10 description of resin or binder in the product;</p> <p>6.2.7.11 whether the coating is a single-component or multi-component product;</p> <p>6.2.7.12 the density of the product in pounds per gallon;</p> <p>6.2.7.13 the percent by weight of: solids, all volatile materials,</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>water, and any compounds in the product specifically exempted from the VOC definition; and</p> <p>6.2.7.14 the percent by volume of solids, water, and any compounds in the product specifically exempted from the VOC definition.</p>	
	<p>6.3 Test Methods</p> <p>6.3.1 VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculations in Section 3.26 and 3.27, the reference method for VOC content is U.S. EPA Method 24, except as provided in Sections 6.3.2 and 6.3.15. An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996), incorporated by reference in Section 6.3.14. The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised August 1996), incorporated by reference in Section 6.3.12. To determine the VOC content of a coating, the manufacturer may use U.S. EPA Method 24, or an alternative method as provided in Section 6.3.2, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of a Method 24 test and any other means for determining VOC content, the Method 24 test results will govern, except when an alternative method is approved as specified in Section 6.3.2. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct a Method 24 analysis.</p> <p>6.3.2 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Section 6.3.1, after review and approved in writing by the staffs of the District, the ARB and the U.S. EPA, may also be used.</p> <p>6.3.3 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of U.S. EPA Method 24 (40 CFR 59, subpart D, Appendix A).</p>	<p>6.3 Test Methods</p> <p>The test methods listed below shall be used to demonstrate compliance with this rule. Alternate equivalent test methods may be used provided the test methods have been approved by the APCO and EPA.</p> <p>6.3.1 Calculation of VOC Content: For the purpose of determining compliance with the VOC content limits in the Table of Standards 1 or the Table of Standards 2, the VOC content of a coating shall be determined as defined in Section 3.77, 3.78, or 3.79 as appropriate. The VOC content of a tint base shall be determined without colorant that is added after the tint base is manufactured. If the manufacturer does not recommend thinning, the VOC Content must be calculated for the product as supplied. If the manufacturer recommends thinning, the VOC Content must be calculated including the maximum amount of thinning solvent recommended by the manufacturer. If the coating is a multi-component product, the VOC content must be calculated as mixed or catalyzed. If the coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOC during the curing process, the VOC content must include the VOCs emitted during curing.</p> <p>6.3.2 VOC Content of Coatings: To determine the physical properties of a coating in order to perform the calculations in Section 3.77 and 3.79, the reference method for VOC content is EPA Method 24, except as provided in Sections 6.3.3 and 6.3.16. An alternative method to determine the VOC content of coatings is SCAQMD Method 304-91 (Revised February 1996). The exempt compounds content shall be determined by SCAQMD Method 303-91 (Revised 1993), BAAQMD Method 43 (Revised 1996), or BAAQMD Method 41 (Revised 1995), as applicable. To determine the VOC</p>	<p>The non-SIP version includes all the requirements of the SIP version. Therefore, the non-SIP version of the rule is more stringent than the SIP version of the rule.</p>

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>incorporated by reference in Section 6.3.15. This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.</p> <p>6.3.4 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM Designation E 84-99, "Standard Test Method for Surface Burning Characteristics of Building Materials"(see Section 3, Fire-Retardant Coating).</p> <p>6.3.5 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM Designation E 119-98, "Standard Test Methods for Fire Tests of Building Construction Materials"(see Section 3, Fire-Resistive Coating).</p> <p>6.3.6 Gloss Determination: The gloss of a coating shall be determined by ASTM Designation D 523-89 (1999), "Standard Test Method for Specular Gloss"(see Section 3, Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating and Quick-Dry Enamel).</p> <p>6.3.7 Metal Content of Coatings: The metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3, Metallic Pigmented Coating).</p> <p>6.3.8 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM Designation D 1613-96, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products"(see Section 3, Pre-Treatment Wash Primer).</p> <p>6.3.9 Drying Times: The set-to-touch, dry-hard, dry-to-touch and dry-to-recoat times of a coating shall be determined by ASTM Designation D 1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3, Quick-Dry Enamel and Quick-Dry Primer, Sealer and Undercoater) The tack-free time of a quickdry enamel coating shall be determined by the Mechanical Test Method of ASTM Designation D 1640-95.</p> <p>6.3.10 Surface Chalkiness: The chalkiness of a surface shall be</p>	<p>content of a coating, the manufacturer may use EPA Method 24, or an alternative method as provided in Section 6.3.3, formulation data, or any other reasonable means for predicting that the coating has been formulated as intended (e.g., quality assurance checks, recordkeeping). However, if there are any inconsistencies between the results of EPA Method 24 test and any other means for determining VOC content, the EPA Method 24 test results will govern, except when an alternative method is approved as specified in Section 6.3.3. The District Air Pollution Control Officer (APCO) may require the manufacturer to conduct an EPA Method 24 analysis.</p> <p>6.3.3 Alternative Test Methods: Other test methods demonstrated to provide results that are acceptable for purposes of determining compliance with Section 6.3.2 4, after review and approved in writing by the staffs of the District, ARB and EPA, may also be used.</p> <p>6.3.4 Methacrylate Traffic Marking Coatings: Analysis of methacrylate multicomponent coatings used as traffic marking coatings shall be conducted according to a modification of EPA Method 24 (40 CFR 59, subpart D, Appendix A). This method has not been approved for methacrylate multicomponent coatings used for other purposes than as traffic marking coatings or for other classes of multicomponent coatings.</p> <p>6.3.5 Flame Spread Index: The flame spread index of a fire-retardant coating shall be determined by ASTM E84-07, "Standard Test Method for Surface Burning Characteristics of Building Materials" (see Section 3.0, Fire-Retardant Coating).</p> <p>6.3.6 Fire Resistance Rating: The fire resistance rating of a fire-resistive coating shall be determined by ASTM E119-07, "Standard Test Methods for Fire Tests of Building Construction Materials" (see Section 3.0, Fire-Resistive Coating).</p> <p>6.3.7 Gloss Determination: The gloss of a coating shall be determined by ASTM D523-89 (1999), "Standard Test Method for Specular Gloss" (see Section 3.0, Flat Coating, Nonflat Coating, Nonflat-High Gloss Coating and Quick-Dry Enamel).</p> <p>6.3.8 Metal Content of Coatings: The</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p>determined using ASTM Designation D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films"(see Section 3, Specialty Primer, Sealer and Undercoater).</p> <p>6.3.11 Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 11/6/96 (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.12 Exempt Compounds—Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 12/20/95 (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.13 Exempt Compounds: The content of compounds under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised 1996), "Determination of Exempt Compounds," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3, Volatile Organic Compound, and Section 6.3.1).</p> <p>6.3.14 VOC Content of Coatings: The VOC content of a coating shall be determined by U.S. EPA Method 24 as it exists in appendix A of 40 <i>Code of Federal Regulations</i> (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings"(see Section 6.3.1).</p> <p>6.3.15 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," <i>SCAQMD Laboratory Methods of Analysis for Enforcement</i></p>	<p>metallic content of a coating shall be determined by SCAQMD Method 318-95, Determination of Weight Percent Elemental Metal in Coatings by X-Ray Diffraction, <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3.0, Metallic Pigmented Coating, Aluminum Roof Coating and Faux Finish).</p> <p>6.3.9 Acid Content of Coatings: The acid content of a coating shall be determined by ASTM D1613-06, "Standard Test Method for Acidity in Volatile Solvents and Chemical Intermediates Used in Paint, Varnish, Lacquer and related products" (see Section 3.0, Pre-Treatment Wash Primer).</p> <p>6.3.10 Drying Times: The set-to-touch, dry-hard, dry-to-touch and dry-to-recoat times of a coating shall be determined by ASTM D1640-95, "Standard Test Methods for Drying, Curing, or Film Formation of Organic Coatings at Room Temperature" (see Section 3.0, Quick-Dry Enamel and Quick-Dry Primer, Sealer and Undercoater) The tack-free time of a quick-dry enamel coating shall be determined by the Mechanical Test Method of ASTM D1640-95. (Category deleted effective January 1, 2011.)</p> <p>6.3.11 Surface Chalkiness: The chalkiness of a surface shall be determined using ASTM D4214-98, "Standard Test Methods for Evaluating the Degree of Chalking of Exterior Paint Films"(see Section 3, Specialty Primer, Sealer and Undercoater). (Category deleted effective January 1, 2011.)</p> <p>6.3.12 Exempt Compounds—Siloxanes: Exempt compounds that are cyclic, branched, or linear completely methylated siloxanes, shall be analyzed as exempt compounds for compliance with Section 6 by BAAQMD Method 43, "Determination of Volatile Methylsiloxanes in Solvent-Based Coatings, Inks, and Related Materials," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 11/6/96 (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.13 Exempt Compounds—Parachlorobenzotrifluoride (PCBTF): The exempt compound parachlorobenzotrifluoride, shall be analyzed as an exempt compound for compliance with Section 6 by</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
	<p><i>Samples</i> (see Section 6.3.1).</p> <p>6.3.16 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings" (September 11, 1998) (see Section 6.3.3).</p>	<p>BAAQMD Method 41, "Determination of Volatile Organic Compounds in Solvent Based Coatings and Related Materials Containing Parachlorobenzotrifluoride," <i>BAAQMD Manual of Procedures</i>, Volume III, adopted 12/20/95 (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.14 Exempt Compounds: The content of compounds under U.S. EPA Method 24 shall be analyzed by SCAQMD Method 303-91 (Revised 1993), "Determination of Exempt Compounds," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i> (see Section 3.0, Volatile Organic Compound, and Section 6.3.2).</p> <p>6.3.15 VOC Content of Coatings: The VOC content of a coating shall be determined by EPA Method 24 as it exists in appendix A of 40 <i>Code of Federal Regulations</i> (CFR) part 60, "Determination of Volatile Matter Content, Water Content, Density, Volume Solids and Weight Solids of Surface Coatings" (see Section 6.3.2).</p> <p>6.3.16 Alternative VOC Content of Coatings: The VOC content of coatings may be analyzed either by U.S. EPA Method 24 or SCAQMD Method 304-91 (Revised 1996), "Determination of Volatile Organic Compounds (VOC) in Various Materials," <i>SCAQMD Laboratory Methods of Analysis for Enforcement Samples</i>.</p> <p>6.3.17 Methacrylate Traffic Marking Coatings: The VOC content of methacrylate multicomponent coatings used as traffic marking coatings shall be analyzed by the procedures in 40 CFR part 59, subpart D, appendix A, "Determination of Volatile Matter Content of Methacrylate Multicomponent Coatings Used as Traffic Marking Coatings" (September 11, 1998).</p> <p>6.3.18 Hydrostatic Pressure for Basement Specialty Coatings: The hydrostatic pressure resistance for basement specialty coatings shall be analyzed using ASTM D7088-04, "Standard Practice for Resistance to Hydrostatic Pressure for Coatings Used in Below Grade Applications Applied to Masonry".</p> <p>6.3.19 Tub and Tile Refinish Coating Adhesion: The adhesion of tub and tile coating shall be determined by</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>ASTM D4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D3359-02, "Standard Test Methods for Measuring Adhesion by Tape Test".</p> <p>6.3.20 Tub and Tile Refinish Coating Hardness: The hardness of tub and tile refinish coating shall be determined by ASTM D3363-05, "Standard Test Method for Film Hardness by Pencil Test".</p> <p>6.3.21 Tub and Tile Refinish Coating Abrasion Resistance: Abrasion resistance of tub and tile refinish coating shall be analyzed by ASTM D4060-07, "Standard Test Methods for Abrasion Resistance of Organic Coatings by the Taber Abraser".</p> <p>6.3.22 Tub and Tile Refinish Coating Water Resistance: Water resistance of tub and tile refinish coatings shall be determined by ASTM D4585-99, "Standard Practice for Testing Water Resistance of Coatings Using Controlled Condensation" and ASTM D714-02e1, "Standard Test Method for Evaluating Degree of Blistering of Paints".</p> <p>6.3.23 Waterproofing Membrane: Waterproofing membrane shall be tested by ASTM C836-06, "Standard Specification for High Solids Content, Cold Liquid-Applied Elastomeric Waterproofing Membrane for Use with Separate Wearing Course".</p> <p>6.3.24 Mold and Mildew Growth for Basement Specialty Coatings: Mold and mildew growth resistance for basement specialty coatings shall be determined by ASTM D3273-00, "Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber" and ASTM D3274-95, "Standard Test Method for Evaluating Degree of Surface Disfigurement of Paint Films by Microbial (Fungal or Algal) Growth or Soil and Dirt Accumulation".</p> <p>6.3.25 Reactive Penetrating Sealer Water Repellency: Reactive penetrating sealer water repellency shall be analyzed by ASTM C67-07, "Standard Test Methods for Sampling and Testing Brick and Structural Clay Tile"; or ASTM C97-02, "Standard Test Methods for Absorption and Bulk Specific Gravity of Dimension Stone"; or ASTM C140-06, "Standard Test Methods for Sampling and Testing Concrete Masonry Units and Related Units".</p>	

