CLARK COUNTY
DEPARTMENT OF AIR QUALITY AND ENVIRONMENTAL MANAGEMENT
500 South Grand Central Parkway, Box 555210, Las Vegas, Nevada 89155
Part 70 Operating Permit
Source: 1550
Issued in accordance with the
Clark County Air Quality Regulations (AQR)

ISSUED TO: **Nevada Power Company dba NV Energy, Walter M. Higgins III Generating Station**

SOURCE LOCATION:
1275 East Primm Boulevard
Primm, NV 89019
T27S, R59E, Section 10
Hydrographic Basin Number: 164A

COMPANY ADDRESS:
P.O. Box 98910
Las Vegas, NV 89151

NATURE OF BUSINESS:
SIC Code 4911: Electric Services
NAICS: 221112: Fossil Fuel Electric Power Generation

RESPONSIBLE OFFICIAL:

Name:	Kevin Geraghty
Title:	Vice President, Power Generation
Phone:	(702) 402-5662
Fax Number:	(702) 402-0835

Permit Issuance Date: **January xx, 2009** **Expiration Date:** **January xx, 2014**

ISSUED BY: CLARK COUNTY DEPARTMENT OF AIR QUALITY AND ENVIRONMENTAL MANAGEMENT

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Tina Gingras
Assistant Director, Clark County DAQEM

EXECUTIVE SUMMARY

Walter M. Higgins III Generating Station is an electric power generating plant located at 1275 East Primm Boulevard, Primm, Nevada 89019 in the North Ivanpah Valley airshed, hydrographic basin number 164A which is designated as nonattainment for 8-hour ozone (NO_X and VOC are precursors) and attainment for all other regulated pollutants.

The facility has a two-on-one combined cycle configuration. The two-on-one unit consists of two natural gas-fired stationary gas turbines (EUs: A01 and A03), two Heat Recovery Steam Generators (HRSGs) with natural gas fired duct burners (EUs: A02 and A04) for supplemental firing and a steam turbine generator. The facility also operates one natural gas-fired auxiliary boiler (EU: A05) and one emergency fire water pump (EU: A06). All fuel-fired equipment, with the exception of the diesel-fired emergency fire water pump, uses pipeline quality natural gas as the sole fuel source.

All processes at the site are grouped under SIC 4911 – Electric Services and NAICS 221112 – Fossil Fuel Electric Power Generation.

The Part 70 Operating Permit was issued on November 8, 2005. This Part 70 Operating Permit is issued based on the Title V revision applications submitted on May 4, 2007 and November 14, 2009, and the Title V renewal application submitted on January 5, 2010.

Based on the information submitted by the applicant and a technical review performed by the DAQEM staff, the DAQEM proposes the renewal of a Part 70 Operating Permit to Nevada Power Company, Walter M. Higgins III Generating Station.

The following table summarizes the source PTE for each regulated air pollutant for all emission units addressed by this Part 70 Operating Permit:

PM_{10}	NO_X	CO	SO_X	VOC	HAP	TCS (NH_3)
144.91	**157.91**	**194.07**	**10.52**	**43.51**	**10.44**	**230.30**

Walter M. Higgins III Generating Station is a major source of PM_{10}, NO_X and CO, a local major source for TCS (NH_3) and a minor source of SO_X, VOC and HAP.

All general and specific conditions in the permit are federally enforceable unless explicitly denoted otherwise. *[AQR 19.4.2]*

TABLE OF CONTENTS

I. ACRONYMS

Table I-1: List of Acronyms

Acronym	Term
AQR	Clark County Air Quality Regulations
ATC	Authority to Construct
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emissions Monitoring System
CFR	United States Code of Federal Regulations
CO	Carbon Monoxide
CTG	Combustion Turbine-Generator
DAQEM	Clark County Department of Air Quality & Environmental Management
DLN	Dry Low-NO_x
EPA	United States Environmental Protection Agency
EU	Emission Unit
HAP	Hazardous Air Pollutant
HHV	Higher Heating Value
HP	Horse Power
kW	kilowatt
LHV	Lower Heating Value
MMBtu	Millions of British Thermal Units
M/N	Model Number
MW	Megawatt
NAICS	North American Industry Classification System
NO_x	Nitrogen Oxides
NRS	Nevada Revised Statutes
OP	Operating Permit
PM_{10}	Particulate Matter less than 10 microns
ppm	Parts per Million
ppmvd	Parts per Million, Volumetric Dry
PTE	Potential to Emit
QA/AC	Quality Assurance/Quality Control
RATA	Relative Accuracy Test Audits
RMP	Risk Management Plan
SCC	Source Classification Codes
scf	Standard Cubic Feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
S/N	Serial Number
SO_x	Sulfur Oxides
TCS	Toxic Chemical Substance
ULN	Ultra Low-NO_x
VOC	Volatile Organic Compound

II. GENERAL CONDITIONS

A. General Requirements

1. The Permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Air Act (Act) and is grounds for enforcement action; for permit termination, revocation and reissuance or modification; or for denial of a permit renewal application. *[AQR 12.5.2.6(g)(1)/AQR 19.4.1.6.a]*
2. If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and shall remain valid. *[AQR 12.5.2.6(f)/AQR 19.4.1.5]*
3. The Permittee shall pay all permit fees pursuant to AQR Section 18. Failure to pay Part 70 permit fees may result in citations or suspensions or revocation of the Part 70 Permit. *[AQR 12.5.2.6(h)/AQR 19.4.1.7]*
4. The permit does not convey any property rights of any sort, or any exclusive privilege. *[AQR 12.5.2.6(g)/AQR 19.4.1.6.d]*
5. The Permittee shall not hinder, obstruct, delay, resist, interfere with, or attempt to interfere with the Control Officer, or any individual to whom authority has been duly delegated for the performance of any duty by the AQR. *[AQR 5.1]*
6. The Permittee owning, operating, or in control of any equipment or property who shall cause, permit, or participate in any violation of the AQR shall be individually and collectively liable to any penalty or punishment imposed by and under the AQR. *[AQR 8.1]*
7. Any Permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information. *[AQR 12.5.2.2/AQR 19.3.2]*
8. The Permittee may request confidential treatment of any records in accordance with AQR Section 19. Emission data, standards or limitations [all terms as defined in 40 CFR 2.301(a)] or other information as specified in 40 CFR 2.301 shall not be considered eligible for confidential treatment. The Administrator and the Control Officer shall each retain the authority to determine whether information is eligible for confidential treatment on a case-by-case basis. *[AQR 12.5.2.6(g)(5)/AQR 19.3.1.3 and 40 CFR 2.301]*

