217/782-2113

"RENEWAL"
CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT
(Title I and Title V Permit)

PERMITTEE:

City of Carlyle
Attn: John Hodapp, Electric Superintendent
550 First Street
Carlyle, Illinois 62231

I.D. No.: 027030AAA
Application No.: 95080031

Date Received: September 27, 2005
Date Issued: December 29, 2009
Expiration Date[1]: December 29, 2014

Operation of: Electric Power Generation Facility
Source Location: 550 First Street, Carlyle, Clinton County, 62231
Responsible Official: Jan Fauke, Mayor

This permit is hereby granted to the above-designated Permittee to OPERATE an electric power generation facility, pursuant to the above referenced permit application. This permit is subject to the conditions contained herein.

If you have any questions concerning this permit, please contact John Cashman at 217/782-2113.

Edwin C. Bakowski, P.E.
Manager, Permit Section
Division of Air Pollution Control

ECB:JRC:psj

cc: Illinois EPA, FOS, Region 3
CES
Lotus Notes

1 Except as provided in Conditions 1.5 and 8.7 of this permit.

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1.0 INTRODUCTION

1.1 Source Identification

Carlyle Municipal Electric Plant
550 First Street
Carlyle, Illinois 62231
618/594-3321

I.D. No.: 027030AAA
County: Clinton
Standard Industrial Classification: 4911, Electrical Services

1.2 Owner/Parent Company

City of Carlyle
850 Franklin Street
Carlyle, Illinois 62231

1.3 Operator

City of Carlyle
550 First Street
Carlyle, Illinois 62231

John Hodapp, Electric Superintendent
618/594-3321

1.4 Source Description

The Carlyle Municipal Electric Plant is located at 550 First Street in the City of Carlyle. The power plant consists of a number of internal combustion engine driven electric generators. The source operates as a peaking station, the combustion engines provide electric power to the community and surrounding area when the normal sources of electric power are not available, due to planned repair and maintenance, unexpected breakdowns, or high levels of electricity consumption. These engines are fueled either, by distillate fuel or dual fuel oil. Smaller units, that are insignificant activities, are placed in critical locations throughout the City.

Note: This narrative description is for informational purposes only and is not enforceable.

1.5 Conditions Arising from Construction or Modification of Emission Units

As generally identified below, this CAAPP permit may contain certain conditions that relate to requirements arising from the construction or modification of emission units at this source. These requirements derive from permitting programs authorized under Title I of the Clean Air Act (CAA) and regulations thereunder, and Title X of the Illinois Environmental Protection Act (Act) and regulations implementing the same. Such requirements, including the New Source Review programs for both major (i.e., PSD and nonattainment areas) and minor sources, are

implemented by the Illinois EPA pursuant to Sections 39(a), 39(f) and 39.5(7)(a) of the Act.

a. This permit may contain conditions that reflect requirements originally established in construction permits previously issued for this source. These conditions include requirements from preconstruction permits issued pursuant to regulations approved or promulgated by USEPA under Title I of the CAA, as well as requirements contained within construction permits issued pursuant to state law authority under Title X of the Act. Accordingly, all such conditions are incorporated into this CAAPP permit by virtue of being either an “applicable Clean Air Act requirement” or an “applicable requirement” in accordance with Section 39.5 of the Act. These conditions are identifiable herein by a designation to their origin of authority.

b. This permit may contain conditions that reflect necessary revisions to requirements established for this source in preconstruction permits previously issued under the authority of Title I of the CAA. These conditions are specifically designated herein as “TIR”.

   i. Revisions to original Title I permit conditions are incorporated into this permit through the combined legal authority of Title I of the CAA and Title X of the Act. Public participation requirements and appeal rights shall be governed by Section 39.5 of the Act.

   ii. Revised Title I permit conditions shall remain in effect through this CAAPP permit, and are therefore enforceable under the same, so long as such conditions do not expire as a result of a failure to timely submit a complete renewal application or are not removed at the applicant’s request.

c. This permit may contain conditions that reflect new requirements for this source that would ordinarily derive from a preconstruction permit established under the authority of Title I of the CAA. These conditions are specifically designated herein as “TIN”.

   i. The incorporation of new Title I requirements into this CAAPP permit is authorized through the combined legal authority of Title I of the CAA and Title X of the Act. Public participation requirements and appeal rights shall be governed by Section 39.5 of the Act.

   ii. Any Title I conditions that are newly incorporated shall remain in effect through this CAAPP permit, and are therefore enforceable under the same, so long as such conditions do not expire as a result of a failure to timely submit a complete renewal application or are not removed at the applicant’s request.

2.0 LIST OF ABBREVIATIONS AND ACRONYMS COMMONLY USED

ACMA	Alternative Compliance Market Account
Act	Illinois Environmental Protection Act [415 ILCS 5/1 et seq.]
AP-42	Compilation of Air Pollutant Emission Factors, Volume 1, Stationary Point and Other Sources (and Supplements A through F), USEPA, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711
ATU	Allotment Trading Unit
BACT	Best Available Control Technology
BAT	Best Available Technology
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CO	Carbon Monoxide
ERMS	Emissions Reduction Market System
HAP	Hazardous Air Pollutant
IAC	Illinois Administrative Code
I.D. No.	Identification Number of Source, assigned by Illinois EPA
ILCS	Illinois Compiled Statutes
Illinois EPA	Illinois Environmental Protection Agency
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
MSSCAM	Major Stationary Sources Construction and Modification (35 IAC 203, New Source Review for non-attainment areas)
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM_{10}	Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns as measured by applicable test or monitoring methods
$PM_{2.5}$	Particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 microns as measured by applicable test or monitoring methods
PSD	Prevention of Significant Deterioration (40 CFR 52.21, New Source Review for attainment areas)
RMP	Risk Management Plan
SO_2	Sulfur Dioxide
T1	Title I – identifies Title I conditions that have been carried over from an existing permit
T1N	Title I New – identifies Title I conditions that are being established in this permit
T1R	Title I Revised – identifies Title I conditions that have been carried over from an existing permit and subsequently revised in this permit
USEPA	United States Environmental Protection Agency
VOM	Volatile Organic Material

3.0 CONDITIONS FOR INSIGNIFICANT ACTIVITIES

3.1 Identification of Insignificant Activities

The following activities at the source constitute insignificant activities as specified in 35 IAC 201.210:

3.1.1 Activities determined by the Illinois EPA to be insignificant activities, pursuant to 35 IAC 201.210(a)(1) and 201.211, as follows:

None

3.1.2 Activities that are insignificant activities based upon maximum emissions, pursuant to 35 IAC 201.210(a)(2) or (a)(3), as follows:

None

3.1.3 Activities that are insignificant activities based upon their type or character, pursuant to 35 IAC 201.210(a)(4) through (18), as follows:

Direct combustion units designed and used for comfort heating purposes and fuel combustion emission units as follows: (A) Units with a rated heat input capacity of less than 2.5 mmBtu/hr that fire only natural gas, propane, or liquefied petroleum gas; (B) Units with a rated heat input capacity of less than 1.0 mmBtu/hr that fire only oil or oil in combination with only natural gas, propane, or liquefied petroleum gas; and (C) Units with a rated heat input capacity of less than 200,000 Btu/hr which never burn refuse, or treated or chemically contaminated wood [35 IAC 201.210(a)(4)].

Storage tanks of any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil, or residual fuel oils [35 IAC 201.210(a)(11)].

Gas turbines and stationary reciprocating internal combustion engines of less than 112 kW (150 horsepower) power output [35 IAC 201.210(a)(15)].

3.1.4 Activities that are considered insignificant activities pursuant to 35 IAC 201.210(b). Note: These activities are not required to be individually listed.

3.2 Compliance with Applicable Requirements

Insignificant activities are subject to applicable requirements notwithstanding status as insignificant activities. In particular, in addition to regulations of general applicability, such as 35 IAC 212.301 and 212.123 (Condition 5.3.2), the Permittee shall comply with the following requirements, as applicable:

3.2.1 For each particulate matter process emission unit, the Permittee shall comply with the applicable particulate matter emission limit of 35 IAC 212.321 or 212.322 (see Attachment 2) and 35 IAC Part 266. For example, the particulate matter emissions from a process emission unit shall not exceed 0.55 pounds per hour if the emission unit's process weight rate is 100 pounds per hour or less, pursuant to 35 IAC 266.110.

