

**DRAFT STATEMENT OF BASIS  
FOR  
ISSUANCE OF TITLE V FEDERAL OPERATING PERMIT**

<b>Title V Permit No.:</b>	<u>13007</u>
<b>Date:</b>	<u>6/7/2012</u>
<b>Reviewing Engineer:</b>	<u>Matt Baldwin</u>

**FACILITY INFORMATION:**

<b><u>FACILITY NAME:</u></b>	Feather River Energy Center
<b><u>LOCATION:</u></b>	202 Burns Drive Yuba City, CA 95991
<b><u>MAILING ADDRESS:</u></b>	Gilroy Energy Center 5029 South Township Rd Yuba City, CA 95993
<b><u>RESPONSIBLE OFFICIAL:</u></b>	Larry Sessions General Manager Sutter Energy Center (530) 821-2072
<b><u>CONTACT PERSON:</u></b>	Charles Randall EH&S Specialist II Sutter Energy Center (530) 821-2074

**PURPOSE OF THIS STATEMENT OF BASIS**

The Title V Federal Operating Permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose of this Statement of Basis is to satisfy the above requirement by providing pertinent details regarding the permit and application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this Statement of Basis, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

**PERMIT ACTION:**

This Statement of Basis is for the initial Title V Federal Operating Permit No. 13007 for Feather River Energy Center. The purpose of this evaluation is to identify all applicable requirements, determine if the facility will comply with those applicable requirements, and to provide the legal and factual basis for proposed permit conditions. Feather River Energy Center is currently operating under an application shield as specified in FRAQMD Rule 10.3.D.1 because they submitted the application for initial permit during the 12-month period following the source

commencing operation (FRAQMD Rule 10.3.D.2.a.3). The application shield will be removed when the Title V permit is issued.

**FACILITY DESCRIPTION:**

Feather River operates a simple cycle combustion gas turbine driving a turbine generator rated at 49.4 megawatts. The facility is located in South Yuba City at 202 Burns Drive. A compressor provides combustion air to the turbine. An inlet air chiller adjusts the combustion air temperature to an optimum level. A cooling tower removes heat from the cooling water used to condense chiller coolant. The turbine is fueled exclusively with natural gas obtained from the existing natural gas supply line to the facility. Water injection into the turbine is used to reduce flame temperature and reduce the formation of NOx emissions. Turbine exhaust drives a generator to produce electricity.

The turbine is equipped with selective catalytic reduction (SCR) reactor using ammonia to reduce NOx emissions to form nitrogen gas and water vapor. An oxidation catalyst reactor combusts the by-products of incomplete combustion in the turbine converting CO to CO2. A diesel emergency generator is available to provide power for turbine start-up or shutdown during a power outage.

**SIGNIFICANT EMISSIONS UNIT DESCRIPTION:**

**Gas Turbine (S-1)**

Manufacturer:	General Electric
Model No.:	LM6000PC
Type:	simple cycle
Emission Control:	SCR and Oxidation catalyst
Fuel:	Natural gas
Max. Heat Input:	500 MMBTU/hour
Net Output:	49.4 MW (nominal)

**Air Pollution Control System for (S-1) for NOx**

Control Device:	Selective Catalytic Reduction (ammonia injection)
Venting:	Gas Turbine

**Air Pollution Control System for (S-1) for CO and ROG**

Control Device:	Oxidation Catalyst
Venting:	Gas Turbine

**INSIGNIFICANT EMISSIONS UNIT DESCRIPTION:**

An insignificant activity is any activity, process or emissions unit which is not subject to a source-specific requirement of a State Implementation Plan, preconstruction permit or federal standard and which: 1) meets the FRAQMD's "Criteria for Specific Source Categories" or 2) emits no more than 0.5 tons per year of a federal hazardous air pollutant (HAP) and no more than two tons per year of a regulated pollutant that is not a HAP.

<b>EXEMPT EQUIPMENT</b>	<b>EQUIPMENT DESCRIPTION</b>	<b>BASIS FOR EXEMPTION</b>
Utility carts, man-lift, fork lift, on-road vehicles	Mobile Equipment (nonroad vehicles)	Rule 4.3 a. and g.
Chiller (cooling tower)	Air intake chiller < 10,000 gpm	Attachment 1 B.3. <10,000 gallon/minute
Air conditioning and office heating	HVAC equipment < 60,000,000 BTU/hr	Rule 4.3 d. and e. Attachment 1 Rule 10.3 B.2.d.
Parts cleaner	Solvent cleaning tank	Rule 3.14 a. Attachment 1, Rule 10.3 B.15 a
Turbine lube oil tanks (vapor pressure < 1.5 psig)	Turbine lube oil tanks (vapor pressure < 1.5 psig)	Rule 3.9 capacity and vapor pressure Attachment 1, Rule 10.3 B.7d
Brazing, welding, soldering associated with maintenance.	Maintenance equipment	Attachment 1, Rule 10.3 B 17
Ammonia Tank 12,000 gallon (regulated only for RMP CAA §112r) 19.5% aqueous	Any valves, flanges, and unvented (except for emergency pressure relief valves) pressure vessels	Attachment 1 Rule 10.3 B
Natural gas supply lines, valves, flanges, compressors.	Any valves, flanges, and unvented (except for emergency pressure relief valves) pressure vessels	Attachment 1 Rule 10.3 B 11
Various oil tanks, vessels, pipelines	Turbine lube and transformer oil	Quantity and vapor pressure below thresholds. Attachment 1 Rule 10.3 B 8