B. Modification, Revision, Renewal Requirements

1. The Permittee shall not make a modification, as defined in AQR Section 0, to the existing source prior to receiving an ATC from the Control Officer. *[AQR 12.4]*
2. The permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the Permittee for the permit modification, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[AQR 12.5.2.6(g)(3)/AQR 19.4.1.6.c]*
3. Any request for a permit revision must comply with the requirements of AQR Section 12.5. *[AQR 12.5.2]*
4. The Permittee shall not build, erect, install or use any article, machine, equipment or process, the use of which conceals an emission, which would otherwise constitute a violation of an applicable requirement. *[AQR 80.1 and 40 CFR 60.12]*
5. No permit revisions shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit, provided the Permittee conforms to the applicable requirements of AQR Sections 12 and 58. *[AQR 12.5.2.6(i)/AQR 19.4.1.11]*

6. For purposes of permit renewal, the Permittee shall submit a timely and complete application. A timely application is one submitted between six (6) months and 18 months prior to the date of permit expiration. *[AQR 12.5.2.1/AQR 19.3.1.1.c]*

7. Permit expiration terminates the Permittee's right to operate unless a timely and complete renewal application has been submitted consistent with AQR in which case the permit shall not expire and all terms and conditions of the permit shall remain in effect until the renewal permit has been issued or denied. *[AQR 12.5.2.11/AQR 19.5.3.2]*

C. Reporting/Notifications/Providing Information Requirements

1. All report submissions shall be addressed to the attention of the Control Officer. *[AQR 12.5.2.8(e)(4), 21.4 and 22.4]*

2. All reports, including those related to compliance and RATA performance testing, shall contain the following: *[AQR 12.5.2.6(d)/AQR 19.4.1.3(c)]*

   a. a certification statement on the first page, i.e., "I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this document are true, accurate and complete." (A sample form is available from DAQEM) and

   b. a certification signature from a responsible official of the company and the date certification.

3. The Permittee shall submit reports to the Control Officer every six months. *[AQR 12.5.2.6(d)/AQR 19.4.1.3(c)]*

4. The following requirements apply to semi-annual reports: *[AQR 12.5.2.6(d)/AQR 19.4.1.3(c)]*

   a. The report shall include the items listed in Section III-E-2.

   b. The report shall include summaries of any permit deviations, their probable cause and corrective or preventative actions taken.

   c. The report shall be based on six calendar months, which includes partial calendar months.

   d. The report shall be received by DAQEM within 30 calendar days after the reporting period.

5. The Permittee shall submit annual emissions inventory reports based on the following: *[AQR 18.6.1]*

   a. The annual emissions inventory shall be submitted to DAQEM no later than March 31 after the reporting year.

   b. The annual emissions inventory report shall include the emission factors and calculations used to determine the emissions from each permitted emission unit, even when an emission unit is not operated.

6. Regardless of the date of issuance of this Operating Permit, the source shall comply with the schedule for report submissions outlined in Table II-C-1:

Table II-C-1: Required Submission Dates for Various Reports

Required Report	Applicable Period	Due Date[1]
Semi-annual Report for 1st Six-Month Period	January, February, March, April, May, June	July 30 each year
Semi-annual Report for 2nd Six-Month Period, any additional annual records required	July, August, September, October, November, December	January 30 each year

Required Report	Applicable Period	Due Date[1]
Annual Compliance Certification Report	12 Months	30 days after the Operating Permit issuance anniversary date
Annual Emission Inventory Report	Calendar Year	March 31 each year
Excess Emission Notification	As Required	Within 24 hours of the time the Permittee first learns of the excess emissions
Excess Emission Report	As Required	Within 72 hours of the Excess Emission Notification
Deviation Report	As Required	Along with semi-annual reports
Performance Testing	As Required	Within 60 days from the end of the test

[1] Each report shall be received by DAQEM on or before the due date listed. If the due date falls on a Saturday, Sunday or a Federal or Nevada holiday, then the submittal is due on the next regularly scheduled business day.

7. The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer 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 Control Officer 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 the Control Officer along with a claim of confidentiality. *[AQR 12.5.2.6(g)(5)/AQR 19.4.1.6]*

8. The Permittee shall allow the Control Officer or an authorized representative, upon presentation of credentials:
   a. entry upon the Permittee's premises where the source is located, or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
   b. access to inspect and copy, at reasonable times, any records that must be kept under conditions of the permit;
   c. access to inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
   d. access to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. *[AQR 4.3 and AQR 12.5.2.8(b)/AQR 19.4.3.2]*

9. Upon request of the Control Officer, the Permittee shall provide such information or analyses as will disclose the nature, extent, quantity or degree of air contaminants which are or may be discharged by such source, and type or nature of control equipment in use, and the Control Officer may require such disclosures be certified by a professional engineer registered in the state. In addition to such report, the Control Officer may designate an authorized agent to make an independent study and report as to the nature, extent, quantity or degree of any air contaminants which are or may be discharged from source. An authorized agent so designated is authorized to inspect any article, machine, equipment, or other contrivance necessary to make the inspection and report. *[AQR 4.4]*

10. The Control Officer reserves the right to require additional reports and reporting to verify compliance with permit conditions, permit requirements, and requirements of applicable regulations. *[AQR 4.4 and AQR 19.4.1.3(c)]*