3.2.2 For each organic material emission unit that uses organic material, e.g., a mixer or printing line, the Permittee shall comply with the applicable VOM emission limit of 35 IAC 215.301, which requires that organic material emissions not exceed 8.0 pounds per hour or, if no odor nuisance exists, do not qualify as photochemically reactive material as defined in 35 IAC 211.4690.

3.2.3 For each open burning activity, the Permittee shall comply with 35 IAC Part 237, including the requirement to obtain a permit for open burning in accordance with 35 IAC 237.201, if necessary.

3.2.4 For each cold cleaning degreaser, the Permittee shall comply with the applicable equipment and operating requirements of 35 IAC 215.182.

3.2.5 For each storage tank that has a storage capacity greater than 946 liters (250 gallons) and, if no odor nuisance exists, that stores an organic material with a vapor pressure exceeding 2.5 psia at 70°F, the Permittee shall comply with the applicable requirements of 35 IAC 215.122, which requires use of a permanent submerged loading pipe, submerged fill, or a vapor recovery system.

3.3 Addition of Insignificant Activities

3.3.1 The Permittee is not required to notify the Illinois EPA of additional insignificant activities present at the source of a type that is identified in Condition 3.1, until the renewal application for this permit is submitted, pursuant to 35 IAC 201.212(a).

3.3.2 The Permittee must notify the Illinois EPA of any proposed addition of a new insignificant activity of a type addressed by 35 IAC 201.210(a) and 201.211 other than those identified in Condition 3.1, pursuant to Section 39.5(12)(b) of the Act.

3.3.3 The Permittee is not required to notify the Illinois EPA of additional insignificant activities present at the source of a type identified in 35 IAC 201.210(b).

3.4 Insignificant Activities Subject to Significant Applicable Requirements

3.4.1 The Permittee has certified that the stationary reciprocating internal combustion engines identified in 35 IAC 201.210(a)(15) and/or 35 IAC 201.210(a)(16) (see Condition 3.1.3) have not been modified or reconstructed after July 11, 2005. Therefore, pursuant to 60.4200(a)(3), the stationary reciprocating internal combustion engines are not subject to the NSPS for Stationary Compression Ignition Internal Combustion Engines 40 CFR Part 60 Subpart IIII; and pursuant to 40 CFR 63.6590(b)(3), the stationary reciprocating internal combustion engines do not have to meet the requirements of the NESHAP for Stationary Reciprocating Internal Combustion Engines 40 CFR Part 63 Subpart ZZZZ or Subpart A.

3.4.2 The Permittee shall maintain records of the construction dates and any modification or reconstruction dates of the stationary reciprocating internal combustion engines identified in 35 IAC 201.210(a)(15) and/or 35 IAC 201.210(a)(16) (see Condition 3.1.3) to verify the applicability/non-applicability of the NSPS Subpart IIII and the NESHAP Subpart ZZZZ for the stationary reciprocating internal combustion engines.

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Unit	Description	Date Constructed	Emission Control Equipment
Engine #8	2,500 kW (189 gal/hr) distillate fuel oil engine	1998	None
Engine #9	2,500 kW (189 gal/hr) distillate fuel oil engine	1998	None
Engine #10	2,500 kW (189 gal/hr) distillate fuel oil engine	2002	None
Engine #1	35 mmBtu/hr distillate fuel oil and/or natural gas engine	1969	None
Engine #7	23 mmBtu/hr distillate fuel oil and/or natural gas engine	1963	None

5.0 OVERALL SOURCE CONDITIONS

5.1 Applicability of Clean Air Act Permit Program (CAAPP)

5.1.1 This permit is issued based on the source requiring a CAAPP permit as a major source of NO_x emissions.

5.1.2 This permit is issued based on the source not being a major source of HAPs.

5.2 Area Designation

This permit is issued based on the source being located in an area that, as of the date of permit issuance, is designated attainment or unclassifiable for the National Ambient Air Quality Standards for all criteria pollutants (CO, lead, NO_2, ozone, $PM_{2.5}$, PM_{10}, SO_2).

5.3 Source-Wide Applicable Provisions and Regulations

5.3.1 Specific emission units at this source are subject to particular regulations as set forth in Section 7 (Unit-Specific Conditions for Specific Emission Units) of this permit.

5.3.2 In addition, emission units at this source are subject to the following regulations of general applicability:

a. No person shall cause or allow the emission of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer looking generally overhead at a point beyond the property line of the source unless the wind speed is greater than 40.2 kilometers per hour (25 miles per hour), pursuant to 35 IAC 212.301 and 212.314.

b. Pursuant to 35 IAC 212.123(a), no person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit other than those emission units subject to the requirements of 35 IAC 212.122, except as allowed by 35 IAC 212.123(b) and 212.124.

5.3.3 Ozone Depleting Substances

The Permittee shall comply with the standards for recycling and emissions reduction of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

5.3.4 Risk Management Plan (RMP)

Should this stationary source, as defined in 40 CFR 68.3, become subject to the federal regulations for Chemical Accident Prevention in 40 CFR Part 68, then the owner or operator shall submit the items below. This condition is imposed in this permit pursuant to 40 CFR 68.215(a)(2)(i) and (ii).

a. A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR 68.10(a); or

b. A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the RMP, as part of the annual compliance certification required by Condition 9.8.

5.3.5 Future Emission Standards

a. Should this stationary source become subject to a new or revised regulation under 40 CFR Parts 60, 61, 62, or 63, or 35 IAC Subtitle B after the date issued of this permit, then the owner or operator shall, in accordance with the applicable regulation(s), comply with the applicable requirements by the date(s) specified and shall certify compliance with the applicable requirements of such regulation(s) as part of the annual compliance certification, as required by Condition 9.8. This permit may also have to be revised or reopened to address such new or revised regulations (see Condition 9.12.2).

b. This permit and the terms and conditions herein do not affect the Permittee’s past and/or continuing obligation with respect to statutory or regulatory requirements governing major source construction or modification under Title I of the CAA. Further, neither the issuance of this permit nor any of the terms or conditions of the permit shall alter or affect the liability of the Permittee for any violation of applicable requirements prior to or at the time of permit issuance.

5.3.6 Episode Action Plan

a. Should this stationary source become subject to 35 IAC 244.141, 244.142, and 244.143, the Permittee shall maintain at the source and have on file with the Illinois EPA a written episode action plan (plan) for reducing the levels

of emissions during yellow alerts, red alerts, and emergencies, consistent with safe operating procedures. The plan shall contain the information specified in 35 IAC 244.144 and is incorporated by reference into this permit.

b. The Permittee shall immediately implement the appropriate steps described in this plan should an air pollution alert or emergency be declared by the Director of the Illinois EPA or his or her designated representative.

c. If an operational change occurs at the source which invalidates the plan, a revised plan shall be submitted to the Illinois EPA for review within 30 days of the change, pursuant to 35 IAC 244.143(d). Such plans shall be further revised if disapproved by the Illinois EPA.

5.4 Source-Wide Non-Applicability of Regulations of Concern

Source-wide non-applicability of regulations of concern are not set for this source. However, there are terms for unit specific non-applicability of regulations of concern set forth in Section 7 of this permit.

5.5 Source-Wide Control Requirements and Work Practices

Source-wide control requirements and work practices are not set for this source. However, there are requirements for unit specific control requirements and work practices set forth in Section 7 of this permit.

5.6 Source-Wide Production and Emission Limitations

5.6.1 Permitted Emissions for Fees

The annual emissions from the source, not considering insignificant activities as addressed by Section 3.0 of this permit, shall not exceed the following limitations. The overall source emissions shall be determined by adding emissions from all emission units. Compliance with these limits shall be determined on a calendar year basis. These limitations (Condition 5.6.1) are set for the purpose of establishing fees and are not federally enforceable (see Section 39.5(18) of the Act).

Permitted Emissions of Regulated Pollutants

Pollutant	Tons/Year
Volatile Organic Material (VOM)	6.1
Sulfur Dioxide (SO_2)	3.4
Particulate Matter (PM)	4.7
Nitrogen Oxides (NO_x)	215.0
HAP, not included in VOM or PM	----
Total	229.2

5.6.2 Emissions of Hazardous Air Pollutants

Pursuant to Section 39.5(7)(a) of the Act, the emissions of HAPs from the source shall be less than 10 tons/year for each individual HAP and 25 tons/year for all HAPs combined. Compliance with annual limits shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total). This condition is being imposed so that the source is not a major source of HAP emissions. The Permittee shall fulfill the applicable testing, recordkeeping, and reporting requirements of Conditions 5.7.2, 5.9.2, and 5.10.2.