Requirement Category	SIP Version of Rule 4601 (10/31/01)	Non-SIP Version of Rule 4601 (12/17/09)	Conclusion
		<p>6.3.26 Reactive Penetrating Sealer Water Vapor Transmission: Reactive penetrating sealer water vapor transmission shall be analyzed ASTM E96/E96M-05, "Standard Test Method for Water Vapor Transmission of Materials".</p> <p>6.3.27 Reactive Penetrating Sealer - Chloride Screening Applications: Reactive penetrating sealers shall be analyzed by National Cooperative Highway Research Report 244 (1981), "Concrete Sealers for the Protection of Bridge Structures".</p> <p>6.3.28 Stone Consolidants: Stone consolidants shall be tested using ASTM E2167-01, "Standard Guide for Selection and Use of Stone Consolidants".</p>	
7.0 Compliance Schedule	Persons subject to this rule shall be in compliance with this rule by October 31, 2001.	Persons subject to this rule shall be in compliance with this rule by the dates specified within the rule.	No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.
8.0 Averaging Compliance Option	<p>8.1 On or after January 1, 2003, in lieu of compliance with the specified limits in the Table of Standards for floor coatings; industrial maintenance coatings; primers, sealers, and undercoaters; quick-dry primers, sealers, and undercoaters; quick-dry enamels; roof coatings; rust preventative coatings; stains; waterproofing sealers, as well as flats and non-flats (excluding recycled coatings), manufacturers may average designated coatings such that their actual cumulative emissions from the averaged coatings are less than or equal to the cumulative emissions that would have been allowed under those limits over a compliance period not to exceed one year. Such manufacturers must also comply with the averaging provisions contained in this Section, as well as maintain and make available for inspection records for at least three years after the end of the compliance period. This Section shall cease to be effective on January 1, 2005, after which averaging will no longer be allowed.</p> <p>Per Section 8.1, averaging is no longer applicable. Therefore, Section 8.2 through 8.14 are not listed.</p>		No change in the requirements, therefore, non-SIP version of rule is as stringent as SIP version.

As analyzed, each amended section of the non-SIP version of the rule is at least as stringent as, or more stringent than the corresponding section of the

SIP version of the rule. Therefore, it is concluded that overall the non-SIP version of the rule is more stringent than the SIP version of the rule.

Conditions 23, 24, and 25 of the facility-wide requirements S-1250-0-2 will ensure compliance with these requirements.

E. District Rule 4703 – Stationary Gas Turbines

This rule applies to all stationary gas turbine systems, which are subject to District permitting requirements, and with ratings equal to or greater than 0.3 megawatt (MW) or a maximum heat input rating of more than 3,000,000 Btu per hour.

The rule was amended on September 20, 2007 to include Tier 3 compliance limit requirements. This amendment to the rule does not effect the permit requirements of unit S-1250-1.

In addition to the Tier 3 compliance limits requirements the term thermal stabilization period was removed from the Rule.

Conditions 3, 14, and 15 of the requirements for unit S-1250-1-9, were revised to reflect current Rule 4703 definitions.

F. District Rule 8011 - General Requirements

The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. The Rules contained in this Regulation have been developed pursuant to United States Environmental Protection Agency guidance for Serious PM10 Nonattainment Areas. The rules are applicable to specified anthropogenic fugitive dust sources. Fugitive dust contains PM10 and particles larger than PM10. Controlling fugitive dust emissions when visible emissions are detected will not prevent all PM10 emissions, but will substantially reduce PM10 emissions.

The provisions of this rule are applicable to specified outdoor fugitive dust sources. The definitions, exemptions, requirements, administrative requirements, recordkeeping requirements, and test methods set forth in this rule are applicable to all Rules under Regulation VIII (Fugitive PM10 Prohibitions) of the Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District.

Conditions 28 through 33 were added to permit S-1250-0-2 to assure compliance, replacing existing permit conditions 28 and 29.

G. District Rule 8021 - Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities

The purpose of this rule is to limit fugitive dust emissions from construction, demolition, excavation, extraction, and other earthmoving activities.

This rule applies to any construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site. This rule also applies to the construction of new landfill disposal sites or modification to existing landfill disposal sites prior to commencement of landfilling activities.

Section 5.0 requires that no person shall perform any construction, demolition, excavation, extraction, or other earthmoving activities unless the appropriate requirements in sections 5.1 and 5.2 are sufficiently implemented to limit VDE to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

Condition 29 of was added to permit S-1250-0-2 to assure compliance.

H. District Rule 8031 - Bulk Materials

The purpose of this rule is to limit fugitive dust emissions from the outdoor handling, storage, and transport of bulk materials.