**ALTERNATE OPERATING SCENARIOS:**

None requested by permittee.

**FACILITY EMISSIONS:**

Equipment	Maximum Allowable Annual Emissions tons per year				
	ROG	NOx	SOx	PM10	CO
S-1 – Gas Turbine	5.5	24.9	1.5	11.0	28.9

<b>APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS</b> <b>Facility-wide Requirements</b>
---

**FRAQMD Rule 1.1 - Definitions**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule provides definitions of terms used in permitting and prohibitory requirements.  
Compliance Status: The rule does not require the permittee to take any actions.

**FRAQMD Rule 3.0 - Visible Emissions**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule limits the discharge of air contaminants into the atmosphere through visible emissions and a 40% opacity limitation.  
Compliance Status: All equipment complies with the visible emission requirement.

**FRAQMD Rule 3.3 - Dust and Fumes**

**The following rule is not an applicable federal requirement but is discussed here to document the non-applicability determination:**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule regulates emissions of particulate matter (PM) from sources that "process" materials that emit particulate matter. The allowable particulate matter emission is based on the weight of the material "processed".  
Compliance Status: The FRAQMD has determined that the rule is not applicable to the gas turbines at the facility because the equipment does not "process" material.

**FRAQMD Rule 3.11- Posting of Permit**

SIP approved: 09-22-1972 (37 FR 19812)  
Rule Description: This rule requires that a permit be posted or be readily available at all times on the operating premises.  
Compliance Status: The permittee complies with this requirement.

**FRAQMD Rule 3.14 - Solvent Degreasing**

SIP approved: 05-03-1982 (47 FR 18856)  
Rule Description: This rule regulates emissions of volatile organic compounds from solvent containers greater than 55 gallons capacity.  
Compliance Status: The permittee does not store solvents in containers which exceed 55 gallons capacity but will comply with the rule requirements if they do store such containers in the future.

**FRAQMD Rule 3.15 - Architectural Coatings**

<b>APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS</b> <b><u>Facility-wide Requirements</u></b>
--

SIP approved: 05-03-1982 (47 FR 18856)  
Rule Description: This rule limits the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application or manufactured for use within the FRAQMD.  
Compliance Status: The affected coatings used by the permittee are received and stored in containers that display the required manufacturer's labels and demonstrate compliance with the rule's requirements.

**FRAQMD Rule 4.0 - General Requirements**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule provides a procedure for the review of new sources of air pollution and of the modification and operation of existing sources through the issuance of permits.  
Compliance Status: The permittee has obtained permits for all sources that require permits.

**FRAQMD Rule 4.1 - Permits Required**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule requires an Authority to Construct and a Permit to Operate for sources of air contaminant emissions.  
Compliance Status: The permittee has received permits for all sources that require permits.

**FRAQMD Rule 4.5 - Conditional Approval**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule allows the FRAQMD Air Pollution Control Officer to issue permits with conditions that bring the operation of the subject equipment within the standards of the FRAQMD rules.  
Compliance Status: The permittee has received conditional permits for sources at their facility and they are in compliance.

**FRAQMD Rule 4.14- Posting of Permit**

**This rule is the same as FRAQMD Rule 3.11.**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule requires that a permit be posted or be readily available at all times on the operating premises.  
Compliance Status: The permittee complies with this requirement.

<b>APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS</b> <b><u>Facility-wide Requirements</u></b>
--

**FRAQMD Rule 9.5 - Air Pollution Control Equipment - Scheduled Maintenance**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule requires that the source notify the FRAQMD Air Pollution Control Officer of any shutdown of the air pollution control equipment.  
Compliance Status: The permittee notifies the FRAQMD Air Pollution Control Officer of any such shutdown and is in compliance.