5.6.3 Other Source-Wide Production and Emission Limitations

Other source-wide emission limitations are not set for this source pursuant to the federal rules for PSD, state rules for MSSCAM, or Section 502(b)(10) of the CAA. However, there may be unit specific emission limitations set forth in Section 7 of this permit pursuant to these rules.

5.7 Source-Wide Testing Requirements

5.7.1 Pursuant to 35 IAC 201.282 and Section 4(b) of the Act, every emission source or air pollution control equipment shall be subject to the following testing requirements for the purpose of determining the nature and quantities of specified air contaminant emissions and for the purpose of determining ground level and ambient air concentrations of such air contaminants:

a. Testing by Owner or Operator: The Illinois EPA may require the owner or operator of the emission source or air pollution control equipment to conduct such tests in accordance with procedures adopted by the Illinois EPA, at such reasonable times as may be specified by the Illinois EPA and at the expense of the owner or operator of the emission source or air pollution control equipment. All such tests shall be made by or under the direction of a person qualified by training and/or experience in the field of air pollution testing. The Illinois EPA shall have the right to observe all aspects of such tests [35 IAC 201.282(a)].

b. Testing by the Illinois EPA: The Illinois EPA shall have the right to conduct such tests at any time at its own expense. Upon request of the Illinois EPA, the owner or operator of the emission source or air pollution control equipment shall provide, without charge to the Illinois EPA, necessary holes in stacks or ducts and other safe and proper testing facilities, including scaffolding, but excluding instruments and sensing devices, as may be necessary [35 IAC 201.282(b)].

c. Any such tests are also subject to the Testing Procedures of Condition 8.5 set forth in the General Permit Conditions of Section 8.

5.7.2 HAP Testing to Verify Minor Source Status

Pursuant to Condition 5.7.1 and to verify compliance with the requirements of Condition 5.6.2, that is that this source is not a major source of HAPs, the following testing requirements are established:

a. If in the previous calendar year, emissions of HAPs exceeded 80% of major source threshold for individual or total HAPs (greater than 8 tons of a single HAP or greater than 20 tons of total HAPs), then testing for HAPs using USEPA Method 311 shall be conducted as follows:

   At a minimum, the Permittee shall test the largest engine which makes the largest contributions to individual and total HAP emissions.

b. The calculation as to whether the 80% of major source threshold was exceeded shall be based on records and procedures in Condition 5.9.2 and shall be completed by January 31 for the previous calendar year. If testing is required it shall be completed by May 1st.

c. Any such tests are also subject to the Testing Procedures of Condition 8.5 set forth in the General Permit Conditions of Section 8.

5.8 Source-Wide Monitoring Requirements

Source-wide monitoring requirements are not set for this source. However, there are provisions for unit specific monitoring set forth in Section 7 of this permit.

5.9 Source-Wide Recordkeeping Requirements

5.9.1 Annual Emission Records

The Permittee shall maintain records of total annual emissions on a calendar year basis for the emission units covered by Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit to demonstrate compliance with Condition 5.6.1, pursuant to Section 39.5(7)(b) of the Act.

5.9.2 Records for HAP Emissions

a. The Permittee shall maintain records of individual and combined HAP emissions on a monthly and annual basis for the emission units covered by Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit to

demonstrate compliance with Condition 5.6.2, pursuant to Section 39.5(7)(b) of the Act.

b. If testing is required by Condition 5.7.2, the Permittee shall keep records of the testing, including the test date, conditions, methodologies, calculations, and test results.

5.9.3 Retention and Availability of Records

a. All records and logs required by this permit shall be retained for at least five years from the date of entry (unless a longer retention period is specified by the particular recordkeeping provision herein), shall be kept at a location at the source that is readily accessible to the Illinois EPA or USEPA, and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request.

b. The Permittee shall retrieve and print, on paper during normal source office hours, any records retained in an electronic format (e.g., computer) in response to an Illinois EPA or USEPA request for records during the course of a source inspection.

5.10 Source-Wide Reporting Requirements

5.10.1 General Source-Wide Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Air Compliance Unit, of deviations of the source with the permit requirements within 30 days, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. There are also reporting requirements for unit specific emission units set forth in Section 7 of this permit.

5.10.2 Annual Emissions Report

The annual emissions report required pursuant to Condition 9.7 shall contain emissions information for the previous calendar year.

5.11 Source-Wide Operational Flexibility/Anticipated Operating Scenarios

Source-wide operational flexibility is not set for this source.

5.12 Source-Wide Compliance Procedures

5.12.1 Procedures for Calculating Emissions

Except as provided in Condition 9.1.3, compliance with the source-wide emission limits specified in Condition 5.6 shall be addressed by the recordkeeping and reporting requirements of Conditions 5.9 and 5.10, and compliance procedures in Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit.

6.0 CONDITIONS FOR EMISSIONS CONTROL PROGRAMS

This section is reserved for emissions control programs. As of the date of issuance of this permit, there are no such programs applicable to this source.

7.0 UNIT SPECIFIC CONDITIONS FOR SPECIFIC EMISSION UNITS

7.1 Engines - Distillate Oil Fired (Subject to NESHAP - 40 CFR 63 Subpart ZZZZ)

7.1.1 Description

The Permittee operates internal combustion engines fired with distillate fuel oil for peak electric generation, primarily for emergency electric generation. In addition to actual operation to generate electricity, each engine must be periodically "exercised" to confirm the engine will operate when needed to generate electricity.

Note: This narrative description is for informational purposes only and is not enforceable.

7.1.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Date Constructed	Emission Control Equipment
Engine #8	2,500 kW (189 gal/hr) distillate fuel oil engine	1998	None
Engine #9	2,500 kW (189 gal/hr) distillate fuel oil engine	1998	None
Engine #10	2,500 kW (189 gal/hr) distillate fuel oil engine	2002	None

7.1.3 Applicable Provisions and Regulations

a. An "affected engine" for the purpose of these unit-specific conditions, is an engine described in Conditions 7.1.1 and 7.1.2.

b. i. The affected engines are subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines 40 CFR Part 63, Subpart ZZZZ, because the affected engines are stationary RICE at an area source of HAP emissions, pursuant to 40 CFR 63.6580.

ii. Pursuant to 40 CFR 63.6590(a)(1)(iii), the affected engines are existing stationary RICE located at an area source of HAP emissions because the affected engines commenced construction before June 12, 2006 and the source is not a major source of HAP emissions pursuant to Condition 5.6.2.

Note: The Permittee has certified that the affected engines have not been modified or reconstructed after June 12, 2006.

iii. Pursuant to 40 CFR 63.6590(b)(3), existing compression ignition (CI) stationary RICE do not have to meet the requirements of 40 CFR Part 63, Subpart ZZZZ or Subpart A. No initial notification is necessary.

c. Pursuant to 35 IAC 212.123, No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit. The emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 1000 ft radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.

d. Pursuant to 35 IAC 214.301, no person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission source to exceed 2000 ppm.

e. Startup Provisions

Subject to the following terms and conditions, the Permittee is authorized to operate an affected engine in violation of the applicable standards in Condition 7.1.3(c) during startup. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application, generally describing the efforts that will be used "…to minimize startup emissions, duration of individual starts, and frequency of startups."

i. This authorization does not relieve the Permittee from the continuing obligation to demonstrate that all reasonable efforts are made to minimize startup emissions, duration of individual startups and frequency of startups.

ii. The Permittee shall conduct startup of an affected engine in accordance with written procedures prepared by the Permittee and maintained at the facility for an affected engine, that are specifically developed to minimize emissions from startups and that include, at a minimum, the following measures:

A. Implementation of established startup procedures, including preheating an engine prior to startup when sufficient time is available.

B. Operating the engines as peaking units.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Conditions 7.1.9(d) and 7.1.10(b).

iv. As provided by 35 IAC 201.265, an authorization in a permit for excess emissions during startup does not shield a Permittee from enforcement for any violation of applicable emission standard(s) that occurs during startup and only constitutes a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all terms and conditions connected with such authorization.

f. Malfunction and Breakdown Provisions

Subject to the following terms and conditions, the Permittee is authorized to continue operation of an affected engine in violation of the applicable standards in Condition 7.1.3(c) in the event of a malfunction or breakdown of an affected engine, including relevant associated systems. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application, generally explaining why such continued operation would be required to provide essential service or to prevent risk of injury to personnel or severe damage to equipment, and describing the measures that will be taken to minimize emissions from any malfunctions and breakdowns. This authorization supersedes the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

i. This authorization only allows such continued operation as necessary to provide essential service or prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee.

ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as soon as practical reduce load of the affected engine, repair the affected engine, remove the affected engine from service or undertake other action so that excess emissions cease.

iii. The Permittee shall fulfill the applicable recordkeeping and reporting requirements of Conditions 7.1.9(e) and 7.1.10(c). For these purposes, time shall be measured from the start of a particular incident. The absence of excess emissions for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the affected engine out of service.

iv. Following notification to the Illinois EPA of a malfunction or breakdown with excess emissions, the Permittee shall comply with all reasonable directives of the Illinois EPA with respect to such incident, pursuant to 35 IAC 201.263.

v. This authorization does not relieve the Permittee from the continuing obligation to minimize excess emissions during malfunction or breakdown. As provided by 35 IAC 201.265, an authorization in a permit for continued operation with excess emissions during malfunction and breakdown does not shield the Permittee from enforcement for any such violation and only constitutes a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all terms and conditions connected with such authorization.

7.1.4 Non-Applicability of Regulations of Concern

a. The affected engines are not subject to the New Source Performance Standards (NSPS) for Compression Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart IIII, because the Permittee did not commence construction (date the engine is ordered by the Permittee) of the affected engines after July 11, 2005, the units were manufactured on or before April 1, 2006, and did not modify or reconstruct the affected engines after July 11, 2005, pursuant to 40 CFR 60.4200(a)(2) and 60.4200(a)(3).

Note: The Permittee has certified that the affected engines were not constructed after July 11, 2005, were manufactured on or before April 1, 2006, and have not been modified or reconstructed after July 11, 2005.

b. The affected engines are not affected units subject to the requirements of the Acid Rain Program because the affected engines are exempt under 40 CFR 72.7(a), New Units Exemption. Any new utility units that meet the requirements of 40 CFR 72.7(a) are subject to the provisions of 40 CFR 72.2 through 72.7, and 72.10 through 72.13 (see Condition 7.1.5(b), pursuant to 40 CFR 72.7(b).

c. The affected engines are not subject to 35 IAC 212.321 or 212.322, due to the unique nature of such units, a process weight rate cannot be set so that such rules cannot reasonably be applied, pursuant to 35 IAC 212.323.

d. The affected engines are not subject to 35 IAC 216.121 because the affected engines are not fuel combustion units, as defined by 35 IAC 211.2470.

e. i. The affected engines are not subject to 35 IAC 217.141 because the affected engines are not fuel combustion units, as defined by 35 IAC 211.2470.

ii. The affected engines are not subject to 35 IAC Part 217, Subpart Q: Stationary Reciprocating Internal Combustion Engines and Turbines, because the affected engines are not stationary reciprocating internal combustion engines listed in Appendix G of 35 IAC 217, and are not located in a nonattainment area, pursuant to 35 IAC 217.386.

f. The affected engines are not subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the affected engines do not use an add-on control device to achieve compliance with an emission limitation or standard.

7.1.5 <u>Control Requirements and Work Practices</u>

a. Distillate fuel oil shall be the only fuel fired in the affected engines.

b. i. Pursuant to 40 CFR 72.7(a)(3), the affected engines shall burn fuel with an annual average sulfur content of 0.05 percent or less by weight.

ii. Pursuant to 40 CFR 72.7(d)(3), the annual average sulfur content limit in Condition 7.1.5(b)(i), shall be calculated using the equation:

$$\%S_{annual} = \frac{\sum_{n=1}^{last} \%S_n M_n}{\sum_{n=1}^{last} M_n}$$

Where:

$\%S_{annual}$ = Annual average sulfur content of the fuel burned during the year by an affected engine, as a percentage by weight;

$\%S_n$ = Sulfur content of the nth sample of the fuel delivered during the year to an affected engine, as a percentage by weight;

M_n = Mass of the nongaseous fuel in a delivery during the year to an affected engine of which the nth sample is taken, in lb; or for fuel delivered during the year to an affected engine continuously by pipeline, mass of the nongaseous fuel delivered starting from when the nth sample of such fuel is taken until the next sample of such fuel is taken, in lb; and

n = Each sample taken of the fuel delivered during the year to an affected engine, taken at least once for each delivery; or, for fuel that is delivered during the year to an affected engine continuously by pipeline, at least once each quarter during which the fuel is delivered.

c. The Illinois EPA shall be allowed to sample all fuels stored at the source.

7.1.6 Production and Emission Limitations

In addition to Condition 5.3.2 and the source-wide emission limitations in Condition 5.6, the affected engines are subject to the following:

a. i. Total usage of fuel oil in all affected engines shall not exceed 980,625 gallons/year [T1].

ii. Total annual usage of fuels to all affected engines at the source (affected engines from Section 7.1 and 7.2) shall not exceed 154 million scf/yr. For this purpose, 1,000 gallons of fuel oil shall be considered equivalent to 158,800 scf of natural gas [T1].

b. Monthly emissions from all affected engines at the source (affected engines from Section 7.1 and 7.2) shall not exceed the following limits [T1R]:

Pollutant	Emissions (Ton/Month)
NO_x	35.8
CO	9.5
PM	0.8
VOM	1.0
SO_2	0.6

c. Total annual emissions from all affected engines at the source (affected engines from Section 7.1 and 7.2) shall not exceed the following limits [T1]:

Pollutant	Emissions (Ton/Yr)
NO_x	215.0
CO	57.1
PM	4.7
VOM	6.1
SO_2	3.4

d. Compliance with annual limits shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total) [T1].

e. i. The above limitations (Conditions 7.1.6(a) and (d)) were established in Permit 02050005, pursuant to PSD. These limits ensure that the construction and/or modification addressed in the aforementioned permit does not constitute a new major source or major modification pursuant to Title I of the CAA, specifically the federal rules for PSD [T1].

ii. The above limitations (Conditions 7.1.6(b) and (c)) contain revisions to previously issued Permit 02050005. The source has requested that the Illinois EPA establish conditions in this permit that allow various refinements from the conditions of this aforementioned permit, consistent with the information provided in the CAAPP application. The source has requested these revisions and has addressed the applicability and compliance of Title I of the CAA, specifically MSSCAM and/or PSD. These limits continue to ensure that the construction and/or modification addressed in this permit does not constitute a new major source or major modification pursuant to these rules. These limits are the primary enforcement mechanism for the equipment and activities permitted in this permit and the information in the CAAPP application contains the most current and accurate information for the source [T1R].

7.1.7 Testing Requirements

a. Opacity Testing

i. Upon written request by the Illinois EPA, the Permittee shall have the opacity of the exhaust from an affected engine tested during representative

operating conditions as determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(d) of the Act.

ii. Such testing shall be conducted within 70 calendar days of the request, or on the date the affected engine next operates, or on the date agreed upon by the Illinois EPA, whichever is later.

iii. The duration of opacity observations for each test shall be at least 30 minutes (five 6-minute averages) unless the average opacities for the first 12 minutes of observations (two six-minute averages) are both less than 10.0 percent.

iv. The Permittee shall notify the Illinois EPA at least 7 days in advance of the date and time of these tests, in order to allow the Illinois EPA to witness testing. This notification shall include the name and employer of the qualified observer(s).

v. The Permittee shall promptly notify the Illinois EPA of any changes in the time or date for testing.

vi. The Permittee shall provide a copy of its observer's readings to the Illinois EPA at the time of testing, if Illinois EPA personnel are present.

vii. The Permittee shall submit a written report for this testing within 15 days of the date of testing. This report shall include:

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation conditions.

E. Description of the operating conditions.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

b. Fuel Oil Testing

i. In the event that the fuel oil supplier is unable to provide the sulfur content of the fuel oil supply for the affected engines, the Permittee shall have the

sulfur content of the oil supply to the affected engines, in lbs/mmBtu, determined from an analysis of representative sample of the oil supply, as follows, pursuant to Section 39.5(7)(d) of the Act:

A. From a sample taken no later than 90 days after first operating the affected engines pursuant to this permit, provided, however, that if such sample is taken following operation of the affected engines, the sample shall be taken prior to adding more oil to the storage tank.

B. From a sample taken no later than 30 days after acceptance of a shipment of fuel whose sulfur content would not meet Condition 7.1.3(d) based upon supplier data, provided however, that if the affected engines are operated following acceptance of such a shipment, the sample shall be taken prior to adding a subsequent shipment of oil to the relevant storage tank.