This rule applies to the outdoor handling, storage, and transport of any bulk material.

Section 5.0 requires that no person shall perform any outdoor handling, storage, and transport of bulk materials unless the appropriate requirements in Table 8031-1 of this rule are sufficiently implemented to limit VDE to 20% opacity or to comply with the conditions for a stabilized surface as defined in Rule 8011. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

Condition 30 of was added to permit S-1250-0-2 to assure compliance, replacing existing permit condition 28.

I. District Rule 8041 - Carryout and Trackout

The purpose of this rule is to limit fugitive dust emissions from carryout and trackout.

This rule applies to all sites that are subject to Rules 8021 (Construction, Demolition, Excavation, Extraction, and other Earthmoving Activities), 8031 (Bulk Materials), and 8071 (Unpaved Vehicle and Equipment Traffic Areas) where carryout or trackout has occurred or may occur.

Section 5.0 requires that an owner/operator shall sufficiently prevent or cleanup carryout and trackout as specified in sections 5.1 through 5.8. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII. The use of blower devices, or dry rotary brushes or brooms, for removal of carryout and trackout on public roads is expressly prohibited. The removal of carryout and trackout from paved public roads does not exempt an owner/operator from obtaining state or local agency permits which may be required for the cleanup of mud and dirt on paved public roads.

Condition 31 of was added to permit S-1250-0-2 to assure compliance, replacing existing permit condition 29.

J. District Rule 8051 - Open Areas

The purpose of this rule is to limit fugitive dust emissions from open areas.

This rule applies to any open area having 3.0 acres or more of disturbed surface area, that has remained undeveloped, unoccupied, unused, or vacant for more than seven days.

Section 5.0 requires that whenever open areas are disturbed or vehicles are used in open areas, the owner/operator shall implement one or a combination of control measures indicated in Table 8051-1 to comply with the conditions of a stabilized surface at all times and to limit VDE to 20% opacity. In addition to the requirements of this rule, a person shall comply with all other applicable requirements of Regulation VIII.

Condition 32 of was added to permit S-1250-0-2 to assure compliance.

K. District Rule 8061 - Paved and Unpaved Roads

The purpose of this rule is to limit fugitive dust emissions from paved and unpaved roads by implementing control measures and design criteria.

This rule applies to any new or existing public or private paved or unpaved road, road construction project, or road modification project.

Condition 33 of was added to permit S-1250-0-2 to assure compliance.

L. District Rule 8071 - Unpaved Vehicle/Equipment Traffic Area

The purpose of this rule is to limit fugitive dust emissions from unpaved vehicle and equipment traffic areas by implementing control measures and design criteria.

This rule applies to any unpaved vehicle/equipment traffic area of 1.0 acre or larger.

Condition 34 of was added to permit S-1250-0-2 to assure compliance.

M. 40 CFR 60 Subpart GG

The provisions of this subpart are applicable to all stationary gas turbines with a heat input at peak load equal to or greater than 10 million Btu per hour. Section 60.334 and 60.335 of this Subpart was amended February 24, 2006. The amended provisions, 40 CFR 60.334(c), (e), and (f) clarify the monitoring methods are options rather than requirements for turbines that do not use water or steam to control NO_x emissions. In addition, the introductory text of 46 CFR 60.334(j), 60.334(j)(1)(iv), and 40 CFR 60.335(b)(8) were also revised to reflect the amended provisions of 40 CFR 60.334(c), (e), and (f).

Since the gas turbine permit unit S-1250-1-9 uses steam injection to control NO_x emissions, the options of the amended provisions are not applicable.

N. 40 CFR 60 Subpart KKKK - Standards of Performance for Stationary Combustion Turbines

The EPA promulgated this new NSPS that would apply to new stationary combustion turbines greater than or equal to 1 MW that commence construction, modification or reconstruction after February 18, 2005. The gas turbine permit unit S-1250-1-9 was initially constructed before February 18, 2005 and not been modified or reconstructed since. Therefore requirements of this NSPS are not applicable.

O. 40 CFR Part 82, Subparts B and F, Stratospheric Ozone

These regulations apply to servicing motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC). Sections of this regulation were amended in 2004 and 2008.

Condition 27 (existing) and condition 28 (new) of permit S-1250-0-2 assure compliance with the requirements.

P. 40 CFR Part 64-CAM

40 CFR Part 64 requires Compliance Assurance Monitoring (CAM) for units that meet the following three criteria:

- 1) the unit must have an emission limit for the pollutant;
- 2) the unit must have add-on controls for the pollutant; these are devices such as flue gas recirculation (FGR), baghouses, and catalytic oxidizers; and
- 3) the unit must have a pre-control potential to emit of greater than the major source thresholds.

1. S-1250-9 – 48 MW Cogeneration System

This permit unit has been previously determined to be subject to CAM for NO_x under Project #S-1030944, the initial Title V permit. However, units that have continuous emission monitors (CEMS) for the pollutants for which the facility is considered a Major Source are exempt from CAM requirements. This permit unit is equipped with CEMs for NO_x. Therefore it is exempt from CAM.

IX. PERMIT SHIELD

A permit shield legally protects a facility from enforcement of the shielded regulations when a source is in compliance with the terms and conditions of the Title V permit. Compliance with the terms and conditions of the Operating Permit is considered compliance with all applicable requirements upon which those conditions are based, including those that have been subsumed.

A. Requirements Addressed by Model General Permit Templates

The applicant does not propose to use any model general permit templates.

B. Requirements not Addressed by Model General Permit Templates

The applicant does not propose any new permit shields.

C. Obsolete Permit Shields From Existing Permit Requirements

Existing permit condition #35 in S-1250-0-1 grants a shield from rules 4101 (11/15/01), 8021 (11/15/01), 8031 (11/15/01), 8041 (11/15/01), 8051 (11/15/01), 8061 (11/15/01), and 8071 (11/15/01) which reference obsolete versions of these rules. This condition has been replaced with condition # 40 in S-1250-0-2 which deletes these obsolete shields.

X. PERMIT CONDITIONS

See Attachment A - Draft Renewed Title V Operating Permit.

XI. ATTACHMENTS

- A. Draft Renewed Title V Operating Permit
- B. Previous Title V Operating Permit
- C. Detailed Facility List

ATTACHMENT A

Draft Renewed Title V Operating Permit

San Joaquin Valley Air Pollution Control District

FACILITY: S-1250-0-2

EXPIRATION DATE: 03/31/2009

FACILITY-WIDE REQUIREMENTS

1. {2285} The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
2. {2286} The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
3. {2287} The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (12/20/07). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. {2289} The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. {2290} A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. {2291} Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. {2292} The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. {2293} The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: BADGER CREEK LIMITED
Location: HEAVY OIL CENTRAL, OILFIELD RD, CA
S-1250-0-2: Apr 15 2010 2:59PM - ROBERTSD

10. {2294} The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. {2295} Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. {2296} If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. {2297} It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. {2298} The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. {2299} The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. {2300} The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. {2301} The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. {2302} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. {2303} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. {2304} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. {2305} Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (2/17/05). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and County Rules 401 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit
23. No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in Table of Standards 1 effective until 12/30/10 or Table of Standards 2 effective on and after 1/1/11 of District Rule 4601 (12/17/09) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. All VOC-containing materials for architectural coatings subject to Rule 4601 (12/17/09) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. The permittee shall comply with all the Labeling and Test Methods requirements outlined in Rule 4601 sections 6.1 and 6.3 (12/17/09). [District Rule 4601, 6.1 and 6.3] Federally Enforceable Through Title V Permit
26. {2310} With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
27. {2311} If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
28. If the permittee performs service on motor vehicles when this service involves the ozone-depleting refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the standards for Servicing of Motor Vehicle Air Conditioners pursuant to all the applicable requirements as specified in 40 CFR Part 82, Subpart B. [40 CFR Part 82, Subpart B] Federally Enforceable Through Title V Permit
29. Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8021 and 8011] Federally Enforceable Through Title V Permit
30. Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8031 and 8011] Federally Enforceable Through Title V Permit
31. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8041 and 8011] Federally Enforceable Through Title V Permit
32. Whenever open areas are disturbed, or vehicles are used in open areas, the facility shall comply with the requirements of Section 5.0 of District Rule 8051, unless specifically exempted under Section 4.0 of Rule 8051 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8051 and 8011] Federally Enforceable Through Title V Permit
33. Any paved road or unpaved road shall comply with the requirements of District Rule 8061 unless specifically exempted under Section 4.0 of Rule 8061 (8/19/04) or Rule 8011 (8/19/04). [District Rule 8061 and Rule 8011] Federally Enforceable Through Title V Permit
34. Any unpaved vehicle/equipment area that anticipates more than 75 vehicle trips per day shall comply with the requirements of Section 5.1.1 of District Rule 8071. Any unpaved vehicle/equipment area that anticipates more than 100 vehicle trips per day shall comply with the requirements of Section 5.1.2 of District Rule 8071. All sources shall comply with the requirements of Section 5.0 of District Rule 8071 unless specifically exempted under Section 4.0 of Rule 8071 (9/16/04) or Rule 8011 (8/19/04). [District Rule 8071 and Rule 8011] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