**FRAQMD Rule 9.6 - Equipment Breakdown**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule requires that the source notify the FRAQMD Air Pollution Control Officer of any breakdown of equipment that causes a violation of FRAQMD rules.  
Compliance Status: The permittee notifies the FRAQMD Air Pollution Control Officer of any such breakdown and is in compliance.

**FRAQMD Rule 10.3 - Title V Federal Operating Permits**

SIP approved: The rule is not SIP approved but the rule is applicable because it is part of the FRAQMD Title V Federal Operating Permit program approved by U.S. EPA on 11-21-2003 (68 FR 65637).  
Rule Description: This rule sets forth the procedures for review, issuance, modification and renewal of Title V federal operating permits.  
Compliance Status: The permittee has submitted a timely and complete Title V renewal permit application.

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

**FRAQMD Rule 3.2 - Particulate Matter Concentrations**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule regulates emissions of particulate matter (PM) from non-combustion and combustion processes.

PM from combustion sources shall not exceed 0.3 grains/dscf corrected to 12% CO<sub>2</sub>.  
Compliance Status: The operation of the gas turbine complies with the sulfur oxides concentration requirement.

(See discussion of streamlining multiple applicable requirements at the end of this section titled "Equipment Specific Requirements – Gas Turbine)

The Title V permit will contain a permit shield indicating that compliance with the conditions of the Title V permit will be deemed compliance with FRAQMD Rule 3.2

**FRAQMD Rule 3.10 - Sulfur Oxides**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule regulates emissions of sulfur oxides.

SO<sub>2</sub> emissions shall not exceed 2000 ppmv.  
Compliance Status: The operation of the gas turbine complies with the sulfur oxides concentration requirement.

(See discussion of streamlining multiple applicable requirements at the end of this section titled "Equipment Specific Requirements – Gas Turbine)

The Title V permit will contain a permit shield indicating that compliance with the conditions of the Title V permit will be deemed compliance with FRAQMD Rule 3.10

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

**FRAQMD Rule 4.5 – Conditional Approval**

SIP approved: 04-12-1982 (47 FR 15585)  
Rule Description: This rule authorizes the APCO to impose conditions which will bring the permitted equipment into compliance with rules and regulations.  
Compliance Status: FRAQMD Permit to Operate No. P13007 for the gas turbine, limits emission concentrations, limits mass emissions, and requires recordkeeping and reporting.

**FRAQMD Rule 10.1 – New Source Review**

**Note: The following rule was not federally approved at the time of application.**

SIP approved: Limited approval / Limited disapproval 07-27-2011 (76 FR 44809)  
Rule Description: This rule establishes preconstruction review requirements including offsets, Best Available Control Technology (BACT), all other applicable District Rules and Regulations and analysis of air quality impacts for new and modified stationary sources and to insure that the operation of such sources does not interfere with the attainment or maintenance of ambient air quality standards.  
  
This rule also provides for a no net increase in emissions pursuant to Section 40918 and 40920 of the California Health and Safety Code.  
Compliance Status: The gas turbine was evaluated for BACT at the time of application (02-22-2002). BACT was not triggered for federal requirements, but was triggered under the no net increase provisions for ozone precursors (NOx and ROG). BACT for NOx was determined to be 5 ppmvd @ 15% O2. BACT for ROG was determined to be 2 ppmvd @ 15% O2 or 0.0027 lb/MMBtu HHV. These values were derived from the California Air Resources Board's "Guidance for Power Plant Siting and Best Available Control Technology, September 1999"

The facility did not trigger offset requirements under Rule 10.1.

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

**40 CFR 60 Subpart A (begin at 60.1) - General Provisions:**

Promulgated: 11-17-1975 (40 FR 53346)

Rule Description: 01-18-2008 (72 FR 3590) Most recent amendment  
This NSPS affects all facilities subject to source specific NSPS requirements. The regulations specifies general definitions and general requirements for notification, recordkeeping, performance tests, maintenance and monitoring

Compliance Status: The operation of Gas Turbine (S-1) complies with the applicable Subpart A requirements.

**40 CFR 60 Subpart GG (begin at 60.330) - NSPS for Stationary Gas Turbines:**

Promulgated: 09-10-1979 (44 FR 52798)

Rule Description: 02-24-2006 (71 FR 9457) - most recent amendment  
This NSPS affects all stationary gas turbines with a heat input greater than 10 MMBTU/hour.

**NOx Emission Limits**

The gas turbine NOx emissions are required to not exceed:

1. 75 ppmvd of NOx at 15% O2

**SO2 Limits**

The gas turbine SO2 emissions are required to meet one of the following requirements:

2. Either:
  - a. Emission limit of 150 ppmvd of SO2 at 15% O2, or
  - b. Less than 0.8% (8000 ppmw) sulfur by weight in the fuel.