D. Compliance Requirements

1. The Permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. *[AQR 12.5.2.6(g)(2)/AQR 19.4.1.6.b]*
2. Any person who violates any provision of this Operating Permit, including, but not limited to, any application requirement; any permit condition; any fee or filing requirement; any duty to allow or carry out inspection, entry or monitoring activities or any requirements by DAQEM is guilty of a civil offense and shall pay civil penalty levied by the Air Pollution Control Hearing Board/Hearing Officer of not more than $10,000. Each day of violation constitutes a separate offense. *[AQR 9.1]*
3. Any person aggrieved by an order issued pursuant to AQR 9.1 is entitled to review as provided in Chapter 233B of NRS. *[AQR 9.12]*
4. The Permittee of any stationary source or emission unit that fails to demonstrate compliance with the emissions standards or limitations shall submit a compliance plan to the Control Officer pursuant to AQR Section 10. *[AQR 10.1]*
5. The Permittee shall comply with the requirements of 40 CFR 61, Subpart M, of the National Emission Standard for Asbestos for all demolition and renovation projects. *[AQR 13.1.7]*
6. Requirements for compliance certification with terms and conditions contained in the Operating Permit, including emission limitations, standards, or work practices, are as follows:
   a. the Permittee shall submit compliance certifications annually in writing to the Control Officer (500 Grand Central Parkway, Box 555210, Las Vegas, NV 89155) and the Administrator at USEPA Region IX (Director, Air and Toxics Divisions, 75 Hawthorne St., San Francisco, CA 94105). A compliance certification for each year will be due 30 days after the Operating Permit issuance anniversary date;
   b. compliance shall be determined in accordance with the requirements detailed in AQR 19.4.1.3, record of periodic monitoring, or any credible evidence; and
   c. the compliance certification shall include:
      i. identification of each term or condition of the permit that is the basis of the certification;
      ii. the Permittee's compliance status and whether compliance was continuous or intermittent;
      iii. methods used in determining the compliance status of the source currently and over the reporting period consistent with Subsection 19.4.1.3; and
      iv. other specific information required by the Control Officer to determine the compliance status of the source. *[AQR 12.5.2.8(e)(3)/AQR 19.4.3.5]*
7. The Permittee shall report to the Control Officer (500 Grand Central Parkway, Box 555210, Las Vegas, NV 89155) any upset, breakdown, malfunction, emergency or deviation which cause emissions of regulated air pollutants in excess of any limits set by regulation or by this permit. The report shall be in two parts as specified below: *[AQR 25.6.1]*
   a. within twenty-four (24) hours of the time the Permittee first learns of the excess emissions, the report shall be communicated by phone (702) 455-5942, fax (702) 383-9994, or email.
   b. within seventy-two (72) hours of the notification required by paragraph (a) above, the detailed written report containing the information required by AQR Section 25.6.3 shall be submitted.
8. The Permittee shall report to the Control Officer deviations that do not result in excess emission, with the quarterly reports. Such reports shall include the probable cause of

deviations and any corrective actions or preventative measures taken. *[AQR 12.5.2.6(d)(4)(B)/AQR 19.4.1.3]*

9. The Permittee shall include a certification of truth, accuracy, and completeness by a responsible official when submitting any application form, report, or compliance certification pursuant to this Operating Permit. This certification and any other certification required shall state, "Based on the information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." This statement shall be followed by the signature and printed name of the responsible official certifying compliance and the date of signature. *[AQR 12.5.2.6(l)/AQR 19.3.4]*

E. Performance Testing Requirements

1. Upon request of the Control Officer, the Permittee shall test or have tests performed to determine the emissions of air contaminants from any source whenever the Control Officer has reason to believe that an emission in excess of that allowed by the DAQEM regulations is occurring. The Control Officer may specify testing methods to be used in accordance with good professional practice. The Control Officer may observe the testing. All tests shall be conducted by reputable, qualified personnel. *[AQR 4.5]*
2. Upon request of the Control Officer, the Permittee shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants. *[AQR 4.6]*
3. The Permittee shall submit for approval a performance testing protocol which contains testing, reporting, and notification schedules, test protocols, and anticipated test dates to the Control Officer (500 Grand Central Parkway, Box 555210, Las Vegas, NV 89155) not less than 45 nor more than 90 days prior to the anticipated date of the performance test. *[AQR 12.5.2.8]*
4. The Permittee shall submit to EPA for approval any alternative test methods that are not already approved by EPA. *[AQR 14.1 and 40 CFR 60.8(b)]*
5. The Permittee shall submit a report describing the results of each performance test to the Control Officer within 60 days from the end of the performance test. *[AQR 12.5.2.8]*
6. The Control Officer may require additional or more frequent performance testing. *[AQR 4.5]*

III. EMISSION UNITS AND APPLICABLE REQUIREMENTS

A. Emission Units

1. The stationary source covered by this Part 70 OP is defined to consist of the emission units and associated appurtenances summarized in Table III-A-1. *[NSR ATC Modification 2, Revision 2, Section IV-A (04/09/10)]*

Table III-A-1: List of Emission Units

EU	Description	Rating	Make	Model #	Serial #
A01	Stationary Gas Turbine, natural gas fired, MEQ = 175	175 MW	Westinghouse	501FD	---
A02	Duct Burner for HRSG associated with A01	700 MMBtu/hr	---	---	---
A03	Stationary Gas Turbine, natural gas fired, MEQ = 175	175 MW	Westinghouse	501FD	---
A04	Duct Burner for HRSG associated with A03	700 MMBtu/hr	---	---	---
A05	Auxiliary Boiler	40 MMBtu/hr	---	---	---
A06	Emergency Diesel Fire Pump	500 bhp	---	---	---

B. Emission Limitations and Standards

1. Emission Limits

a. The Permittee shall not allow actual emissions from each emission unit to exceed the PTE listed in Table III-B-1 per rolling 12-month period. Tons-per-year emission limits of each emission unit include startup and shutdown emissions. *[NSR ATC Modification 2, Revision 2, Table IV-A-2, (04/09/10)]*