35. {2319} Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit
36. {2320} The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
37. {2321} The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
38. {2322} When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
39. {2323} Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), and Rule 111 (Kern, Tulare, Kings). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4601, sections 5.1, 5.2, 5.3, 5.8 and 8.0 (12/17/09). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
41. No air contaminant shall be released into the atmosphere that causes a public nuisance. [District Rule 4102]
42. The facility shall comply with all applicable requirements of Rule 4663 (9/20/07). [District Rule 4663]
43. On October 22, 2004, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report begin January 1 of every year, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

DRAFT

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: S-1250-1-9

EXPIRATION DATE: 03/31/2009

SECTION: 23 TOWNSHIP: 28S RANGE: 27E

EQUIPMENT DESCRIPTION:

48.5 MW COGENERATION SYSTEM WITH SCR INCLUDING STEWART & STEVENSON GE MODEL 5000 GAS-FIRED TURBINE, HEAT RECOVERY STEAM GENERATOR, AND INLET AIR ABSORPTION CHILLER AND HEAT EXCHANGER

PERMIT UNIT REQUIREMENTS

1. Compliance with permit conditions in the Title V permit shall be deemed compliance with following subsumed requirements: Rule 108 (San Joaquin), Rule 108.1 (San Joaquin), and Rule 407 (San Joaquin) as of the date of permit issuance. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following applicable requirements: 40 CFR 60.332(a), (a)(1), (a)(2), (b), and (f); 60.333 (a) and (b); 60.334(a), (b)(2), (c)(1), (c)(2), and (c)(3); and 60.335(b), (c)(2), (c)(3), and (d); District Rule 4703 (as amended April 25, 2002), Sections 5.1.1, 5.2, 6.1, 6.3.1, 6.3.3, 6.4, 6.4.5, and 6.4.6; 40 CFR 60.7 (b), 60.8, 60.8(d), 60.13, and 60.13(b); District Rule 1080 (as amended December 17, 1992), Sections 6.3, 6.4, 6.5, 7.0, 7.1, 7.2, 7.3, 8.0, 9.0, 10.0, and 11.0; and District Rule 1081 (as amended December 16, 1993) as of the date of permit issuance. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
2. Operations during periods of startup and shutdown shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the emission limit shown in this permit during periods of startup and shutdown be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard. [40 CFR 6.8 (c)] Federally Enforceable Through Title V Permit
3. Start up time shall be defined as a time during the period of time during which a unit is brought from a shutdown status to its operating temperature and pressure, including the time required by the unit's emission control system to reach full operation. Shut down shall be defined as the period of time during which a unit is taken from an operational to a non-operational status by allowing it to cool down from its operating temperature to ambient temperature as the fuel supply to the unit is completely turned off. The start up and shutdown time shall not to exceed two hours. [40 CFR Subpart A 60.2; District NSR Rule and District Rule 4703, 3.26 and 3.29] Federally Enforceable Through Title V Permit
4. Gas-fired turbine shall be equipped with combustor steam injection and an SCR system utilizing ammonia as the reducing agent for NOx controls. [District NSR Rule and District Rule 4703, 5.1] Federally Enforceable Through Title V Permit
5. Gas-fired turbine shall be equipped with CO reactor of sufficient catalyst volume to meet CO and VOC emissions limits. [District NSR Rule and District Rule 4703, 5.2] Federally Enforceable Through Title V Permit
6. All gas turbine engine exhaust shall flow through catalyst bed. [40 CFR 60.7(c) and District NSR Rule] Federally Enforceable Through Title V Permit
7. Gas turbine combustor steam injection system shall be equipped with continuously recording steam-to-fuel injection rate monitoring system. [40 CFR 60.334(a); District Rule 2201; District Rule 4703, 6.2.1] Federally Enforceable Through Title V Permit
8. Turbine lube oil reservoir shall be equipped with mist collectors with return line to the turbine lube oil reservoir. [District NSR Rule] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

9. Turbine air/oil separator shall be equipped with a heat exchanger and an air/oil final separator with return lines to turbine lube oil reservoir. [District NSR Rule] Federally Enforceable Through Title V Permit
10. Generator lube oil reservoir shall be equipped with a mist collector and two vent breathers with collection piping from generator bearings and return piping to generator lube oil reservoir. [District NSR Rule] Federally Enforceable Through Title V Permit
11. VOC emissions at gas turbine exhaust shall not exceed 5.37 lbs/hour and 128.9 lbs/day, except during periods of startup and shutdown as defined in this permit. The maximum VOC emission rate from turbine lube oil cooler/accumulating vents shall not exceed 1.9 lbs/day. [District NSR Rule] Federally Enforceable Through Title V Permit
12. The maximum VOC emissions concentration (as CH₄) at turbine exhaust shall not exceed 5.33 ppmv dry at 15% O₂, except during periods of startup and shutdown, and as defined in this permit. [District NSR Rule] Federally Enforceable Through Title V Permit
13. The emission rate from the gas turbine exhaust shall not exceed the following: 79.0 lbs-PM₁₀/day, 147.9 lbs-NO_x /day (as NO₂), 7.0 lbs-SO_x/day (SO₂), and 264.0 lbs-CO/day. [District NSR Rule and District Rule 4201.] Federally Enforceable Through Title V Permit
14. The owner or operator shall not operate the gas turbine under load conditions, excluding start up, shut down, or reduced load period, which results in the measured NO_x emissions concentration exceeding 3.8 ppmv @ 15% O₂. [40 CFR 60.332(a)(1), (a)(2) and District Rule 4703, 5.1.2] [District NSR Rule; 40 CFR 60.332(a)(1), (a)(2) and District Rule 4703, 5.1.2] Federally Enforceable Through Title V Permit
15. 17. The owner or operator shall not operate the gas turbine under load conditions, excluding start up, shut down, or reduced load period, which results in the measured CO emissions concentration exceeding 11 ppmv @ 15% O₂. [District NSR Rule and District Rule 4703, 5.2] Federally Enforceable Through Title V Permit
16. The total particulate matter (PM) emissions from the gas turbine exhaust shall not exceed 0.1 gr/dscf. Calculations done by the SJVUAPCD show that natural gas-fired turbine emissions do not exceed this standard. No monitoring of PM is required. [District Rule 4201] Federally Enforceable Through Title V Permit
17. Ammonia slip shall not exceed 20 ppmv, and daily compliance with ammonia slip limit shall be demonstrated by means of the calculation procedure set forth as follows: $Slip = (a - (b \times c / 1,000,000)) \times 1,000,000 / b$, Where a = ammonia injection rate (lb/hr)/17 (lb/lb-mol), b = dry exhaust gas flow rate (lb/hr)/29 (lb/lb. mol), and c = change in measured NO_x concentration ppmv at stack O₂. [District NSR Rule] Federally Enforceable Through Title V Permit
18. Compliance with NO_x (ppmv), CO (ppmv), VOC (hourly), and ammonia (ppmv) emissions limits shall be demonstrated by District witnessed sample collection by independent testing laboratory annually within 60 days prior to permit anniversary date. [District NSR Rule] Federally Enforceable Through Title V Permit
19. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. Official test results and field data collected by source tests required by conditions on this permit shall be submitted to the District within 60 days of testing. [District Rule 1081, 7.0 and District Rule 4703, 6.3] Federally Enforceable Through Title V Permit
20. All CEMS data required to comply with the conditions in this permit shall be rounded to the same number of significant digits as the specified limits, but not less than two significant digits. [40 CFR 60.13 (h)] Federally Enforceable Through Title V Permit
21. Inlet gas temperature to catalyst bed shall be maintained within range recommended by catalyst manufacturer except during periods of startup and shutdown as defined in this permit. [District NSR Rule] Federally Enforceable Through Title V Permit
22. Gas turbine engine shall be fired exclusively with PUC regulated quality natural gas. The fuel gas sulfur content shall not exceed 0.25 gr H₂S/100 scf. [District NSR Rule and District Rule 4801] Federally Enforceable Through Title V Permit