C. From a sample taken no later than 30 days after a request for such a sample is made by the Illinois EPA, provided, however, that such sample shall be taken prior to adding more oil to the relevant storage tank.

ii. Sampling and analysis, including that which forms the basis for the suppliers' data, shall be conducted using methods that would be acceptable under the federal New Source Performance Standards for Stationary Gas Turbines, 40 CFR 60.335(b)(2) and (c) or the federal Acid Rain Program, 40 CFR 75, Appendix D, Optional SO_2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units e.g., ASTM D4057-88 and ASTM D129-91.

Note: Condition 7.1.7(b)(ii) is for fuel testing methodology only, and is in no way intended to subject the source to those provisions.

7.1.8 <u>Monitoring Requirements</u>

a. Opacity Monitoring

i. If an affected engine is routinely operated or exercised to confirm that the affected engine will operate when needed, the operation and opacity of the affected engine shall be formally observed by operating personnel for the affected engine or a member of Permittee's environmental staff on a regular basis to assure that the affected engine is operating properly, which observations shall be made at least every six months.

ii. If an affected engine is not routinely operated or exercised, i.e., the time interval between operation of an affected engine is typically greater than six months, the operation and opacity of the affected engine shall be formally observed as provided above each time the Permittee carries out a scheduled exercise of the affected engine.

iii. The Permittee shall also conduct formal observations of operation and opacity of an affected engine upon written request by the Illinois EPA. With the agreement of the Illinois EPA, the Permittee may schedule these observations to take place during periods when it would otherwise be operating the affected engine.

Note: The "formally observation" required above is not intended to be a USEPA Test Method 9 opacity test, nor does the observation require a USEPA Test Method 9 certified observer. It is intended to be performed by personnel familiar with the operation of the affected engine who would be able to make a determination based from the observed opacity as to whether of not the affected engine was running properly, and subsequently initiate a corrective action if necessary.

7.1.9 Recordkeeping Requirements

In addition to the records required by Condition 5.9, the Permittee shall maintain records of the following items for the affected engines to demonstrate compliance with Conditions 5.6.1 and 7.1.6, pursuant to Section 39.5(7)(b) of the Act:

a. Records of Fuel Oil

i. Records for each shipment of fuel oil for the affected engines, including date, supplier, quantity, and sulfur content.

ii. Records of the sulfur content of the fuel oil supply to the affected engines. If all fuel shipments have sulfur content equal to or less than 0.05% by weight, then the annual average sulfur content is equal to or less than 0.05% by weight, and no calculation of annual average sulfur content is necessary. If any fuel shipment has a sulfur content of greater than 0.05% by weight, records must be kept of the supporting calculations using the equation in Condition 7.1.5(b)(ii).

iii. Total usage of fuel oil for the affected engines, gallons/month and gallons/year.

b. Emissions of NO_x, CO, SO_2, VOM, and PM from the affected engines in tons/month and tons/year with supporting calculations.

c. Records for Opacity

i. If required pursuant to Condition 7.1.7(a)(i), the Permittee shall keep records for all opacity measurements made in accordance with USEPA Method 9 pursuant to Condition 7.1.7(a).

ii. The Permittee shall keep records for all formal observations of opacity conducted pursuant to Condition 7.1.8(a). For each occasion on which such observations are made, these records shall include:

A. The date and time of the observation.

B. The identity of the observer.

C. The observed opacity and a description of the various observations that were made.

D. Whether or not the affected engines were running properly.

E. Whether or not corrective action was necessary or was subsequently initiated.

d. Records for Startup

The Permittee shall maintain the following records, pursuant to Section 39.5(7)(b) of the Act, for the affected engines subject to Condition 7.1.3(e), which at a minimum shall include the following information for each startup of the affected engines:

i. Date and duration of the startup, i.e., start time and time normal operation achieved.

ii. If normal operation was not achieved within 30 minutes, an explanation why startup could not be achieved within this time.

iii. A detailed description of the startup, including whether established startup procedures were performed. Include an explanation why established startup procedures could not be performed, if not performed.

iv. Whether exceedance of Condition 7.1.3(c) may have occurred during startup. If an exceedance may have occurred, an explanation of the nature of opacity,

i.e., severity and duration, during the startup and the nature of opacity at the conclusion of startup.

v. A maintenance and repair log for the affected engines, listing each activity performed with date.

e. Records for Malfunctions and Breakdowns

The Permittee shall maintain records, pursuant to 35 IAC 201.263, of continued operation of an affected engine subject to Condition 7.1.3(f) during malfunctions and breakdown, which as a minimum, shall include:

i. Date and duration of malfunction or breakdown.

ii. A detailed explanation of the malfunction or breakdown.

iii. An explanation why the affected engine continued to operate in accordance with Condition 7.1.3(f).

iv. The measures used to reduce the quantity of emissions and the duration of the event.

v. The steps taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.

vi. The amount of release above typical emissions during malfunction/breakdown.

7.1.10 Reporting Requirements

a. Reporting of Deviations

The Permittee shall promptly notify the Illinois EPA, Air Compliance Unit, of deviations of an affected engine with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

i. Emissions of opacity and/or SO_2 from an affected engine in excess of the limits specified in Condition 7.1.3 within 30 days of such occurrence.

ii. Operation of an affected engine in noncompliance with the requirements specified in Condition 7.1.5 within 30 days of such occurrence.

iii. Operation of an affected engine in excess of the limits specified in Condition 7.1.6 within 30 days of such occurrence.

b. Reporting of Startups

The Permittee shall submit semi-annual startup reports to the Illinois EPA pursuant to Sections 39.5(7)(a) and (f) of the Act. These reports may be submitted along with other semi-annual reports and shall include the following information for startups of the affected engines during the reporting period:

i. A list of the startups of the affected engines, including the date, duration and description of each startup, accompanied by a copy of the records pursuant to Condition 7.1.9(d) for each startup for which such records were required.

ii. If there have been no startups of an affected engine during the reporting period, this shall be stated in the report.

c. Reporting of Malfunctions and Breakdowns

The Permittee shall provide the following notification and reports to the Illinois EPA, Air Compliance Unit and Regional Field Office, pursuant to 35 IAC 201.263, concerning continued operation of an affected engine subject to Condition 7.1.3(f) during malfunction or breakdown:

i. A. The Permittee shall notify the Illinois EPA's regional office by telephone as soon as possible during normal working hours, but no later than three (3) days, upon the occurrence of noncompliance due to malfunction or breakdown.

B. Upon achievement of compliance, the Permittee shall give a written follow-up notice within 15 days to the Illinois EPA, Air Compliance Unit and Regional Field Office, providing a detailed explanation of the event, an explanation why continued operation of the affected engine was necessary, the length of time during which operation continued under such conditions, the measures taken by the Permittee to minimize and correct deficiencies with chronology, and when the repairs were completed or when the affected engine was taken out of service.

C. If compliance is not achieved within 5 working days of the occurrence, the Permittee shall submit interim status reports to the Illinois EPA, Air Compliance Unit and Regional Field Office, within 5 days of the occurrence and every 14 days thereafter, until compliance is

achieved. These interim reports shall provide a brief explanation of the nature of the malfunction or breakdown, corrective actions accomplished to date, actions anticipated to occur with schedule, and the expected date on which repairs will be complete or the affected engine will be taken out of service.

ii. In accordance with the due dates in Condition 8.6.1, the Permittee shall submit semi-annual malfunction and breakdown reports to the Illinois EPA pursuant to Sections 39.5(7)(a) and (f) of the Act. These reports may be submitted along with other semi-annual reports and shall include the following information for malfunctions and breakdowns of the affected engine during the reporting period:

A. A listing of malfunctions and breakdowns, in chronological order, that includes:

I. The date, time, and duration of each incident.

II. The identity of the affected operation(s) involved in the incident.

B. Dates of the notices and reports of Condition 7.1.10(c)(i).

C. Any supplement information the Permittee wishes to provide to the notices and reports of Condition 7.1.10(c)(i).

D. The aggregate duration of all incidents during the reporting period.

E. If there have been no such incidents during the reporting period, this shall be stated in the report.

7.1.11 <u>Operational Flexibility/Anticipated Operating Scenarios</u>

Operational flexibility is not set for the affected engines.

7.1.12 <u>Compliance Procedures</u>

a. Compliance with the opacity limitation of Condition 7.1.3(c) is addressed by the testing requirements in Condition 7.1.7(a), the monitoring requirements in Condition 7.1.8(a), the records required in Condition 7.1.9(c), and the reports required in Condition 7.1.10(a).

b. Compliance with the SO_2 emission limitation of Condition 7.1.3(d) is assured by the requirements of Condition

7.1.5(b), the records required in Condition 7.1.9(a)(ii), and the reports required in Condition 7.1.10(a).

c. Compliance with the emission limitations of Condition 7.1.6 is addressed by the records required in Condition 7.1.9(b), the reports required in Condition 7.1.10(a) and standard emission factors and calculation procedures (for example, AP-42).

d. Compliance with the emission limits in Condition 5.6 is addressed by the records required in Condition 7.1.9(b) and standard emission factors and calculation procedures (for example, AP-42).