Table III-B-1: PTE, Including Startup and Shutdowns (tons per year)

EU	PM_{10}	NO_x	CO	SO_x	VOC
A01/A02	72.20	77.90	95.15	5.20	21.65
A03/A04	72.20	77.90	95.15	5.20	21.65
A05	0.50	1.80	3.70	0.03	0.20
A06	0.01	0.31	0.07	0.09	0.01

b. The Permittee shall not allow actual emissions from each emission unit to exceed the emission rates listed in Table III-B-2. NO_X, CO and NH_3, for the stationary gas turbine units, shall not be exceeded for any three (3)-hour rolling average period as determined by the CEMS or PEMS. Pound-per-hour limits are normal operation (exclude startup and shutdown) limits only. *[NSR ATC Modification 2, Revision 2, Table IV-A-3 (04/09/10)]*

Table III-B-2: Emission Rates, Excluding Startup and Shutdowns (pounds per hour)

EU	PM_{10}	NO_x	CO	VOC
A01/A02	21.10	25.70	31.38	9.90
A03/A04	21.10	25.70	31.38	9.90
A05	---	1.44	2.96	---

c. The Permittee shall not allow actual emissions from each emission unit to exceed the concentrations listed in Table III-B-3, as determined by the CEMS or PEMS. The emission limits are normal operation (exclude startup and shutdown) limits only. *[NSR ATC Modification 2, Revision 2, Table IV-A-5 (04/09/10)]*

Table III-B-3: Emission Concentrations, Excluding Startup and Shutdown

EU	Averaging Period	O_2 Standard	NO_X (ppmvd)	CO (ppmvd)
A01/A02	3-Hour	15%	2.5	5.0
A03/A04	3-Hour	15%	2.5	5.0
A05	15-Minute	3%	30.0	100.0

d. The startup and shutdown emission rates listed in Table III-B-4 are not federally enforceable limits. These values are to be used when CEMS data is not available. The Permittee shall include actual startup and shutdown emissions in the annual mass emission reporting. *[NSR ATC Modification 2, Revision 2, Table IV-A-6 (04/09/10)]*

Table III-B-4: Estimated Maximum Startup and Shutdown Emissions (pounds per hour)[1]

EU	PM_{10}	NO_x	CO	SO_X	VOC
A01, A02, A03 & A04	34.40	157.40	1,303.00	1.40	193.60

[1] Emissions include contribution from HRSG units.

e. The Permittee shall not discharge into the atmosphere, from any emission unit, any air contaminant in excess of an average of 20 percent opacity for a period of more than 6 consecutive minutes. *[NSR ATC Modification 2, Revision 2, Condition IV-A-2(a) (04/09/10)]*

2. Production Limits

a. The Permittee shall limit operation of each stationary gas turbine and duct burner unit to the fuel limits listed in Table III-B-5: *[NSR ATC Modification 2, Revision 2, Condition IV-A-3(a) (04/09/10)]*

Table III-B-5: Fuel Limitations for Combustion Equipment

Equipment	Fuel Type	Max. Hourly MMBtu	Max. Annual MMBtu per Rolling 12-Month Period	Reference
A01/A03	Natural Gas	2,096[1]	15,365,000	Based on HHV of Natural Gas
A02/A04	Natural Gas	700[2]	2,145,000	Based on HHV of Natural Gas

[1] Based on 100 percent load at 12°F.
[2] Based on 100 percent load at 108°F.

b. The Permittee shall limit operation of each of the two duct burners (EUs: A02 and A04) to up to an equivalent of 3,064 hours equivalent full load at 108° F at a maximum heat input per rolling 12-month period. *[NSR ATC Modification 2, Revision 2, Condition IV-A-3(b) (04/09/10)]*

c. The Permittee shall limit the operation of the auxiliary boiler (EU: A05) to up to an equivalent of 2,500 hours equivalent full load at 67° F at a maximum heat input per rolling 12-month period. *[NSR ATC Modification 2, Revision 2, Condition IV-A-3(c) (04/09/10)]*

d. The Permittee shall limit the operation of the emergency fire pump (EU: A06) to up to 1 hour per day and 52 hours per rolling 12-month period for testing and maintenance purposes. These hourly limitations do not apply during emergencies as defined in AQR Section 0. *[NSR ATC Modification 2, Revision 2, Condition IV-A-3(d) (04/09/10)]*

e. Startup shall be defined as the period beginning with ignition and lasting until a stationary gas turbine has reached a continuous and stable operating level and the catalyst has reached optimal operating temperature. Shutdown means the period beginning with the lowering of the electric load of a stationary gas turbine below 50.0 percent of nameplate capacity and ending when combustion has ceased. *[NSR ATC Modification 2, Revision 2, Condition IV-A-3(e) (04/09/10)]*

3. Emission Controls

Combined Cycle System

a. The Permittee shall combust only pipeline quality natural gas in all stationary gas turbine units (EUs: A01-A04). *[NSR ATC Modification 2, Revision 2, Condition IV-B-1 (04/09/10)]*

b. The Permittee shall install and operate SCR to control NO_X on each of the stationary gas turbine units. NO_X exhaust emissions shall be further controlled with dry low NO_X combustors and good combustion practice (EUs: A01-A04). *[NSR ATC Modification 2, Revision 2, Condition IV-B-2 (04/09/10)]*

c. The Permittee shall operate each SCR system such that neither NO_X nor NH_3 emissions exceed the limitations listed in Tables III-B-2 and III-B-3, excluding periods of startup and shutdown. *[NSR ATC Modification 2, Revision 2, Condition IV-B-3 (04/09/10)]*

d. The Permittee shall store, handle and use ammonia or aqueous ammonia pursuant to requirements of a Risk Management Plan, as defined in 40 CFR 68. *[NSR ATC Modification 2, Revision 2, Condition IV-B-5 (04/09/10)]*

e. The Permittee shall install and operate an oxidation catalyst to control CO and VOC on each stationary gas turbine unit (EUs: A01-A04). *[NSR ATC Modification 2, Revision 2, Condition IV-B-6 (04/09/10)]*