DRAFT

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. The gas turbine steam injection rate shall be maintained at a steam-to-fuel ratio that results in compliance with emissions limits except during periods of startup, shutdown, and malfunction as defined in this permit. Only malfunctions as defined in 40 CFR Part 60 qualify for this exemption. Startup and shutdown of gas turbine engine, as defined in 40 CFR Subpart A 60.2, shall not exceed a time period of three hours and one hour, respectively, per occurrence. [40 CFR Part 60, Subpart A; District NSR Rule; District Rule 4001] Federally Enforceable Through Title V Permit
24. The circular cross section exhaust stack (after SCR unit) shall be equipped with permanent provisions to allow collection of stack gas samples consistent with U.S. EPA test methods and equipped with flow straighteners, if necessary, to minimize turbulence. The facility shall comply with this and all applicable compliance testing procedures described in District Rule 1081 (amended December 17, 1992). [40 CFR Part 60; District Rule 4703; District Rule 1081, 3.0, 5.0, and 6.0]
25. Unfired heat recovery boiler shall be equipped with continuously recording NO_x emissions monitors (CEMS) located ahead of SCR catalyst and continuously recording NO_x, CO, and O₂ emissions monitors located in boiler exhaust stack. CEMS shall meet the performance specification requirements in 40 CFR Part 60, Appendix B, 40 CFR Part 51, Appendix P, and Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the U.S. EPA. CEMS data can be used to determine compliance with emission limits. Continuous emission monitoring for NO_x, CO, and O₂ serving the exhaust gas stream shall conform to District Rule 1080. [District Rule 1080, 4.0 and 5.0; District NSR Rule, District Rule 4703; 40 CFR 60.13] Federally Enforceable Through Title V Permit
26. The facility shall comply with the applicable requirements for quality assurance testing and maintenance of the CEMS equipment in accordance with the procedures and guidance specified in 40 CFR Part 60, Appendix F. [District Rule 1080, 6.0 and 40 CFR Part 60] Federally Enforceable Through Title V Permit
27. NO_x concentrations from gas turbine exhaust shall be determined using U.S. EPA Method 7E or 20; O₂ concentration shall be determined using U.S. EPA Method 3, 3A, or 20. CO emissions shall be determined using U.S. EPA Method 10 or 10B. Source test results will be provided to the District annually. U.S. EPA approved alternate test methods may also be used to address the source testing requirement of this permit. [District Rule 1081; District Rule 2520, 9.3.1; District Rule 4703, 5.1, 6.3, & 6.4; 40 CFR Subpart GG 60.335(b) and (c); 40 CFR Subpart A 60.8] Federally Enforceable Through Title V Permit
28. CEMS results shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.1.3, or by other methods deemed equivalent by mutual agreement with the District, the ARB, and the U.S. EPA. [District Rule 1080, 7.2]
29. Except NO_x and CO emission data obtained for compliance demonstration purposes, CEMS data shall be averaged in accordance with the requirements specified under 40 CFR Part 60.13. Compliance results for NO_x and CO shall be averaged over a three-hour period. [District Rule 4703, 5.0 and 6.2, 40 CFR 60.13] Federally Enforceable Through Title V Permit
30. On days of turbine engine startup/shutdown, permittee shall demonstrate compliance with NO_x and CO daily emissions limits with CEMS data, fuel rate data, and daily hours of operation data. A written record of the compliance demonstration shall be maintained and made available for District inspection for a period of five years. [District Rule 1080, 7.1; District NSR Rule; District Rule 2520, 9.3.2, 9.4.2] Federally Enforceable Through Title V Permit
31. Except during system breakdowns, repairs and maintenance, calibration checks, and zero and span adjustments, the CEMS shall be in continuous operation while the turbine is operating. NO_x emissions in ppmv (corrected to 15% O₂) and CO and O₂ concentrations must be recorded continuously (except as noted elsewhere) and data shall be reduced to 15-minute averages per 40 CFR Part 60.13 (e)(2). [District NSR Rule; 40 CFR 60.486 (b), (c), & (d)] Federally Enforceable Through Title V Permit

DRAFT

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

32. Records shall be maintained and shall contain the occurrence and duration of any startup, shutdown, or malfunction; performance testing, evaluations, calibrations, checks, adjustments, any period during which a continuous monitoring system or monitoring device was inoperative, maintenance of any CEMS that have been installed pursuant to District Rule 1080; emission measurements; and daily actual local startup and stop time, length and reason for reduced load periods, daily and total hours of operation and quantity of fuel used. [District Rule 1080, 4.0 and 7.3; District NSR Rule; District Rule 4703; 40 CFR 60.332(a), (b); 40 CFR 60.7(b)] Federally Enforceable Through Title V Permit
33. Compliance with the requirements for fuel gas sulfur content and PUC regulated quality gas shall be by fuel gas sample analysis by independent testing laboratory taken at time of annual stack gas sampling. [District NSR Rule]
34. Operators of CEMS shall submit a written report for each calendar quarter to the APCO. The report is due on the 30th day following the end of the calendar quarter and shall include time intervals, data and magnitude of excess emissions, nature and cause of excess (if known), corrective actions taken, and preventive measures adopted; averaging period used for data reporting corresponding to the averaging period specified in the emission test period used to determine compliance with an emission standard; applicable time and date of each period during which the CEMS was inoperative (except for zero and span checks) and the nature of system repairs and adjustments; and a negative declaration when no excess emissions occurred. For clarification, operator shall use the same averaging periods as written into the permit for demonstrating compliance. [60.7(c); District Rule 1080, 8.0] Federally Enforceable Through Title V Permit
35. Facility shall notify the APCO of a violation of any emission standards indicated by the CEMS within 96 hours of occurrence. The APCO shall be notified within eight hours after the detection of a breakdown of CEMS monitoring equipment and 24 hours prior to a planned shutdown of monitoring equipment greater than 4 hours in duration. [40 CFR 60.334(c); District Rule 1080, 9.0 and 10.0; District Rule 2520, 9.5.2] Federally Enforceable Through Title V Permit
36. Gas temperature at SCR catalyst section inlet shall be monitored by an operational temperature indicator. [District NSR Rule] Federally Enforceable Through Title V Permit
37. The operator shall monitor and record exhaust gas temperature at oxidation catalyst inlet. [District NSR Rule] Federally Enforceable Through Title V Permit
38. Ammonia injection grid shall be equipped with operational ammonia flow meter and injection pressure indicator. [District NSR Rule] Federally Enforceable Through Title V Permit
39. The requirements of 40 CFR 72.6 (b) (Acid Rain Provisions) do not apply to this source. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Any lube oil cooler/accumulating vent having visible emissions with an opacity of 5% or greater shall be tested to demonstrate compliance with VOC hourly emissions limit. Official test results/field data shall be submitted within 60 days of testing. [District NSR Rule] Federally Enforceable Through Title V Permit
41. Maximum heat input rating of General Electric LM-5000 gas-fired turbine engine, S/N 474-144, shall not exceed 457.8 MMBtu/hr and nominal generator output shall not exceed 48.5 MW. [District NSR Rule] Federally Enforceable Through Title V Permit
42. Unfired heat recovery steam generator shall not be designed for supplementary firing. [District NSR Rule] Federally Enforceable Through Title V Permit
43. Gas turbine engine shall be equipped with continuously recording fuel gas flowmeter. [District NSR Rule] Federally Enforceable Through Title V Permit
44. Installed SCR unit shall provide space for additional catalyst if source operation cannot achieve sampling limits. [District NSR Rule] Federally Enforceable Through Title V Permit
45. Steam produced at this facility for use in oil production operations shall affect only wells connected to well vent vapor recovery systems approved by District. [District NSR Rule] Federally Enforceable Through Title V Permit
46. The facility shall install and maintain equipment, facilities, and systems compatible with the District's CEM data polling software system and shall make CEM data available to the District's automated polling system on a daily basis. [District Rule 1080 and District Rule 2520] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

47. Upon notice by the District that the facility's CEM system is not providing polling data, the facility may continue to operate without providing automated data for a maximum of 30 days per calendar year provided the CEM data is sent to the District by a District-approved alternative method. [District Rule 1080 and District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
48. Audits of monitors shall be conducted semi-annually by independent laboratory in accordance with EPA guidelines, witnessed by District, and reports shall be submitted to District within 30 days of such audit. [District NSR] Federally Enforceable Through Title V Permit
49. A written record of the compliance demonstrations for NOx and CO daily emissions limits, as required in the condition above, shall be maintained and made available for District inspection for a period of two years. [District NSR Rule]
50. All records shall be retained for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070 and District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