**Monitoring**

3. This permittee shall monitor either water-to-fuel ratio or operate a CEM system for NOx and O2.

**Reporting**

4. The permittee must report excess emissions of NOx based on a 4-hour rolling average. The permittee must also report monitor downtime for the NOx and O2 monitor when sufficient data is not collected to validate any one hour period

Compliance Status: NOx Emission Limits

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

1. The gas turbines NO<sub>x</sub> emission concentration is limited by permit condition to 5 ppmvd NO<sub>x</sub> at 15% O<sub>2</sub> and the permittee complies with the requirement.

SO<sub>2</sub> Limits

2. The fuel combusted in the turbine is natural gas. The sulfur content of natural gas is less than 0.5 grains per 100 cubic feet. Based on the sulfur content of natural gas, the sulfur concentration in the natural gas fuel is much less than 0.8% by weight.

Example calculation -

- a. 7000 grains = 1 lb
- b. 0.5 grains S/100 cubic feet = 0.00000714 lb S/cubic foot
- c. natural gas density is approximately 0.05 lb/cubic foot
- d. which results in a sulfur concentration in natural gas of approximately 0.0014% by weight.

Monitoring

3. The permittee operates a CEM system that measures and records NO<sub>x</sub> and O<sub>2</sub> and complies with the monitoring requirements.

Reporting

4. The permittee complies with the requirement to report excess emissions of NO<sub>x</sub> and monitor downtime.

The gas turbine complies with this federal NSPS.

(See discussion of streamlining of multiple applicable requirements at the end of this section titled "Equipment Specific Requirements - Gas Turbines No.1 and No. 2 - Duct Burners No. 1 and No. 2.)

The Title V permit will contain a permit shield indicating that compliance with the conditions of the Title V permit will be deemed compliance with 40 CFR 60 Subpart GG.

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

**40 CFR Parts 72 through 78 Acid Rain Program:**

Promulgated: 01-11-1993 (58 FR 3650)

Rule Description: 10-19-2007 (72 FR 59205) most recent amendment  
This federal regulation limits the emission of NOx and SO2 from electric utility associated combustion equipment such as boilers and gas turbines in order to reduce acid rain.

Compliance Status: The permittee complies with the Acid Rain Program requirements.

**40 CFR 60 Subpart KKKK (begin at 60.4300) – NSPS for Stationary Combustion Turbines:**

**Note: This federal regulation is not an applicable federal requirement, but is discussed here to document the non-applicability of the regulation.**

Promulgated: 07-06-2006 (71 FR 38497)

Rule Description: This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

Compliance Status: The gas turbine commenced construction prior to February 18, 2005 and has not been modified after that date and therefore is not subject to the NSPS.

**40 CFR 63 Subpart Q – National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers:**

**Note: This federal regulation is not an applicable federal requirement, but is discussed here to document the non-applicability of the regulation.**

Promulgated: 09-08-1994 (59 FR 46339)

Rule Description: This federal regulation prohibits the use of chromium in cooling tower water, at major sources of HAP, beginning September 08, 1994.

Compliance Status: The cooling tower is not subject to the federal NESHAP for Industrial Process Cooling Towers because it is not located at a facility that is a major source for HAP.

**40 CFR 63 Subpart YYYY - National Emission Standards for Hazardous Air Pollutants for Stationary Gas Turbines:**

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

**Note: This federal regulation is not an applicable federal requirement, but is discussed here to document the non-applicability of the regulation.**

Promulgated: 03-05-2004 (69 FR 10511)  
Rule Description: This federal regulation limits the emission of HAP from stationary gas turbines located at major sources of HAP.  
Compliance Status: The gas turbine is not subject to the federal NESHAP for Stationary Gas Turbines because it is not located at a facility that is a major source for HAP.

**40 CFR 64 Compliance Assurance Monitoring:**

**Note: This federal regulation is not an applicable federal requirement, but is discussed here to document the non-applicability of the regulation.**

Promulgated: 10-22-1997 (52 FR 54940)  
Rule Description: This federal regulation specifies monitoring requirements for Title V sources that will assure compliance with emission limitations or standards.  
Compliance Status: The federal regulation exempts sources that are subject to NSPS monitoring requirements [40 CFR 64.2(b)(1)(i)]. Since the gas turbine is subject to the monitoring requirements of 40 CFR Subpart GG Section 60.334 it is exempt from Part 64 Compliance Assurance Monitoring.