f. The Permittee shall operate each oxidizing catalyst such that neither CO nor VOC emissions exceed the limitations listed in Tables III-B-2 and III-B-3, excluding periods of startup and shutdown. *[NSR ATC Modification 2, Revision 2, Condition IV-B-7 (04/09/10)]*

g. The Permittee shall maintain and operate each SCR system and oxidation catalyst on all stationary gas turbine units in accordance with manufacturer's specifications and good operating practices. SCR shall be operated at all times the associated stationary gas turbine units are operating, excluding periods of startup and shutdown (EUs: A01-A04). *[NSR ATC Modification 2, Revision 2, Condition IV-B-8 (04/09/10)]*

h. The Permittee shall control PM_{10} exhaust emissions from each combined cycle system by properly maintaining and periodically replacing the inlet air filters preceding each stationary gas turbine. *[NSR ATC Modification 2, Revision 2, Condition IV-B-9 (04/09/10)]*

i. Sulfur content of natural gas turbine fuel shall not exceed a rolling 12-month average of 0.75 grains/100 dscf as determined by 40 CFR 60.334(h). *[NSR ATC Modification 2, Revision 2, Condition IV-C-12 (04/09/10)]*

Boiler

j. The Permittee shall combust only natural gas in the boiler (EU: A05). *[NSR ATC Modification 2, Revision 2, Condition IV-B-14 (04/09/10)]*

k. The Permittee shall operate and maintain the boiler in accordance with the manufacturer's specifications (EU: A05). *[NSR ATC Modification 2, Revision 2, Condition IV-B-15 (04/09/10)]*

Diesel Engine

l. The Permittee shall operate the emergency fire pump with a turbocharger and an aftercooler and employ fuel injection timing retardation (EU: A06). *[NSR ATC Modification 2, Revision 2, Condition IV-B-18 (04/09/10)]*

m. The Permittee shall operate and maintain the emergency fire pump engine in accordance with the manufacturer's emission-related operation and maintenance instructions (EU: A06). *[NSR ATC Modification 2, Revision 2, Condition IV-B-19 (04/09/10)]*

n. The Permittee shall only combust diesel fuel in the emergency fire pump engine with a maximum sulfur content of 500 ppm and either a minimum cetane index of 40 or a maximum aromatic content of 35 percent by volume (EU: A06). *[NSR ATC Modification 2, Revision 2, Condition IV-B-20 (04/09/10)]*

o. The Permittee shall not test the fire pump during CO advisories. *[NSR ATC Modification 2, Revision 2, Condition IV-B-21 (04/09/10)]*

p. Beginning May 3, 2013 the Permittee shall comply with the following applicable requirements for the diesel emergency fire pump (EU: A06) contained in 40 CFR 63.6603:

    1. change the oil and filter every 500 hours of operation or annually, whichever comes first;
    2. inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first;
    3. inspect all hoses and belts every 500 hours of operation or annually, whichever comes first; and
    4. install a non-resettable hour meter if one is not already installed.

Other

q. The Permittee must comply with the control requirements contained in this section. If there is inconsistency between standards or requirements, the most stringent standard or requirement shall apply. *[NSR ATC Modification 2, Revision 2, Condition IV-B-22 (04/09/10)]*

r. The Permittee and operator shall, under all conditions, maintain and operate the source in a manner consistent with good air pollution control practice for minimizing emissions as required by 40 CFR 60.11. *[NSR ATC Modification 2, Revision 2, Condition IV-B-24 (04/09/10)]*

C. Monitoring

1. The source is subject to 40 CFR 60 Subparts A, Da, Dc and GG; 40 CFR 63 Subpart ZZZZ, 40 CFR 70; 40 CFR 72 (Acid Rain Permits); 40 CFR 73 (Acid Rain Sulfur Dioxide Allowance System) and 40 CFR 75 (Acid Rain CEMS). It is the Permittee's responsibility to know and comply with all requirements within these federal regulations. *[NSR ATC Modification 2, Revision 2, Condition IV-C-1 (04/09/10)]*

2. To demonstrate continuous direct compliance with all emission limitations for NO_X and CO specified in this permit, the Permittee shall install, calibrate, maintain, operate, and certify CEMS for NO_x, CO, and O_2 on each stationary gas turbine unit in accordance with 40 CFR 75 and 40 CFR 60, as applicable. Each CEMS shall include an automated data acquisition and handling system. Each system shall monitor and record at least the following data: *[AQR 19.4.1.3(a)]*

   a. exhaust gas concentrations of NO_x, CO, and diluent O_2 including periods of startup and shutdown;

   b. exhaust gas flow rate (by direct or indirect methods);

   c. fuel flow rate;

   d. hours of operation;

   e. 3-hour rolling averages of each NO_x and CO concentrations;

   f. hourly and 12-month rolling accumulated mass emissions of NO_X and CO; and

   g. hours of downtime of the CEMS.

3. The Quality Assurance Plan for all CEMS required by this permit has been submitted to and accepted by the Control Officer. This QA Plan is binding and consistent with the regulations. The QA Plan contains auditing schedules, reporting schedules, design specifications and other quality assurance requirements for the CEMS system. The CEMS shall conform to all prvisions of 40 CFR 60.13 and 40 CFR 60, Subpart GG. Audit procedures shall conform to the provisions of 40 CFR 60, Appendix F. *[AQR 19.4.1.3(a)]*

4. The Permittee shall conduct relative accuracy test audits (RATA) of the CO, NO_X and O_2 CEMS at least annually. *[19.4.1.3(a)]*

5. The Permittee shall monitor emissions of NH_3 from each combined cycle unit stack either by use of a NH_3 CEMS or NH_3 PEMS based on ammonia flow rate to the SCR and NO_X emissions monitoring data as approved by the Control Officer. *[NSR ATC Modification 2, Revision 2, Condition IV-C-8 (04/09/10)]*