7.2 Engines - Distillate Oil Fired and/or Natural Gas Fired (Subject to NESHAP - 40 CFR 63 Subpart ZZZZ)

7.2.1 Description

The Permittee operates internal combustion engines that are fired with distillate fuel oil or a combination of distillate fuel oil and natural gas for peak electric generation, primarily for emergency electric generation. In addition to actual operation to generate electricity, each engine must be periodically "exercised" to confirm the engine will operate when needed to generate electricity.

Note: This narrative description is for informational purposes only and is not enforceable.

7.2.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Date Constructed	Emission Control Equipment
Engine #1	35 mmBtu/hr distillate fuel oil and/or natural gas engine	1969	None
Engine #7	23 mmBtu/hr distillate fuel oil and/or natural gas engine	1963	None

7.2.3 Applicable Provisions and Regulations

a. An "affected engine" for the purpose of these unit-specific conditions, is an engine described in Conditions 7.2.1 and 7.2.2.

b. i. The affected engines are subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines 40 CFR Part 63, Subpart ZZZZ, because the affected engines are stationary RICE at an area source of HAP emissions, pursuant to 40 CFR 63.6580.

ii. Pursuant to 40 CFR 63.6590(a)(1)(iii), the affected engines are existing stationary RICE located at an area source of HAP emissions because the affected engines commenced construction before June 12, 2006 and the source is not a major source of HAP emissions pursuant to Condition 5.6.2.

Note: The Permittee has certified that the affected engines have not been modified or reconstructed after June 12, 2006.

iii. Pursuant to 40 CFR 63.6590(b)(3), existing compression ignition (CI) stationary RICE do not have to meet the requirements of 40 CFR Part 63, Subpart ZZZZ or Subpart A. No initial notification is necessary.

c. Pursuant to 35 IAC 212.123, No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit. The emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 1000 ft radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.

d. Pursuant to 35 IAC 214.301, no person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission source to exceed 2000 ppm.

e. Startup Provisions

Subject to the following terms and conditions, the Permittee is authorized to operate an affected engine in violation of the applicable standards in Condition 7.2.3(c) during startup. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application, generally describing the efforts that will be used "…to minimize startup emissions, duration of individual starts, and frequency of startups."

i. This authorization does not relieve the Permittee from the continuing obligation to demonstrate that all reasonable efforts are made to minimize startup emissions, duration of individual startups and frequency of startups.

ii. The Permittee shall conduct startup of an affected engine in accordance with written procedures prepared by the Permittee and maintained at the facility for an affected engine, that are specifically developed to minimize emissions from startups and that include, at a minimum, the following measures:

A. Implementation of established startup procedures, including preheating an engine prior to startup when sufficient time is available.

B. Operating the engines as peaking units.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Conditions 7.2.9(d) and 7.2.10(b).

iv. As provided by 35 IAC 201.265, an authorization in a permit for excess emissions during startup does not shield a Permittee from enforcement for any violation of applicable emission standard(s) that occurs during startup and only constitutes a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all terms and conditions connected with such authorization.

f. Malfunction and Breakdown Provisions

Subject to the following terms and conditions, the Permittee is authorized to continue operation of an affected engine in violation of the applicable standards in Condition 7.2.3(c) in the event of a malfunction or breakdown of an affected engine, including relevant associated systems. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application, generally explaining why such continued operation would be required to provide essential service or to prevent risk of injury to personnel or severe damage to equipment, and describing the measures that will be taken to minimize emissions from any malfunctions and breakdowns. This authorization supersedes the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

i. This authorization only allows such continued operation as necessary to provide essential service or prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee.

ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as soon as practical reduce load of the affected engine, repair the affected engine, remove the affected engine from service or undertake other action so that excess emissions cease.

iii. The Permittee shall fulfill the applicable recordkeeping and reporting requirements of Conditions 7.2.9(e) and 7.2.10(c). For these purposes, time shall be measured from the start of a particular incident. The absence of excess emissions

for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the affected engine out of service.

iv. Following notification to the Illinois EPA of a malfunction or breakdown with excess emissions, the Permittee shall comply with all reasonable directives of the Illinois EPA with respect to such incident, pursuant to 35 IAC 201.263.

v. This authorization does not relieve the Permittee from the continuing obligation to minimize excess emissions during malfunction or breakdown. As provided by 35 IAC 201.265, an authorization in a permit for continued operation with excess emissions during malfunction and breakdown does not shield the Permittee from enforcement for any such violation and only constitutes a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all terms and conditions connected with such authorization.

7.2.4 Non-Applicability of Regulations of Concern

a. The affected engines are not subject to the New Source Performance Standards (NSPS) for Compression Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart IIII, because the Permittee did not commence construction (date the engine is ordered by the Permittee) of the affected engines after July 11, 2005, units were manufactured on or before April 1, 2006, and did not modify or reconstruct the affected engines after July 11, 2005, pursuant to 40 CFR 60.4200(a)(2) and 60.4200(a)(3).

Note: The Permittee has certified that the affected engines were not constructed after July 11, 2005, were manufactured on or before April 1, 2006, and have not been modified or reconstructed after July 11, 2005.

b. The affected engines are not affected units subject to the requirements of the Acid Rain Program because the affected engines commenced commercial operation before November 15, 1990 and did not, as of November 15, 1990, and do not currently, serve a generator with a nameplate capacity of greater than 25 MWe, pursuant to 40 CFR 72.6(b).

c. The affected engines are not subject to 35 IAC 212.321 or 212.322, due to the unique nature of such units, a process weight rate cannot be set so that such rules cannot reasonably be applied, pursuant to 35 IAC 212.323.

d. The affected engines are not subject to 35 IAC 216.121 because the affected engines are not fuel combustion units, as defined by 35 IAC 211.2470.

e. i. The affected engines are not subject to 35 IAC 217.141 because the affected engines are not fuel combustion units, as defined by 35 IAC 211.2470.

ii. The affected engines are not subject to 35 IAC Part 217, Subpart Q: Stationary Reciprocating Internal Combustion Engines and Turbines, because the affected engines are not stationary reciprocating internal combustion engines listed in Appendix G of 35 IAC 217, and are not located in a nonattainment area, pursuant to 35 IAC 217.386.

f. The affected engines are not subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the affected engines do not use an add-on control device to achieve compliance with an emission limitation or standard.

7.2.5 Control Requirements and Work Practices

a. Distillate fuel oil and/or natural gas shall be the only fuels fired in the affected engines.

b. The Illinois EPA shall be allowed to sample all fuels stored at the source.

7.2.6 Production and Emission Limitations

The affected engines are subject to the source-wide emission limitations in Condition 5.6, the annual fuel usage limit in Condition 7.1.6(a)(ii), the monthly emission limits in Condition 7.1.6(b), and the annual emission limits in Condition 7.1.6(c).

7.2.7 Testing Requirements

a. Opacity Testing

i. Upon written request by the Illinois EPA, the Permittee shall have the opacity of the exhaust from an affected engine tested during representative operating conditions as determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(d) of the Act.

ii. Such testing shall be conducted within 70 calendar days of the request, or on the date the affected engine next operates, or on the date agreed upon by the Illinois EPA, whichever is later.

iii. The duration of opacity observations for each test shall be at least 30 minutes (five 6-minute averages) unless the average opacities for the first 12 minutes of observations (two six-minute averages) are both less than 10.0 percent.

iv. The Permittee shall notify the Illinois EPA at least 7 days in advance of the date and time of these tests, in order to allow the Illinois EPA to witness testing. This notification shall include the name and employer of the qualified observer(s).

v. The Permittee shall promptly notify the Illinois EPA of any changes in the time or date for testing.

vi. The Permittee shall provide a copy of its observer's readings to the Illinois EPA at the time of testing, if Illinois EPA personnel are present.

vii. The Permittee shall submit a written report for this testing within 15 days of the date of testing. This report shall include:

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation conditions.