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

**Streamlining Multiple Applicable Requirements:**

The gas turbine is subject to the following overlapping Applicable Federally Enforceable Requirements for NOx and SO2:

Applicable Requirement	Emission Limits	
	NOx	SO2
40 CFR 60 Subpart GG NSPS for Gas Turbines	75 ppm @ 15% O2	150 ppmvd @ 15% O2 or 8000 ppmw S in the fuel
Permit conditions in Authority to Construct and Permit to Operate imposed by FRAQMD Rule 4.5 Conditional Approval	5 ppm @ 15% O2	0.4 lb/hr (~ 0.16 ppmvd @ 15% O2) (A)

(A) The following is the calculation of the concentration equivalent, in ppmv, of the lb/hour mass emission limit:

$$\begin{aligned}
 \text{SO}_2, \text{ ppmv in the exhaust gas} &= \frac{\text{Volume of SO}_2 \text{ in the gas turbine exhaust}}{\text{Total volume of gas turbine exhaust}} \\
 &= \frac{(0.4 \text{ lb SO}_2/\text{hour}) \times (379 \text{ dscf SO}_2/\text{lb mole SO}_2) / (64 \text{ lb SO}_2/\text{lb mole SO}_2)}{(14,933,640 \text{ dscf/hour exhaust gas, from 02-23-2011 source test})} \\
 &= 0.16 \text{ ppmv SO}_2
 \end{aligned}$$

Pursuant to U.S. EPA White Paper Number 2, the above applicable requirements for NOx and SO2 will be streamlined and only the permit condition related requirements, which are the most stringent requirements, will be incorporated into the Title V permit. A permit shield condition will describe what rules are subsumed by the more stringent overlapping requirement.

The gas turbine is subject to the following overlapping Applicable Federally Enforceable Requirements for PM:

Applicable Requirement	Emission Limits
FRAQMD Rule 3.2	0.3 grains/dscf at 12% CO2
Permit conditions in Authority to Construct and Permit to Operate imposed by FRAQMD Rule 4.5	2.5 lb/hour (equivalent to 0.0052 grains/dscf at 12% CO2) (A)

APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS  
**Equipment Specific Requirements**  
**Gas Turbine (S-1)**

Applicable Requirement	Emission Limits
Conditional Approval	

(A) The following is the calculation of the PM concentration limit, in grains/dscf, equivalent to the mass emission limit in lb/hour -

$$\begin{aligned}
 \text{PM, grains/dscf} &= \frac{(2.5 \text{ lb/hour}) \times (7,000 \text{ grains/lb})}{(14,912,520 \text{ dscf/hour exhaust gas, from 02-25-2010 source test})} \\
 &= 0.00117 \text{ grains/dscf (at approximately 2.7\% CO}_2\text{)} \\
 &= 0.0052 \text{ grains/dscf (at 12\% CO}_2\text{ using a correction factor of 12\%/9.5\%)}
 \end{aligned}$$

Pursuant to U.S. EPA White Paper Number 2, the above applicable requirements for PM will be streamlined and only the permit condition related requirement, which is the most stringent requirement, will be incorporated into the Title V permit. A permit shield condition will describe what rules are subsumed by the more stringent overlapping requirement.

***NON*-FEDERALLY ENFORCEABLE REQUIREMENTS**  
**Facility-wide Requirements**

The following FRAQMD rules are not SIP approved but are applicable to the facility. The Title V permit will list the most relevant of these rules as non-federally enforceable applicable requirements. These rule requirements are only enforceable by the FRAQMD and not by the U.S. EPA and the public.

- 3.6 Abrasive Blasting - adopted 06/1991 version
- 3.15 Architectural Coatings - amended 11/13/2002 version
- 3.16 Fugitive Dust Emissions - adopted 04/11/1994 version
- 3.22 INTERNAL COMBUSTION ENGINES
- 4.3 Exemptions from Permit - amended 10/01/2007 version
- 4.4 Standards for Granting Applications - amended 11/1993 version
- 4.6 Standards for Authority to Construct and Permit to Operate
- 4.7 Denial of Application
- 4.9 Action on Applications - adopted 08/1991 version
- 4.10 Appeals - adopted 08/1991 version
- 4.11 State Ambient Air Quality Standards - adopted 08/1991 version
- Regulation 5 Hearing Board Procedures
- Regulation 6 Variances
- Regulation 7 Fees (except for Title V relevant rules)
- Regulation 8 Penalties and Abatement
  - 9.0 Enforcement
  - 9.1 Emission Monitoring
  - 9.2 Records and Reports
  - 9.3 Tests
  - 9.4 Field Inspection
  - 9.7 Permit
  - 9.8 Variance Action
  - 9.9 Notice to Comply
- 10.2 Emission Reduction Banking Credit

<b><i>NON</i>-FEDERALLY ENFORCEABLE REQUIREMENTS</b> <b><u>Facility-wide Requirements</u></b>
--

- 10.6 New Source Performance Standards
- 10.7 Toxics New Source Review
- 11.1 State Airborne Toxic Control Measures  
(specifically California Code of Regulations, Title 17, Division 3,  
Chapter 1, Subchapter 7.5, Section 93116, Airborne Toxic Control  
Measure (ATCM) for Diesel Particulate Matter from Portable  
Engines Rated at 50 Horsepower and Greater

**TITLE V PERMIT CONDITIONS:**

It is recommended that the Feather River Energy Center Title V Federal Operating permit renewal be issued.