6. The Permittee shall monitor visible emissions from the HRSG units (EUs: A02 and A04) using the following applicable procedures. *[NSR ATC Modification 2, Revision 2, Condition IV-C-9 (04/09/10)]*

   a. The Permittee shall conduct a performance test using 40 CFR 60 Appendix A: Reference Method 9 and the procedures in 40 CFR 60.11. If during the initial 60 minutes of the observation all the 6-minute averages are less than ten (10) percent and all the individual 15-second observations are less than or equal to 20 percent, then the observation period may be reduced from 3 hours to 60 minutes.

   b. Except as provided in Condition III-C-6-c or III-C-6-d of this permit, the Permittee shall conduct subsequent EPA Method 9 performance testing using the procedures in Condition III-C-6-a of this permit according to the following schedule, as determined by the most recent EPA Method 9 performance test results:

      i. If no visible emissions are observed, a subsequent EPA Method 9 performance test shall be completed within 12 calendar months from the date that the most recent performance test was conducted;

ii. if visible emissions are observed but the maximum 6-minute average opacity is less than or equal to five (5) percent, a subsequent EPA Method 9 performance test shall be completed within six (6) calendar months from the date that the most recent performance test was conducted;

iii. if the maximum 6-minute average opacity is greater than five (5) percent but less than or equal to ten (10) percent, a subsequent EPA Method 9 performance test shall be completed within three (3) calendar months from the date that the most recent performance test was conducted; or

iv. if the maximum 6-minute average opacity is greater than ten (10) percent, a subsequent EPA Method 9 performance test shall be completed within 30 calendar days from the date that the most recent performance test was conducted.

c. If the maximum 6-minute opacity is less than ten (10) percent during the most recent EPA Method 9 performance test, the Permittee may, as an alternative to performing subsequent EPA Method 9 performance tests, elect to perform subsequent monitoring using 40 CFR 60 Appendix A: Reference Method 22 according to the following procedures:

i. The Permittee shall conduct ten (10) minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using EPA Method 22 and demonstrate that the sum of the occurrences of any visible emissions is not in excess of five (5) percent of the observation period (*i.e.*, 30 seconds per ten (10) minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial ten (10) minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than five (5) percent of the observation period (*i.e.*, 90 seconds per 30 minute period) the Permittee shall either document and adjust the operation of the facility and demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than five (5) percent during a 30 minute observation (*i.e.*, 90 seconds) or conduct a new EPA Method 9 performance test using the procedures in Condition III-C-2-a within 30 calendar days according to the requirements in 40 CFR 60.50Da(b)(3).

ii. if no visible emissions are observed for 30 operating days during which an opacity standard is applicable, observations can be reduced to once every seven (7) operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed.

d. If the maximum 6-minute opacity is less than ten (10) percent during the most recent EPA Method 9 performance test, the Permittee may, as an alternative to performing subsequent EPA Method 9 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in Condition III-C-6-c.

7. The Permittee shall perform at least one visual emissions check on a plant-wide level each calendar quarter. The quarterly visual checks shall include the diesel-fired fire pump (EU: A06), while operating, to demonstrate compliance with the opacity limit. If the fire pump does not operate during the calendar quarter, then no observation of that unit shall be required. If visible emissions are observed, then corrective actions shall be taken to minimize the emissions and, if practicable, the opacity of emissions shall be visually determined in accordance with 40 CFR 60 Appendix A: Reference Method 9. *[NSR ATC Modification 2, Revision 2, Condition IV-C-10 (04/09/10)]*

8. The Permittee shall verify compliance with turbine fuel gas sulfur content by using a gaseous fuel which meets the definition of natural gas as outlined in 40 CFR 60.331(u). The Permittee shall use one of the following sources of information to make the required demonstration: *[40 CFR 60.334(h)(3)]*

   a. The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel in 20 grains/100 scf or less; or

9. Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of Appendix D to 40 CFR 75 is required.The Permittee shall perform a burner efficiency test two times each year on the 40 MMBtu/hr boiler in accordance with AQR Subsection 49.5.1 (EU: A05). A performance test conducted in accordance with AQR Subsection 49.4 may replace the burner efficiency test. *[NSR ATC Modification 2, Revision 2, Condition IV-C-14 (04/09/10)]*

D. Testing

1. Performance testing is subject to 40 CFR 60 Subpart A, 40 CFR 60 Subpart GG, Subpart Da and Subpart Dc, 40 CFR 72 and DAQEM's Guideline on Performance Testing and Section 49 of the AQR. *[AQR 14.1.13, AQR 14.1.15, AQR 14.1.56, AQR 19.4.3.1 and 40 CFR 60.335]*

2. The Permittee shall conduct subsequent performance testing of the stationary gas turbines and duct burners for VOC, NH_3 slip, PM_{10}, opacity and stack gas parameters in accordance with the test methods summarized in Table III-D-1 once every five years (EUs: A01 – A04). *[NSR ATC Modification 2, Revision 2, Condition IV-D-8 (04/09/10)]*

Table III-D-1: Performance Testing Protocol Requirements for Stationary Gas Turbines/Duct Burners

Test Point	Pollutant	Method (40 CFR 60, Appendix A)
Turbine Exhaust Outlet Stack	VOC	EPA Method 25a
Turbine Exhaust Outlet Stack	PM_{10}	EPA Method 201/202 or 201A/202
Turbine Exhaust Outlet Stack	Opacity	EPA Method 9
Turbine Exhaust Outlet Stack	NH_3 Slip	Method pre-approved by DAQEM/EPA
Stack Gas Parameters	---	EPA Methods 1, 2, 3, 4

3. All performance tests for VOCs shall alternate between base load (duct burners off) and peak load (duct burners on) operational conditions. *[NSR ATC Modification 2, Revision 2, Condition IV-D-10 (04/09/10)]*

4. The Permittee shall conduct subsequent performance tests on the auxiliary boiler (EU: A05) for NO_x, CO and stack gas parameters in accordance with the test methods summarized in Table III-D-2 once every five years. *[NSR ATC Modification 2, Revision 2, Condition IV-D-9 (04/09/10)]*