E. Description of the operating conditions.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

b. Fuel Oil Testing

i. In the event that the fuel oil supplier is unable to provide the sulfur content of the fuel oil supply for the affected engines, the Permittee shall have the sulfur content of the oil supply to the affected engines, in lbs/mmBtu, determined from an analysis of representative sample of the oil supply, as follows, pursuant to Section 39.5(7)(d) of the Act:

A. From a sample taken no later than 90 days after first operating the affected engines pursuant to this permit, provided, however, that if such sample is taken following operation of the

affected engines, the sample shall be taken prior to adding more oil to the storage tank.

B. From a sample taken no later than 30 days after acceptance of a shipment of fuel whose sulfur content would not meet Condition 7.2.3(d) based upon supplier data, provided however, that if the affected engines are operated following acceptance of such a shipment, the sample shall be taken prior to adding a subsequent shipment of oil to the relevant storage tank.

C. From a sample taken no later than 30 days after a request for such a sample is made by the Illinois EPA, provided, however, that such sample shall be taken prior to adding more oil to the relevant storage tank.

ii. Sampling and analysis, including that which forms the basis for the suppliers' data, shall be conducted using methods that would be acceptable under the federal New Source Performance Standards for Stationary Gas Turbines, 40 CFR 60.335(b)(2) and (c) or the federal Acid Rain Program, 40 CFR 75, Appendix D, Optional SO_2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units e.g., ASTM D4057-88 and ASTM D129-91.

Note: Condition 7.2.7(b)(ii) is for fuel testing methodology only, and is in no way intended to subject the source to those provisions.

7.2.8 <u>Monitoring Requirements</u>

a. Opacity Monitoring

i. If an affected engine is routinely operated or exercised to confirm that the affected engine will operate when needed, the operation and opacity of the affected engine shall be formally observed by operating personnel for the affected engine or a member of Permittee's environmental staff on a regular basis to assure that the affected engine is operating properly, which observations shall be made at least every six months.

ii. If an affected engine is not routinely operated or exercised, i.e., the time interval between operation of an affected engine is typically greater than six months, the operation and opacity of the affected engine shall be formally observed as provided above each time the Permittee carries out a scheduled exercise of the affected engine.

iii. The Permittee shall also conduct formal observations of operation and opacity of an affected engine upon written request by the Illinois EPA. With the agreement of the Illinois EPA, the Permittee may schedule these observations to take place during periods when it would otherwise be operating the affected engine.

Note: The "formally observation" required above is not intended to be a USEPA Test Method 9 opacity test, nor does the observation require a USEPA Test Method 9 certified observer. It is intended to be performed by personnel familiar with the operation of the affected engine who would be able to make a determination based from the observed opacity as to whether of not the affected engine was running properly, and subsequently initiate a corrective action if necessary.

7.2.9 Recordkeeping Requirements

In addition to the records required by Condition 5.9, the Permittee shall maintain records of the following items for the affected engines to demonstrate compliance with Condition 5.6.1, pursuant to Section 39.5(7)(b) of the Act:

a. Records of Fuel Oil

i. Records for each shipment of fuel oil for the affected engines, including date, supplier, quantity, and sulfur content.

ii. Total usage of fuel oil for the affected engines, gallons/month and gallons/year.

b. Emissions of NO_x, CO, SO_2, VOM, and PM from the affected engines in tons/month and tons/year with supporting calculations.

c. Records for Opacity

i. If required pursuant to Condition 7.2.7(a)(i), the Permittee shall keep records for all opacity measurements made in accordance with USEPA Method 9 pursuant to Condition 7.2.7(a).

ii. The Permittee shall keep records for all formal observations of opacity conducted pursuant to Condition 7.2.8(a). For each occasion on which such observations are made, these records shall include:

A. The date and time of the observation.

B. The identity of the observer.

C. The observed opacity and a description of the various observations that were made.

D. Whether or not the affected engines were running properly.

E. Whether or not corrective action was necessary or was subsequently initiated.

d. Records for Startup

The Permittee shall maintain the following records, pursuant to Section 39.5(7)(b) of the Act, for the affected engines subject to Condition 7.2.3(e), which at a minimum shall include the following information for each startup of the affected engines:

i. Date and duration of the startup, i.e., start time and time normal operation achieved.

ii. If normal operation was not achieved within two hours, an explanation why startup could not be achieved within this time.

iii. A detailed description of the startup, including whether established startup procedures were performed. Include an explanation why established startup procedures could not be performed, if not performed.

iv. Whether exceedance of Condition 7.2.3(c) may have occurred during startup. If an exceedance may have occurred, an explanation of the nature of opacity, i.e., severity and duration, during the startup and the nature of opacity at the conclusion of startup.

v. A maintenance and repair log for the affected engines, listing each activity performed with date.

e. Records for Malfunctions and Breakdowns

The Permittee shall maintain records, pursuant to 35 IAC 201.263, of continued operation of an affected engine subject to Condition 7.2.3(f) during malfunctions and breakdown, which as a minimum, shall include:

i. Date and duration of malfunction or breakdown.

ii. A detailed explanation of the malfunction or breakdown.

iii. An explanation why the affected engine continued to operate in accordance with Condition 7.2.3(f).

iv. The measures used to reduce the quantity of emissions and the duration of the event.

v. The steps taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.

vi. The amount of release above typical emissions during malfunction/breakdown.

7.2.10 Reporting Requirements

a. Reporting of Deviations

The Permittee shall promptly notify the Illinois EPA, Air Compliance Unit, of deviations of an affected engine with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

i. Emissions of opacity and/or SO_2 from an affected engine in excess of the limits specified in Condition 7.2.3 within 30 days of such occurrence.

ii. Operation of an affected engine in noncompliance with the requirements specified in Condition 7.2.5 within 30 days of such occurrence.

b. Reporting of Startups

The Permittee shall submit semi-annual startup reports to the Illinois EPA pursuant to Sections 39.5(7)(a) and (f) of the Act. These reports may be submitted along with other semi-annual reports and shall include the following information for startups of the affected engines during the reporting period:

i. A list of the startups of the affected engines, including the date, duration and description of each startup, accompanied by a copy of the records pursuant to Condition 7.2.9(d) for each startup for which such records were required.

ii. If there have been no startups of an affected engine during the reporting period, this shall be stated in the report.

c. Reporting of Malfunctions and Breakdowns

The Permittee shall provide the following notification and reports to the Illinois EPA, Air Compliance Unit and Regional Field Office, pursuant to 35 IAC 201.263, concerning continued operation of an affected engine

subject to Condition 7.2.3(f) during malfunction or breakdown:

i. A. The Permittee shall notify the Illinois EPA's regional office by telephone as soon as possible during normal working hours, but no later than three (3) days, upon the occurrence of noncompliance due to malfunction or breakdown.

B. Upon achievement of compliance, the Permittee shall give a written follow-up notice within 15 days to the Illinois EPA, Air Compliance Unit and Regional Field Office, providing a detailed explanation of the event, an explanation why continued operation of the affected engine was necessary, the length of time during which operation continued under such conditions, the measures taken by the Permittee to minimize and correct deficiencies with chronology, and when the repairs were completed or when the affected engine was taken out of service.

C. If compliance is not achieved within 5 working days of the occurrence, the Permittee shall submit interim status reports to the Illinois EPA, Air Compliance Unit and Regional Field Office, within 5 days of the occurrence and every 14 days thereafter, until compliance is achieved. These interim reports shall provide a brief explanation of the nature of the malfunction or breakdown, corrective actions accomplished to date, actions anticipated to occur with schedule, and the expected date on which repairs will be complete or the affected engine will be taken out of service.

ii. In accordance with the due dates in Condition 8.6.1, the Permittee shall submit semi-annual malfunction and breakdown reports to the Illinois EPA pursuant to Sections 39.5(7)(a) and (f) of the Act. These reports may be submitted along with other semi-annual reports and shall include the following information for malfunctions and breakdowns of the affected engine during the reporting period:

A. A listing of malfunctions and breakdowns, in chronological order, that includes:

I. The date, time, and duration of each incident.

II. The identity of the affected operation(s) involved in the incident.

B. Dates of the notices and reports of Condition 7.2.10(c)(i).

C. Any supplement information the Permittee wishes to provide to the notices and reports of Condition 7.2.10(c)(i).

D. The aggregate duration of all incidents during the reporting period.

E. If there have been no such incidents during the reporting period, this shall be stated in the report.

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

Operational flexibility is not set for the affected engines.