DRAFT

ATTACHMENT B

Previous Title V Operating Permit

San Joaquin Valley Air Pollution Control District

FACILITY: S-1250-0-1

EXPIRATION DATE: 03/31/2009

FACILITY-WIDE REQUIREMENTS

1. The owner or operator shall notify the District of any breakdown condition as soon as reasonably possible, but no later than one hour after its detection, unless the owner or operator demonstrates to the District's satisfaction that the longer reporting period was necessary. [District Rule 1100, 6.1; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
2. The District shall be notified in writing within ten days following the correction of any breakdown condition. The breakdown notification shall include a description of the equipment malfunction or failure, the date and cause of the initial failure, the estimated emissions in excess of those allowed, and the methods utilized to restore normal operations. [District Rule 1100, 7.0; County Rules 110 (Fresno, Stanislaus, San Joaquin); 109 (Merced); 113 (Madera); and 111 (Kern, Tulare, Kings)] Federally Enforceable Through Title V Permit
3. The owner or operator of any stationary source operation that emits more than 25 tons per year of nitrogen oxides or reactive organic compounds, shall provide the District annually with a written statement in such form and at such time as the District prescribes, showing actual emissions of nitrogen oxides and reactive organic compounds from that source. [District Rule 1160, 5.0] Federally Enforceable Through Title V Permit
4. Any person building, altering or replacing any operation, article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, shall first obtain an Authority to Construct (ATC) from the District unless exempted by District Rule 2020 (3/21/02). [District Rule 2010, 3.0 and 4.0; and 2020] Federally Enforceable Through Title V Permit
5. The permittee must comply with all conditions of the permit including permit revisions originated by the District. All terms and conditions of a permit that are required pursuant to the Clean Air Act (CAA), including provisions to limit potential to emit, are enforceable by the EPA and Citizens under the CAA. Any permit noncompliance constitutes a violation of the CAA and the District Rules and Regulations, and is grounds for enforcement action, for permit termination, revocation, reopening and reissuance, or modification; or for denial of a permit renewal application. [District Rules 2070, 7.0; 2080; and 2520, 9.8.1 and 9.12.1] Federally Enforceable Through Title V Permit
6. A Permit to Operate or an Authority to Construct shall not be transferred unless a new application is filed with and approved by the District. [District Rule 2031] Federally Enforceable Through Title V Permit
7. Every application for a permit required under Rule 2010 (12/17/92) shall be filed in a manner and form prescribed by the District. [District Rule 2040] Federally Enforceable Through Title V Permit
8. The operator shall maintain records of required monitoring that include: 1) the date, place, and time of sampling or measurement; 2) the date(s) analyses were performed; 3) the company or entity that performed the analysis; 4) the analytical techniques or methods used; 5) the results of such analysis; and 6) the operating conditions at the time of sampling or measurement. [District Rule 2520, 9.4.1] Federally Enforceable Through Title V Permit
9. The operator shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, or report. Support information includes copies of all reports required by the permit and, for continuous monitoring instrumentation, all calibration and maintenance records and all original strip-chart recordings. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate. Any amendments to these Facility-wide Requirements that affect specific Permit Units may constitute modification of those Permit Units.

Facility Name: BADGER CREEK LIMITED
Location: HEAVY OIL CENTRAL OILFIELD RD, CA
S-1250-0-1: Dec 11 2009 3:46PM - ROBERTSD

10. The operator shall submit reports of any required monitoring at least every six months unless a different frequency is required by an applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. [District Rule 2520, 9.5.1] Federally Enforceable Through Title V Permit
11. Deviations from permit conditions must be promptly reported, including deviations attributable to upset conditions, as defined in the permit. For the purpose of this condition, promptly means as soon as reasonably possible, but no later than 10 days after detection. The report shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. All required reports must be certified by a responsible official consistent with section 10.0 of District Rule 2520 (6/21/01). [District Rules 2520, 9.5.2 and 1100, 7.0] Federally Enforceable Through Title V Permit
12. If for any reason a permit requirement or condition is being challenged for its constitutionality or validity by a court of competent jurisdiction, the outcome of such challenge shall not affect or invalidate the remainder of the conditions or requirements in that permit. [District Rule 2520, 9.7] Federally Enforceable Through Title V Permit
13. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. [District Rule 2520, 9.8.2] Federally Enforceable Through Title V Permit
14. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [District Rule 2520, 9.8.3] Federally Enforceable Through Title V Permit
15. The permit does not convey any property rights of any sort, or any exclusive privilege. [District Rule 2520, 9.8.4] Federally Enforceable Through Title V Permit
16. The Permittee shall furnish to the District, within a reasonable time, any information that the District may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the District copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to EPA along with a claim of confidentiality. [District Rule 2520, 9.8.5] Federally Enforceable Through Title V Permit
17. The permittee shall pay annual permit fees and other applicable fees as prescribed in Regulation III of the District Rules and Regulations. [District Rule 2520, 9.9] Federally Enforceable Through Title V Permit
18. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to enter the permittee's premises where a permitted source is located or emissions related activity is conducted, or where records must be kept under condition of the permit. [District Rule 2520, 9.13.2.1] Federally Enforceable Through Title V Permit
19. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit. [District Rule 2520, 9.13.2.2] Federally Enforceable Through Title V Permit
20. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. [District Rule 2520, 9.13.2.3] Federally Enforceable Through Title V Permit
21. Upon presentation of appropriate credentials, a permittee shall allow an authorized representative of the District to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [District Rule 2520, 9.13.2.4] Federally Enforceable Through Title V Permit
22. No air contaminants shall be discharged into the atmosphere for a period or periods aggregating more than 3 minutes in any one hour which is as dark or darker than Ringelmann #1 or equivalent to 20% opacity and greater, unless specifically exempted by District Rule 4101 (11/15/01). If the equipment or operation is subject to a more stringent visible emission standard as prescribed in a permit condition, the more stringent visible emission limit shall supersede this condition. [District Rule 4101, and County Rules 401 (in all eight counties in the San Joaquin Valley)] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

23. No person shall manufacture, blend, repackage, supply, sell, solicit or apply any architectural coating with a VOC content in excess of the corresponding limit specified in the Table of Standards of District Rule 4601 (10/31/01) for use or sale within the District. [District Rule 4601, 5.1] Federally Enforceable Through Title V Permit
24. All VOC-containing materials for architectural coatings subject to Rule 4601 (10/31/01) shall be stored in closed containers when not in use. [District Rule 4601, 5.4] Federally Enforceable Through Title V Permit
25. With each report or document submitted under a permit requirement or a request for information by the District or EPA, the permittee shall include a certification of truth, accuracy, and completeness by a responsible official. [District Rule 2520, 9.13.1 and 10.0] Federally Enforceable Through Title V Permit
26. If the permittee performs maintenance on, or services, repairs, or disposes of appliances, the permittee shall comply with the standards for Recycling and Emissions Reduction pursuant to 40 CFR 82, Subpart F. [40 CFR 82 Subpart F] Federally Enforceable Through Title V Permit
27. Disturbances of soil related to any construction, demolition, excavation, extraction, or other earthmoving activities shall comply with the requirements for fugitive dust control in District Rule 8021 unless specifically exempted under Section 4.0 of Rule 8021 (11/15/01) or Rule 8011 (11/15/01). [District Rule 8021 and 8011] Federally Enforceable Through Title V Permit
28. Outdoor handling, storage and transport of any bulk material which emits dust shall comply with the requirements of District Rule 8031, unless specifically exempted under Section 4.0 of Rule 8031 (11/15/01) or Rule 8011 (11/15/01). [District Rule 8031 and 8011] Federally Enforceable Through Title V Permit
29. An owner/operator shall prevent or cleanup any carryout or trackout in accordance with the requirements of District Rule 8041 Section 5.0, unless specifically exempted under Section 4.0 of Rule 8041 (11/15/01) or Rule 8011 (11/15/01). [District Rule 8041 and 8011] Federally Enforceable Through Title V Permit
30. Any owner or operator of a demolition or renovation activity, as defined in 40 CFR 61.141, shall comply with the applicable inspection, notification, removal, and disposal procedures for asbestos containing materials as specified in 40 CFR 61.145 (Standard for Demolition and Renovation). [40 CFR 61 Subpart M] Federally Enforceable Through Title V Permit
31. The permittee shall submit certifications of compliance with the terms and standards contained in Title V permits, including emission limits, standards and work practices, to the District and the EPA annually (or more frequently as specified in an applicable requirement or as specified by the District). The certification shall include the identification of each permit term or condition, the compliance status, whether compliance was continuous or intermittent, the methods used for determining the compliance status, and any other facts required by the District to determine the compliance status of the source. [District Rule 2520, 9.16] Federally Enforceable Through Title V Permit
32. The permittee shall submit an application for Title V permit renewal to the District at least six months, but not greater than 18 months, prior to the permit expiration date. [District Rule 2520, 5.2] Federally Enforceable Through Title V Permit
33. When a term is not defined in a Title V permit condition, the definition in the rule cited as the origin and authority for the condition in a Title V permits shall apply. [District Rule 2520, 9.1.1] Federally Enforceable Through Title V Permit
34. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following outdated SIP requirements: Rule 401 (Madera, Fresno, Kern, Kings, San Joaquin, Stanislaus, Tulare and Merced), Rule 110 (Fresno, Stanislaus, San Joaquin), Rule 109 (Merced), Rule 113 (Madera), and Rule 111 (Kern, Tulare, Kings). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
35. Compliance with permit conditions in the Title V permit shall be deemed in compliance with the following applicable requirements: SJVUAPCD Rules 1100, sections 6.1 and 7.0 (12/17/92); 2010, sections 3.0 and 4.0 (12/17/92); 2031 (12/17/92); 2040 (12/17/92); 2070, section 7.0 (12/17/92); 2080 (12/17/92); 4101 (11/15/01); 4601, sections 5.1, 5.2, 5.3, 5.8 and 8.0 (10/31/01); 8021 (11/15/01); 8031 (11/15/01); 8041 (11/15/01); 8051 (11/15/01); 8061 (11/15/01); and 8071 (11/15/01). A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit

FACILITY-WIDE REQUIREMENTS CONTINUE ON NEXT PAGE
These terms and conditions are part of the Facility-wide Permit to Operate.