See proposed Title V Federal Operating Permit No. 13007 for permit conditions.

Approved by: \_\_\_\_\_ Date:

-

# **ATTACHMENT A**

FRAQMD RULES THAT ARE  
“APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS”  
FOR FEATHER RIVER ENERGY CENTER

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

	Indicates a SIP approved rule that has been deleted from the current FRAQMD Rules and Regulations, but not deleted from the SIP.
--	--

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an “Applicable Federally Enforceable Requirement”?
	●	1.0	Title SIP approved 04/12/1982 version	<b>No</b> - the rule does not apply to the permittee.
●	●	1.1	Definitions SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	1.2	Validity SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
	●	1.3	Effective Date SIP approved 04/12/1982 version	<b>No</b> - the rule does not apply to the permittee.
		2.0	Open Burning amended 03/01/2004 version	<b>No</b> - it is not a SIP approved rule.
●		2.01	Exceptions to Rule 2.0 SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.02	APCO May Issue Burn Permit SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.03	Burning on “No-Burn” Days	<b>No</b> - the permittee does not conduct agricultural burning.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
			SIP approved 04/12/1982 version	
●		2.04	Exception to Rule 2.3 SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.05	Permit Regulations SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.06	Burning Hours SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.07	Agricultural Burning Requirement SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.08	Range Improvement and Property Being Developed for Commercial or Residential Purposes SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.082	Open Burning of Wood Waste on property Where Grown SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		2.09	Prohibited Burning SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●	●	2.10	Exceptions SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●	●	2.11	Fire Prevention SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●	●	2.12	Designated Agencies SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●	●	2.14	Reduction of Odorous Matter SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●	●	2.15	Orchard and Citrus Heaters SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●	●	2.16	Cost of Putting Out a Fire SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct agricultural burning.
●	●	3.0	Visible Emissions SIP approved 04/12/1982 version	<b>Yes</b> - related conditions are included in the permit.
●	●	3.1	Exceptions to Rule 3.0 SIP approved 04/12/1982 version	<b>No</b> - the permittee does not qualify for any exception category.
●	●	3.2	Particulate Matter Concentration SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of negligible emissions.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
	●	3.3	Dust and Fumes SIP approved 04/12/1982 version	<b>No</b> - the rule does not apply to the permittee.
●	●	3.4	Separation of Emissions SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	3.5	Combination of Emissions SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	3.6	Sand Blasting SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule..
●		3.6	Abrasive Blasting amended 06/1991 version	<b>No</b> - it is not a SIP approved rule.
	●	3.7	Reduction of Animal Matter SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct reduction of animal matter.
	●	3.8	Storage and Transfer of Gasoline SIP approved 04/12/1982 version	<b>No</b> - the permittee does not store or transfer gasoline.
	●	3.9	Incinerator Burning SIP approved 04/12/1982 version	<b>No</b> - the permittee does not conduct incinerator burning.
		3.9	Storage of Petroleum Products adopted 06/1991 version	<b>No</b> - it is not a SIP approved rule..

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●	●	3.10	Sulfur Oxides SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of negligible emissions.
●	●	3.11	Posting of Permit SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
		3.11	Reduced Sulfur Compounds adopted 06/1991 version	<b>No</b> - it is not a SIP approved rule.
●	●	3.12	Organic Solvents SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
		3.12	Benzene ATCM – Retail Service Stations adopted 06/1991	<b>No</b> - it is not a SIP approved rule.
●	●	3.13	Circumvention SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	3.14	Solvent Degreasing SIP approved 04/12/1982 version	<b>Yes</b> - related conditions are included in the permit.
●	●	3.15	Architectural Coatings SIP approved 05/03/1982 version	<b>Yes</b> - related conditions are included in the permit.
●		3.15	Architectural Coatings amended 11/13/2002 version	<b>No</b> - it is not a SIP approved rule.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●		3.16	Fugitive Dust Emissions adopted 04/11/1994 version	<b>No</b> - it is not a SIP approved rule.
		3.17	Wood Heating Devices amended 10/2009 version	<b>No</b> - it is not a SIP approved rule.
		3.18	Standards for Municipal Solid Waste Landfills adopted 06/02/1997 version	<b>No</b> - it is not a SIP approved rule.
		3.19	Vehicle and Mobile Equipment Coating Operations adopted 08/06/1998 version	<b>No</b> - it is not a SIP approved rule.
		3.20	Wood Products Coating Operations adopted 12/05/2005 version	<b>No</b> - it is not a SIP approved rule.
		3.21	Industrial, Institutional, and Commercial Boilers, Steam Generators and Process Heaters adopted 06/05/2006 version	<b>No</b> - it is not a SIP approved rule.
		3.22	Internal Combustion Engines	<b>No</b> - it is not a SIP approved rule.
●	●	4.0	General Requirements SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	4.1	Permit Requirements	<b>Yes</b> - no related conditions are included in the permit