Table III-D-2: Performance Testing Requirements for Auxiliary Boiler

Test Point	Pollutant	Method
Boiler Exhaust Outlet Stack	NOx	EPA Method 7E
Boiler Exhaust Outlet Stack	CO	EPA Method 10 analyzer
Boiler Exhaust Outlet Stack	Opacity	EPA Method 9
Stack Gas Parameters	-	EPA Methods 1, 2, 3A, and 4

E. Record Keeping

1. The Permittee shall comply with all applicable record keeping requirements of 40 CFR 60.7, 40 CFR 60 Subpart GG, Subpart Da and Subpart Dc, 40 CFR 72 and 40 CFR 75, Subpart F and any other applicable regulations. *[AQR 19.4.1.3(b)/12.5.2.6(d)(2)]*

2. The Permittee shall maintain records on site that include, at a minimum: *[AQR 19.4.1.3(b)/12.5.2.6(d)(2)]*

Stationary Gas Turbines and Duct Burners (EUs: A01/A02 and A03/A04)

a. hourly and rolling 12-month total quantity of natural gas consumed in each stationary gas turbine;

b. hourly and rolling 12-month total quantity of natural gas consumed in each duct burner;

c. rolling 12-month total hours of operation of each duct burner;

d. sulfur content of natural gas as determined by Condition III-C-8;

Auxiliary Boiler (EU: A05)

e. rolling 12-month total hours of operation of the auxiliary boiler;

f. monthly fuel consumption for the auxiliary boiler that satisfies the fuel record keeping requirements of 40 CFR 60.48c;

g. records of burner efficiency tests performed on the auxiliary boiler;

Fire Pump (EU: A06)

h. daily and rolling 12-month total hours of operation of the fire pump engine for testing and maintenance purposes, and separately for operation during;

i. records of diesel emergency fire pump inspection/maintenance as required by Condition III-B-3(p)(1 through 4) of this permit;

j. sulfur content and cetane index or aromatic content of diesel fuel as certified by the supplier;

CEMS and/or PEMS

k. CEMS audit results or accuracy checks, corrective actions, etc., as required by 40 CFR 60, Appendix F and the CEMS quality assurance plan;

l. all CEMS and/or PEMS information required by the CEMS and/or PEMS monitoring plan as specified in 40 CFR 75 Subpart F;

m. time, duration, nature and probable cause of any CEMS downtime and corrective actions taken;

Other

n. dates, times and duration of each startup and shutdown cycle;

o. startup and shutdown short-term total emissions per stationary gas turbine for each cycle event and annual emissions in tons per year (12-month rolling total);

p. the magnitude and duration of excess emissions, notifications, monitoring system performance, malfunctions, corrective actions taken, etc., as required by 40 CFR 60.7;

q. rolling 12-month total quantity of ammonia consumed;copies of all reports, compliance certifications, other submissions and all records made or required under the Acid Rain Program;

r. certificates of representation for the designated representative and the alternate designated representative that meet all requirements of 40 CFR 72.24;

s. copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program; and

t. summary of results of all performance testing.

3. The Permittee shall report the following information semi-annually [AQR 19.4.1.3(b)]:

a. monthly total quantity of natural gas consumed to demonstrate compliance with the 12-month rolling gas usage limits for each stationary gas turbine and each duct burner;

b. monthly total operating hours to demonstrate compliance with the 12-month rolling hour limits for each duct burner, the auxiliary boiler and the fire pump; and

c. daily total operating hours to demonstrate compliance with the daily hour limits for the fire pump.

4. For all inspections, visible emission checks, and testing required under monitoring, logs, reports, and records shall include at least the date and time, the name of the person performing the action, the results or findings, and the type of corrective action taken (if required). *[NSR ATC Modification 2, Revision 2, Condition IV-E-2 (04/09/10)]*

5. Records and data required by this Operating Permit to be maintained by Permittee may, at the Permittee's expense, be audited at any time by a third party selected by the Control Officer. *[AQR 4.4 and AQR 19.4.3.2]*

6. All records and logs, or a copy thereof, shall be kept on-site for a minimum of five (5) years from the date the measurement or data was entered and shall be made available to DAQEM upon request. *[AQR 19.4.1.3(b)]*

7. The Control Officer reserves the right to require additional requirements concerning records and record keeping for this source. *[AQR 19.4.1.3(b)]*

F. Reporting

1. The Permittee shall comply with all applicable notification and reporting requirements of 40 CFR 60.7, 40 CFR 60 Subparts Da, Dc, and GG, 40 CFR 63 Subpart ZZZZ, 40 CFR 72.9(f), 40 CFR 75 and AQR Section 49. *[AQR 19.4.1.3(c)]*The designated representative or alternate designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72, 40 CFR 73, and 40 CFR 75. *[40 CFR 72.9(f)]*

2. A RMP is required for the storing, handling and use of ammonia or aqueous ammonia pursuant to 40 CFR 68. The Permittee shall submit revisions of the RMP to the appropriate authority and a copy thereof to DAQEM. *[40 CFR 68.150(b)(3)]*

G. Mitigation

1. The source has no federal offset requirements associated with this permitting action. *[AQR 59.1.1]*

IV. ACID RAIN REQUIREMENTS

1. In accordance with the provisions of Title IV of the Clean Air Act and 40 C.F.R. Parts 72 through 77, this Acid Rain Permit is issued to Nevada Power Company dba NV Energy Walter M. Higgins III Generating Station, Primm, NV.