36. No air contaminant shall be released into the atmosphere that causes a public nuisance. [District Rule 4102]
37. The facility shall comply with all applicable requirements of Rule 4663. [District Rule 4663]
38. On October 22, 2004, the initial Title V permit was issued. The reporting periods for the Report of Required Monitoring and the Compliance Certification Report are based upon this initial permit issuance date, unless alternative dates are approved by the District Compliance Division. These reports are due within 30 days after the end of the reporting period. [District Rule 2520] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: S-1250-1-8

EXPIRATION DATE: 03/31/2009

SECTION: 23 **TOWNSHIP:** 28S **RANGE:** 27E

EQUIPMENT DESCRIPTION:

48.5 MW COGENERATION SYSTEM WITH SCR INCLUDING STEWART & STEVENSON GE MODEL 5000 GAS-FIRED TURBINE, HEAT RECOVERY STEAM GENERATOR, AND INLET AIR ABSORPTION CHILLER AND HEAT EXCHANGER

PERMIT UNIT REQUIREMENTS

1. Compliance with permit conditions in the Title V permit shall be deemed compliance with following subsumed requirements: Rule 108 (San Joaquin), Rule 108.1 (San Joaquin), and Rule 407 (San Joaquin) as of the date of permit issuance. Compliance with permit conditions in the Title V permit shall be deemed compliance with the following applicable requirements: 40 CFR 60.332(a), (a)(1), (a)(2), (b), and (f); 60.333 (a) and (b); 60.334(a), (b)(2), (c)(1), (c)(2), and (c)(3); and 60.335(b), (c)(2), (c)(3), and (d); District Rule 4703 (as amended April 25, 2002), Sections 5.1.1, 5.2, 6.1, 6.3.1, 6.3.3, 6.4, 6.4.5, and 6.4.6; 40 CFR 60.7 (b), 60.8, 60.8(d), 60.13, and 60.13(b); District Rule 1080 (as amended December 17, 1992), Sections 6.3, 6.4, 6.5, 7.0, 7.1, 7.2, 7.3, 8.0, 9.0, 10.0, and 11.0; and District Rule 1081 (as amended December 16, 1993) as of the date of permit issuance. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
2. Operations during periods of startup and shutdown shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the emission limit shown in this permit during periods of startup and shutdown be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard. [40 CFR 6.8 (c)] Federally Enforceable Through Title V Permit
3. Startup and shutdown of the gas turbine, as defined in this permit, in 40 CFR Subpart A 60.2, and in Rule 4703, shall not exceed a time period of two hours per occurrence. Emission concentrations subsequent to this startup period shall not exceed permit limits except during shutdown. [40 CFR Subpart A 60.2; District NSR Rule and District Rule 4703] Federally Enforceable Through Title V Permit
4. Gas-fired turbine shall be equipped with combustor steam injection and an SCR system utilizing ammonia as the reducing agent for NOx controls. [District NSR Rule and District Rule 4703, 5.1] Federally Enforceable Through Title V Permit
5. Gas-fired turbine shall be equipped with CO reactor of sufficient catalyst volume to meet CO and VOC emissions limits. [District NSR Rule and District Rule 4703, 5.2] Federally Enforceable Through Title V Permit
6. All gas turbine engine exhaust shall flow through catalyst bed. [40 CFR 60.7(c) and District NSR Rule] Federally Enforceable Through Title V Permit
7. Gas turbine combustor steam injection system shall be equipped with continuously recording steam-to-fuel injection rate monitoring system. [40 CFR 60.334(a); District Rule 2201; District Rule 4703, 6.2.1] Federally Enforceable Through Title V Permit
8. Turbine lube oil reservoir shall be equipped with mist collectors with return line to the turbine lube oil reservoir. [District NSR Rule] Federally Enforceable Through Title V Permit
9. Turbine air/oil separator shall be equipped with a heat exchanger and an air/oil final separator with return lines to turbine lube oil reservoir. [District NSR Rule] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

10. Generator lube oil reservoir shall be equipped with a mist collector and two vent breathers with collection piping from generator bearings and return piping to generator lube oil reservoir. [District NSR Rule] Federally Enforceable Through Title V Permit
11. VOC emissions at gas turbine exhaust shall not exceed 5.37 lbs/hour and 128.9 lbs/day, except during periods of startup and shutdown as defined in this permit. The maximum VOC emission rate from turbine lube oil cooler/accumulating vents shall not exceed 1.9 lbs/day. [District NSR Rule] Federally Enforceable Through Title V Permit
12. The maximum VOC emissions concentration (as CH₄) at turbine exhaust shall not exceed 5.33 ppmv dry at 15% O₂, except during periods of startup and shutdown, and as defined in this permit. [District NSR Rule] Federally Enforceable Through Title V Permit
13. The emission rate from the gas turbine exhaust shall not exceed the following: 79.0 lbs-PM₁₀/day, 147.9 lbs-NO_x /day (as NO₂), 7.0 lbs-SO_x/day (SO₂), and 264.0 lbs-CO/day. [District NSR Rule and District Rule 4201.] Federally Enforceable Through Title V Permit
14. Concentrations of nitrogen oxides (as NO₂) from the gas turbine exhaust stack shall not exceed 3.8 ppmv dry calculated to 15% O₂, except during periods of startup and shutdown as defined in this permit. [District NSR Rule; District Rule 4703, 5.1; and 40 CFR Part 60.332(a)] Federally Enforceable Through Title V Permit
15. CO concentrations from the gas turbine exhaust stack shall not exceed 11 ppmv dry calculated to 15% O₂, except during periods of startup and shutdown as defined in this permit. [District NSR Rule and District Rule 4703, 5.2] Federally Enforceable Through Title V Permit
16. The total particulate matter (PM) emissions from the gas turbine exhaust shall not exceed 0.1 gr/dscf. Calculations done by the SJVUAPCD show that natural gas-fired turbine emissions do not exceed this standard. No monitoring of PM is required. [District Rule 4201] Federally Enforceable Through Title V Permit
17. Ammonia slip shall not exceed 20 ppmv, and daily compliance with ammonia slip limit shall be demonstrated by means of the calculation procedure set forth as follows: $Slip = (a - (b \times c / 1,000,000)) \times 1,000,000 / b$, Where a = ammonia injection rate (lb/hr)/17 (lb/lb-mol), b = dry exhaust gas flow rate (lb/hr)/29 (lb/lb. mol), and c = change in measured NO_x concentration ppmv at stack O₂. [District NSR Rule] Federally Enforceable Through Title V Permit
18. Compliance with NO_x (ppmv), CO (ppmv), VOC (hourly), and ammonia (ppmv) emissions limits shall be demonstrated by District witnessed sample collection by independent testing laboratory annually within 60 days prior to permit anniversary date. [District NSR Rule]
19. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. Official test results and field data collected by source tests required by conditions on this permit shall be submitted to the District within 60 days of testing. [District Rule 1081, 7.0 and District Rule 4703, 6.3] Federally Enforceable Through Title V Permit
20. All CEMS data required to comply with the conditions in this permit shall be rounded to the same number of significant digits as the specified limits, but not less than two significant digits. [40 CFR 60.13 (h)] Federally Enforceable Through Title V Permit
21. Inlet gas temperature to catalyst bed shall be maintained within range recommended by catalyst manufacturer except during periods of startup and shutdown as defined in this permit. [District NSR Rule] Federally Enforceable Through Title V Permit
22. Gas turbine engine shall be fired exclusively with PUC regulated quality natural gas. The fuel gas sulfur content shall not exceed 0.25 gr H₂S/100 scf. [District NSR Rule and District Rule 4801] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