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
			SIP approved 04/12/1982 version	because of the general nature of the rule.
●	●	4.2	Existing Emission Sources SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	4.3	Exemptions from Permit SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●		4.3	Exemptions from Permit amended 10/01/2007 version	<b>No</b> - it is not a SIP approved rule.
●	●	4.4	Standards for Granting Applications SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●		4.4	Standards for Granting Applications amended 11/1993 version	<b>No</b> - it is not a SIP approved rule.
●	●	4.5	Conditional Approval SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
	●	4.6	Daily Limits SIP approved 09/22/1972 version	<b>No</b> - the permittee does not conduct agricultural burning.
●		4.6	Standards for Authority to Construct and Permit to Operate amended 06/07/2004 version	<b>No</b> - it is not a SIP approved rule.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●		4.7	Denial of Application	<b>No</b> - it is not a SIP approved rule.
●	●	4.8	Public Information SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●		4.9	Action on Applications adopted 08/1991 version	<b>No</b> - it is not a SIP approved rule.
●		4.10	Appeals adopted 08/1991 version	<b>No</b> - it is not a SIP approved rule.
	●	4.11	Range Improvement Burning SIP approved 02/10/1977 version	<b>No</b> - the permittee does not conduct range burning.
●		4.11	State Ambient Air Quality Standards adopted 08/1991 version	<b>No</b> - it is not a SIP approved rule.
	●	4.12	Implementation Plans SIP approved 04/12/1982 version	<b>No</b> - the rule does not apply to the permittee.
●	●	4.13	Alteration of Permit SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	4.14	Posting of Permit SIP approved 04/12/1982 version	<b>Yes</b> - no related conditions are included in the permit because of the general nature of the rule.
●	●	4.15	Transfer of Permit	<b>Yes</b> - no related conditions are included in the permit