2. All terms and conditions of the Acid Rain Permit are enforceable by DAQEM and EPA under the Clean Air Act. *[40 CFR 72]*

3. The permittee shall comply with all the applicable requirements of the Acid Rain Permit Application located in Attachment 2. *[40 CFR 72.30]*
4. This Acid Rain Permit incorporates the definitions of terms in 40 CFR Part 72.2.
5. This permit is valid for a term of five (5) years from the date of issuance unless a timely and complete renewal application is submitted to DAQEM. *[40 CFR 72.69]*
6. A timely renewal application is an application that is received at least six months prior to the permit expiration date. *[40 CFR 72.30]*
7. Emissions from this source shall not exceed any allowances that the source lawfully holds under Title IV of the Act or its regulations. *[AQR 19.4.1.4 and 40 CFR 70.6(a)(4)]*

V. OTHER REQUIREMENTS

1. The Permittee shall not use, sell, or offer for sale any fluid as a substitute material for any motor vehicle, residential, commercial, or industrial air conditioning system, refrigerator freezer unit, or other cooling or heating device designated to use a CFC or HCFC compound as a working fluid, unless such fluid has been approved for sale in such use by the Administrator. The Permittee shall keep record of all paperwork relevant to the applicable requirements of 40 CFR 82 on site. *[40 CFR 82]*

ATTACHMENT 1
APPLICABLE REGULATIONS

REQUIREMENTS SPECIFICALLY IDENTIFIED AS APPLICABLE:

1. NRS, Chapter 445B.
2. Applicable AQR Sections:

Citation	Title
AQR Section 0	Definitions
AQR Section 4	Control Officer
AQR Section 5	Interference with Control Officer
AQR Section 8	Persons Liable for Penalties – Punishment: Defense
AQR Section 9	Civil Penalties
AQR Section 10	Compliance Schedule
AQR Section 11	Ambient Air Quality Standards
AQR Section 12	Preconstruction Review for New or Modified Stationary Sources
AQR Section 12.5 (Beginning July 1, 2010)	Part 70 Operating Permit Requirements
AQR Section 14.1.9	Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
AQR Section 14.1.11	Standards of Performance for Small Industrial – Commercial – Institutional Steam Generating Units
AQR Section 14.1.46	Standards of Performance for New Stationary Sources (NSPS) – Standards of Performance for Gas Turbines
AQR Section 18	Permit and Technical Service Fees

Citation	Title
AQR Section 19 (Through June 30, 2010)	40 CFR Part 70 Operating Permits
AQR Section 21	Acid Rain Permits
AQR Section 22	Acid Rain Continuous Emission Monitoring
AQR Section 24 (Through June 30, 2010)	Sampling and Testing - Records and Reports
AQR Section 25	Affirmative Defense for Excess Emissions due to Malfunctions, Startup and Shutdown
AQR Section 26	Emissions of Visible Air Contaminants
AQR Section 28	Fuel Burning Equipment
AQR Section 29	Sulfur Contents of Fuel Oil
AQR Section 40	Prohibition of Nuisance Conditions
AQR Section 41	Fugitive Dust
AQR Section 42	Open Burning
AQR Section 43	Odors in the Ambient Air
AQR Section 49	Compliance Requirements for Boilers and Steam Generators
AQR Section 55 (Through June 30, 2010)	Preconstruction review for New or Modified Stationary Sources in the 8-Hour Ozone Nonattainment Area
AQR Section 60	Evaporation and Leakage
AQR Section 70	Emergency Procedures
AQR Section 80	Circumvention

3. CAAA, Authority: 42 U.S.C. § 7401, et seq.
4. Applicable 40 CFR Subsections:

Citation	Title
40 CFR 52.21	Prevention of Significant Deterioration (PSD)
40 CFR 52.1470	SIP Rules
40 CFR 60, Subpart A	Standards of Performance for New Stationary Sources (NSPS) – General Provisions
40 CFR 60, Subpart Da	Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
40 CFR 60, Subpart Dc	Standards of Performance for Small Industrial – Commercial – Institutional Steam Generating Units
40 CFR 60, Subpart GG	Standards of Performance for New Stationary Sources (NSPS) – Stationary Gas Turbines
40 CFR 60	Appendix A, Method 9 or equivalent, (Opacity)
40 CFR 63, Subpart ZZZZ	National Emission Stations for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
40 CFR 68	Chemical Accident Prevention Provisions
40 CFR 70	Federally Mandated Operating Permits
40 CFR 72	Acid Rain Permits Regulation
40 CFR 73	Acid Rain Sulfur Dioxide Allowance System
40 CFR 75	Acid Rain Continuous Emission Monitoring
40 CFR 82	Protection of Stratospheric Ozone

ATTACHMENT 2
ACID RAIN PERMIT APPLICATION

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258

Acid Rain Permit Application

For more information, see instructions and 40 CFR 72.30 and 72.31.

This submission is: ☐ **new** ☐ **revised** ☒ **for Acid Rain permit renewal**

STEP 1

Identify the facility name, State, and plant (ORIS) code.

Walter M. Higgins III Generating Station Facility (Source) Name	Nevada State	55687 Plant Code

STEP 2

Enter the unit ID# for every affected unit at the affected source in column "a."

a	b
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)
BHG1	Yes
BHG2	Yes

EPA Form 7610-16 (rev. 07-08)

Walter M. Higgins III Generating Station
Facility (Source) Name (from STEP 1)

Acid Rain - Page 2

STEP 3

Read the standard requirements.

Permit Requirements

(1) The designated representative of each affected source and each affected unit at the source shall:
(i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
(2) The owners and operators of each affected source and each affected unit at the source shall:
(i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
(ii) Have an Acid Rain Permit.

Monitoring Requirements

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

(1) The owners and operators of each source and each affected unit at the source shall:
(i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
(ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
(i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
(ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

Acid Rain - Page 5

Walter M. Higgins III Generating Station
Facility (Source) Name (from STEP 1)

Effect on Other Authorities, Cont'd.

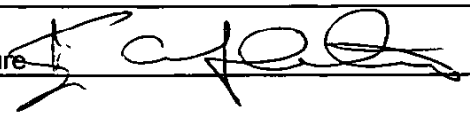
STEP 3, Cont'd.

to applicable National Ambient Air Quality Standards or State Implementation Plans;
(2) Limiting the number of allowances a source can hold; *provided,* that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

STEP 4
Read the certification statement, sign, and date.

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name Kevin C. Geraghty	
Signature 	Date 1/4/2010