23. The gas turbine steam injection rate shall be maintained at a steam-to-fuel ratio that results in compliance with emissions limits except during periods of startup, shutdown, and malfunction as defined in this permit. Only malfunctions as defined in 40 CFR Part 60 qualify for this exemption. Startup and shutdown of gas turbine engine, as defined in 40 CFR Subpart A 60.2, shall not exceed a time period of three hours and one hour, respectively, per occurrence. [40 CFR Part 60, Subpart A; District NSR Rule; District Rule 4001] Federally Enforceable Through Title V Permit
24. The circular cross section exhaust stack (after SCR unit) shall be equipped with permanent provisions to allow collection of stack gas samples consistent with U.S. EPA test methods and equipped with flow straighteners, if necessary, to minimize turbulence. The facility shall comply with this and all applicable compliance testing procedures described in District Rule 1081 (amended December 17, 1992). [40 CFR Part 60; District Rule 4703; District Rule 1081, 3.0, 5.0, and 6.0]
25. Unfired heat recovery boiler shall be equipped with continuously recording NO_x emissions monitors (CEMS) located ahead of SCR catalyst and continuously recording NO_x, CO, and O₂ emissions monitors located in boiler exhaust stack. CEMS shall meet the performance specification requirements in 40 CFR Part 60, Appendix B, 40 CFR Part 51, Appendix P, and Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the District, the ARB, and the U.S. EPA. CEMS data can be used to determine compliance with emission limits. Continuous emission monitoring for NO_x, CO, and O₂ serving the exhaust gas stream shall conform to District Rule 1080. [District Rule 1080, 4.0 and 5.0; District NSR Rule, District Rule 4703; 40 CFR 60.13] Federally Enforceable Through Title V Permit
26. The facility shall comply with the applicable requirements for quality assurance testing and maintenance of the CEMS equipment in accordance with the procedures and guidance specified in 40 CFR Part 60, Appendix F. [District Rule 1080, 6.0 and 40 CFR Part 60] Federally Enforceable Through Title V Permit
27. NO_x concentrations from gas turbine exhaust shall be determined using U.S. EPA Method 7E or 20; O₂ concentration shall be determined using U.S. EPA Method 3, 3A, or 20. CO emissions shall be determined using U.S. EPA Method 10 or 10B. Source test results will be provided to the District annually. U.S. EPA approved alternate test methods may also be used to address the source testing requirement of this permit. [District Rule 1081; District Rule 2520, 9.3.1; District Rule 4703, 5.1, 6.3, & 6.4; 40 CFR Subpart GG 60.335(b) and (c); 40 CFR Subpart A 60.8] Federally Enforceable Through Title V Permit
28. CEMS results shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.1.3, or by other methods deemed equivalent by mutual agreement with the District, the ARB, and the U.S. EPA. [District Rule 1080, 7.2]
29. Except NO_x and CO emission data obtained for compliance demonstration purposes, CEMS data shall be averaged in accordance with the requirements specified under 40 CFR Part 60.13. Compliance results for NO_x and CO shall be averaged over a three-hour period. [District Rule 4703, 5.0 and 6.2, 40 CFR 60.13] Federally Enforceable Through Title V Permit
30. On days of turbine engine startup/shutdown, permittee shall demonstrate compliance with NO_x and CO daily emissions limits with CEMS data, fuel rate data, and daily hours of operation data. A written record of the compliance demonstration shall be maintained and made available for District inspection for a period of five years. [District Rule 1080, 7.1; District NSR Rule; District Rule 2520, 9.3.2, 9.4.2] Federally Enforceable Through Title V Permit
31. Except during system breakdowns, repairs and maintenance, calibration checks, and zero and span adjustments, the CEMS shall be in continuous operation while the turbine is operating. NO_x emissions in ppmv (corrected to 15% O₂) and CO and O₂ concentrations must be recorded continuously (except as noted elsewhere) and data shall be reduced to 15-minute averages per 40 CFR Part 60.13 (e)(2). [District NSR Rule; 40 CFR 60.486 (b), (c), & (d)] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

32. Records shall be maintained and shall contain the occurrence and duration of any startup, shutdown, or malfunction; performance testing, evaluations, calibrations, checks, adjustments, any period during which a continuous monitoring system or monitoring device was inoperative, maintenance of any CEMS that have been installed pursuant to District Rule 1080; emission measurements; and daily actual local startup and stop time, length and reason for reduced load periods, daily and total hours of operation and quantity of fuel used. [District Rule 1080, 4.0 and 7.3; District NSR Rule; District Rule 4703; 40 CFR 60.332(a), (b); 40 CFR 60.7(b)] Federally Enforceable Through Title V Permit
33. Compliance with the requirements for fuel gas sulfur content and PUC regulated quality gas shall be by fuel gas sample analysis by independent testing laboratory taken at time of annual stack gas sampling. [District NSR Rule]
34. Operators of CEMS shall submit a written report for each calendar quarter to the APCO. The report is due on the 30th day following the end of the calendar quarter and shall include time intervals, data and magnitude of excess emissions, nature and cause of excess (if known), corrective actions taken, and preventive measures adopted; averaging period used for data reporting corresponding to the averaging period specified in the emission test period used to determine compliance with an emission standard; applicable time and date of each period during which the CEMS was inoperative (except for zero and span checks) and the nature of system repairs and adjustments; and a negative declaration when no excess emissions occurred. For clarification, operator shall use the same averaging periods as written into the permit for demonstrating compliance. [60.7(c); District Rule 1080, 8.0] Federally Enforceable Through Title V Permit
35. Facility shall notify the APCO of a violation of any emission standards indicated by the CEMS within 96 hours of occurrence. The APCO shall be notified within eight hours after the detection of a breakdown of CEMS monitoring equipment and 24 hours prior to a planned shutdown of monitoring equipment greater than 4 hours in duration. [40 CFR 60.334(c); District Rule 1080, 9.0 and 10.0; District Rule 2520, 9.5.2] Federally Enforceable Through Title V Permit
36. Gas temperature at SCR catalyst section inlet shall be monitored by an operational temperature indicator. [District NSR Rule] Federally Enforceable Through Title V Permit
37. The operator shall monitor and record exhaust gas temperature at oxidation catalyst inlet. [District NSR Rule] Federally Enforceable Through Title V Permit
38. Ammonia injection grid shall be equipped with operational ammonia flow meter and injection pressure indicator. [District NSR Rule] Federally Enforceable Through Title V Permit
39. The requirements of 40 CFR 72.6 (b) (Acid Rain Provisions) do not apply to this source. A permit shield is granted from these requirements. [District Rule 2520, 13.2] Federally Enforceable Through Title V Permit
40. Any lube oil cooler/accumulating vent having visible emissions with an opacity of 5% or greater shall be tested to demonstrate compliance with VOC hourly emissions limit. Official test results/field data shall be submitted within 60 days of testing. [District NSR Rule] Federally Enforceable Through Title V Permit
41. Maximum heat input rating of General Electric LM-5000 gas-fired turbine engine, S/N 474-144, shall not exceed 457.8 MMBtu/hr and nominal generator output shall not exceed 48.5 MW. [District NSR Rule] Federally Enforceable Through Title V Permit
42. Unfired heat recovery steam generator shall not be designed for supplementary firing. [District NSR Rule] Federally Enforceable Through Title V Permit
43. Gas turbine engine shall be equipped with continuously recording fuel gas flowmeter. [District NSR Rule] Federally Enforceable Through Title V Permit
44. Installed SCR unit shall provide space for additional catalyst if source operation cannot achieve sampling limits. [District NSR Rule] Federally Enforceable Through Title V Permit
45. Steam produced at this facility for use in oil production operations shall affect only wells connected to well vent vapor recovery systems approved by District. [District NSR Rule] Federally Enforceable Through Title V Permit
46. The facility shall install and maintain equipment, facilities, and systems compatible with the District's CEM data polling software system and shall make CEM data available to the District's automated polling system on a daily basis. [District Rule 1080 and District Rule 2520] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

47. Upon notice by the District that the facility's CEM system is not providing polling data, the facility may continue to operate without providing automated data for a maximum of 30 days per calendar year provided the CEM data is sent to the District by a District-approved alternative method. [District Rule 1080 and District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
48. Audits of monitors shall be conducted semi-annually by independent laboratory in accordance with EPA guidelines, witnessed by District, and reports shall be submitted to District within 30 days of such audit. [District NSR] Federally Enforceable Through Title V Permit
49. A written record of the compliance demonstrations for NOx and CO daily emissions limits, as required in the condition above, shall be maintained and made available for District inspection for a period of two years. [District NSR Rule]
50. All records shall be retained for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070 and District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

ATTACHMENT C

Detailed Facility List

Detailed Facility Report

For Facility=1250

Sorted by Facility Name and Permit Number

BADGER CREEK LIMITED	FAC #	S 1250	TYPE:	TitleV	EXPIRE ON:	03/31/2009
HEAVY OIL CENTRAL	STATUS:	A	TOXIC ID:	50012	AREA:	5 /
OILFIELD RD, CA	TELEPHONE:	(805) 393-6885			INSP. DATE:	04/10

PERMIT NUMBER	FEE DESCRIPTION	FEE RULE	QTY	FEE AMOUNT	FEE TOTAL	PERMIT STATUS	EQUIPMENT DESCRIPTION
S-1250-1-8	48 MW	3020-08A G	1	10,215.00	10,215.00	A	48.5 MW COGENERATION SYSTEM WITH SCR INCLUDING STEWART & STEVENSON GE MODEL 5000 GAS-FIRED TURBINE, HEAT RECOVERY STEAM GENERATOR, AND INLET AIR ABSORPTION CHILLER AND HEAT EXCHANGER

Number of Facilities Reported: 1