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
			SIP approved 04/12/1982 version	because of the general nature of the rule.
		4.16	Registration Requirements for Compression Ignition Engines Used in Agricultural Operations adopted 10/01/2007 version	<b>No</b> - it is not a SIP approved rule.
●		5.0	General	<b>No</b> - it is not a SIP approved rule.
●		5.1	Hearing Board	<b>No</b> - it is not a SIP approved rule.
●		5.2	Procedures	<b>No</b> - it is not a SIP approved rule.
●		5.3	Hearings	<b>No</b> - it is not a SIP approved rule.
●		5.4	Contents of Petition for Hearing	<b>No</b> - it is not a SIP approved rule.
●		5.5	Request for Variances	<b>No</b> - it is not a SIP approved rule.
●		5.6	Appeal from Denial	<b>No</b> - it is not a SIP approved rule.
●		5.7	Failure to Comply with Rules	<b>No</b> - it is not a SIP approved rule.
●		5.8	Answers	<b>No</b> - it is not a SIP approved rule.
●		5.9	Dismissal of Request for a Hearing	<b>No</b> - it is not a SIP approved rule.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●		5.10	Place of Hearing	No - it is not a SIP approved rule.
●		5.11	Notice of Hearing	No - it is not a SIP approved rule.
●		5.12	Evidence	No - it is not a SIP approved rule.
●		5.13	Preliminary Matters	No - it is not a SIP approved rule.
●		5.14	Official Notice	No - it is not a SIP approved rule.
●		5.15	Continuances	No - it is not a SIP approved rule.
●		5.16	Decision	No - it is not a SIP approved rule.
●		5.17	Effective Date of Decision	No - it is not a SIP approved rule.
●		5.18	Lack of Permit	No - it is not a SIP approved rule.
●		5.19	Record of Hearing	No - it is not a SIP approved rule.
●		6.0	General	No - it is not a SIP approved rule.
●		6.1	Interim Variances	No - it is not a SIP approved rule.
●		6.2	Limitation on Granting Variance	No - it is not a SIP approved rule.
●		6.3	Hearing Board May Impose Other Requirements	No - it is not a SIP approved rule.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●		6.4	Cash Bond	<b>No</b> - it is not a SIP approved rule.
●		6.5	Modifying or Revoking Variances	<b>No</b> - it is not a SIP approved rule.
●		6.6	Variance Time Period	<b>No</b> - it is not a SIP approved rule.
●		6.7	Variance Action	<b>No</b> - it is not a SIP approved rule.
●		7.0	Fees, General	<b>No</b> - it is not a SIP approved rule.
●		7.1	Hearing Board Fees	<b>No</b> - it is not a SIP approved rule.
●		7.2	Analysis Fees	<b>No</b> - it is not a SIP approved rule.
●		7.3	Technical Report Fees	<b>No</b> - it is not a SIP approved rule.
●		7.4	Application Fees	<b>No</b> - it is not a SIP approved rule.
●		7.5	Notification of Operation Fees	<b>No</b> - it is not a SIP approved rule.
●		7.6	Annual Renewal Fees	<b>No</b> - it is not a SIP approved rule.
●		7.7	District Cost Determination	<b>No</b> - it is not a SIP approved rule.
		7.8	Open Burning Fees	<b>No</b> - it is not a SIP approved rule.
●		7.9	Air Toxic Hot Spot Fees	<b>No</b> - it is not a SIP approved rule.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
		7.10	Indirect Source Fee	<b>No</b> - it is not a SIP approved rule.
●		7.11	Emission Reduction Credit (ERC) Banking Fee	<b>No</b> - it is not a SIP approved rule.
●		7.12	Transfer Fees	<b>No</b> - it is not a SIP approved rule.
●		7.13	Late Payment	<b>No</b> - it is not a SIP approved rule.
		7.14	Registration Fees for Compression Ignition (CI) Engines Used in Agricultural Operations	<b>No</b> - it is not a SIP approved rule.
●		8.0	Penalties	<b>No</b> - it is not a SIP approved rule.
●		8.1	Arrest, Notice to Appear	<b>No</b> - it is not a SIP approved rule.
●		8.2	Orders for Abatement	<b>No</b> - it is not a SIP approved rule.
●		8.3	Administrative Civil Penalties	<b>No</b> - it is not a SIP approved rule.
●		9.0	Enforcement	<b>No</b> - it is not a SIP approved rule.
●		9.1	Emission Monitoring	<b>Yes</b> - related conditions are included in the permit.
●		9.2	Records and Reports	<b>Yes</b> - related conditions are included in the permit.
●		9.3	Tests	<b>Yes</b> - related conditions are included in the permit.

FRAQMD RULES THAT ARE  
 "APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
 FOR FEATHER RIVER ENERGY CENTER

Rule is Applicable	Rule is SIP Approved	Rule No.	Rule Title	Is the Rule an "Applicable Federally Enforceable Requirement"?
●		9.4	Field Inspection	<b>No</b> - it is not a SIP approved rule.
●	●	9.5	Air Pollution Equipment - Scheduled Maintenance	<b>Yes</b> - related conditions are included in the permit.
●	●	9.6	Equipment Breakdown	<b>Yes</b> - related conditions are included in the permit.
●		9.7	Permit	<b>No</b> - it is not a SIP approved rule.
●		9.8	Variance Action	<b>No</b> - it is not a SIP approved rule.
●		9.9	Notice to Comply	<b>No</b> - it is not a SIP approved rule.
●		10.1	New Source Review	<b>Yes</b> - related conditions are included in the permit.
●		10.2	Emission Reduction Banking Credit	<b>No</b> - it is not a SIP approved rule.
●	*	10.3	Federal Operating Permits	<b>No</b> - it is not a SIP approved rule. (*Although this is not a SIP approved rule it is applicable because it is part of the approved FRAQMD Title V Permit Program.)
		10.4	General Conformity	<b>No</b> - it is not a SIP approved rule.
		10.5	Transportation Conformity	<b>No</b> - it is not a SIP approved rule.
●		10.6	New Source Performance Standards	<b>No</b> - it is not a SIP approved rule.

FRAQMD RULES THAT ARE  
"APPLICABLE FEDERALLY ENFORCEABLE REQUIREMENTS"  
FOR FEATHER RIVER ENERGY CENTER

<b>Rule is Applicable</b>	<b>Rule is SIP Approved</b>	<b>Rule No.</b>	<b>Rule Title</b>	<b>Is the Rule an "Applicable Federally Enforceable Requirement"?</b>
●		10.7	Toxics New Source Review	<b>No</b> - it is not a SIP approved rule.
●		11.1	State Airborne Toxic Control Measures	<b>No</b> - it is not a SIP approved rule.
		11.2	Chrome Plating	<b>No</b> - it is not a SIP approved rule.
		11.4	Sterilizers and Aerators	<b>No</b> - it is not a SIP approved rule.