7.2.12 Compliance Procedures

a. Compliance with the opacity limitation of Condition 7.2.3(c) is addressed by the testing requirements in Condition 7.2.7(a), the monitoring requirements in Condition 7.2.8(a), the records required in Condition 7.2.9(c), and the reports required in Condition 7.2.10(a).

b. Compliance with the SO_2 emission limitation of Condition 7.2.3(d) is addressed by, the testing requirements in Condition 7.2.7(b), the records required in Condition 7.2.9(a), and the reports required in Condition 7.2.10(a).

Note: Stoichiometric combustion of distillate oil with the maximum available sulfur content, i.e., 1.0 percent, would result in an SO_2 concentration in the exhaust that is well below the 2000 ppm limit in Condition 7.

c. Compliance with the emission limitations of Condition 7.2.6 (see also Condition 7.1.6) is addressed by the records required in Condition 7.2.9(b), the reports required in Condition 7.2.10(a) and standard emission factors and calculation procedures (for example, AP-42).

d. Compliance with the emission limits in Condition 5.6 is addressed by the records required in Condition 7.2.9(b) and standard emission factors and calculation procedures (for example, AP-42).

8.0 GENERAL PERMIT CONDITIONS

8.1 Permit Shield

Pursuant to Section 39.5(7)(j) of the Act, the Permittee has requested and has been granted a permit shield. This permit shield provides that compliance with the conditions of this permit shall be deemed compliance with applicable requirements which were applicable as of the date the proposed permit for this source was issued, provided that either the applicable requirements are specifically identified within this permit, or the Illinois EPA, in acting on this permit application, has determined that other requirements specifically identified are not applicable to this source and this determination (or a concise summary thereof) is included in this permit.

This permit shield does not extend to applicable requirements which are promulgated after November 11, 2009 (the date of issuance of the proposed permit) unless this permit has been modified to reflect such new requirements.

8.2 Applicability of Title IV Requirements (Acid Deposition Control)

This source is not an affected source under Title IV of the CAA and is not subject to requirements pursuant to Title IV of the CAA.

8.3 Emissions Trading Programs

No permit revision shall be required for increases in emissions allowed under any USEPA approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for elsewhere in this permit and that are authorized by the applicable requirement [Section 39.5(7)(o)(vii) of the Act].

8.4 Operational Flexibility/Anticipated Operating Scenarios

8.4.1 Changes Specifically Addressed by Permit

Physical or operational changes specifically addressed by the Conditions of this permit that have been identified as not requiring Illinois EPA notification may be implemented without prior notice to the Illinois EPA.

8.4.2 Changes Requiring Prior Notification

The Permittee is authorized to make physical or operational changes that contravene express permit terms without applying for or obtaining an amendment to this permit, provided that [Section 39.5(12)(a)(i) of the Act]:

a. The changes do not violate applicable requirements;

b. The changes do not contravene federally enforceable permit terms or conditions that are monitoring (including test

methods), recordkeeping, reporting, or compliance certification requirements;

c. The changes do not constitute a modification under Title I of the CAA;

d. Emissions will not exceed the emissions allowed under this permit following implementation of the physical or operational change; and

e. The Permittee provides written notice to the Illinois EPA, Division of Air Pollution Control, Permit Section, at least 7 days before commencement of the change. This notice shall:

i. Describe the physical or operational change;

ii. Identify the schedule for implementing the physical or operational change;

iii. Provide a statement of whether or not any New Source Performance Standard (NSPS) is applicable to the physical or operational change and the reason why the NSPS does or does not apply;

iv. Provide emission calculations which demonstrate that the physical or operational change will not result in a modification; and

v. Provide a certification that the physical or operational change will not result in emissions greater than authorized under the Conditions of this permit.

8.5 Testing Procedures

Tests conducted to measure composition of materials, efficiency of pollution control devices, emissions from process or control equipment, or other parameters shall be conducted using standard test methods if applicable test methods are not specified by the applicable regulations or otherwise identified in the conditions of this permit. Documentation of the test date, conditions, methodologies, calculations, and test results shall be retained pursuant to the recordkeeping procedures of this permit. Reports of any tests conducted as required by this permit or as the result of a request by the Illinois EPA shall be submitted as specified in Conditions 8.6.3 and 8.6.4.

8.6 Reporting Requirements

8.6.1 Monitoring Reports

Reports summarizing required monitoring as specified in the conditions of this permit shall be submitted to the Illinois EPA

every six months as follows, unless more frequent submittal of such reports is required in Sections 5 or 7 of this permit [Section 39.5(7)(f) of the Act]:

Monitoring Period	Report Due Date
January - June	September 1
July - December	March 1

All instances of deviations from permit requirements must be clearly identified in such reports. All such reports shall be certified in accordance with Condition 9.9.

8.6.2 Test Notifications

Unless otherwise specified elsewhere in this permit, a written test plan for any test required by this permit shall be submitted to the Illinois EPA for review at least 60 days prior to the testing pursuant to Section 39.5(7)(a) of the Act. The notification shall include at a minimum:

a. The name and identification of the affected unit(s);

b. The person(s) who will be performing sampling and analysis and their experience with similar tests;

c. The specific conditions under which testing will be performed, including a discussion of why these conditions will be representative of maximum emissions and the means by which the operating parameters for the source and any control equipment will be determined;

d. The specific determinations of emissions and operation that are intended to be made, including sampling and monitoring locations;

e. The test method(s) that will be used, with the specific analysis method, if the method can be used with different analysis methods;

f. Any minor changes in standard methodology proposed to accommodate the specific circumstances of testing, with justification; and

g. Any proposed use of an alternative test method, with detailed justification.

8.6.3 Test Reports

Unless otherwise specified elsewhere in this permit, the results of any test required by this permit shall be submitted to the Illinois EPA within 60 days of completion of the testing. The

test report shall include at a minimum [Section 39.5(7)(e)(i) of the Act]:

a. The name and identification of the affected unit(s);

b. The date and time of the sampling or measurements;

c. The date any analyses were performed;

d. The name of the company that performed the tests and/or analyses;

e. The test and analytical methodologies used;

f. The results of the tests including raw data, and/or analyses including sample calculations;

g. The operating conditions at the time of the sampling or measurements; and

h. The name of any relevant observers present including the testing company's representatives, any Illinois EPA or USEPA representatives, and the representatives of the source.

8.6.4 Reporting Addresses

a. Unless otherwise specified in the particular provision of this permit or in the written instructions distributed by the Illinois EPA for particular reports, reports and notifications shall be sent to the Illinois EPA - Air Compliance Unit with a copy sent to the Illinois EPA - Air Regional Field Office.

b. As of the date of issuance of this permit, the addresses of the offices that should generally be utilized for the submittal of reports and notifications are as follows:

i. Illinois EPA - Air Compliance Unit

Illinois Environmental Protection Agency
Bureau of Air
Compliance & Enforcement Section (MC 40)
P.O. Box 19276
Springfield, Illinois 62794-9276

ii. Illinois EPA - Air Quality Planning Section

Illinois Environmental Protection Agency
Bureau of Air
Air Quality Planning Section (MC 39)
P.O. Box 19276
Springfield, Illinois 62794-9276

iii. Illinois EPA - Air Regional Field Office

Illinois Environmental Protection Agency
Division of Air Pollution Control
2009 Mall Street
Collinsville, Illinois 62234

iv. USEPA Region 5 - Air Branch

USEPA (AR - 17J)
Air & Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604

c. Permit applications should be addressed to the Air Permit Section. As of the date of issuance of this permit, the address of the Air Permit Section is as follows:

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section (MC 11)
P.O. Box 19506
Springfield, Illinois 62794-9506

8.7 Title I Conditions

Notwithstanding the expiration date on the first page of this CAAPP permit, Title I conditions in this permit, which are identified by a T1, T1N, or T1R designation, remain in effect until such time as the Illinois EPA takes action to revise or terminate them in accordance with applicable procedures for action on Title I conditions. This is because these conditions either: (a) incorporate conditions of earlier permits that were issued by the Illinois EPA pursuant to authority that includes authority found in Title I of the CAA (T1 conditions), (b) were newly established in this CAAPP permit pursuant to authority that includes such Title I authority (T1N conditions), or (c) reflect a revision or combination of conditions established in this CAAPP permit (T1R conditions). (See also Condition 1.5.)

9.0 STANDARD PERMIT CONDITIONS

9.1 Effect of Permit

9.1.1 The issuance of this permit does not release the Permittee from compliance with State and Federal regulations which are part of the Illinois State Implementation Plan, as well as with other applicable statutes and regulations of the United States or the State of Illinois or applicable ordinances, except as specifically stated in this permit and as allowed by law and rule.

9.1.2 In particular, this permit does not alter or affect the following [Section 39.5(7)(j)(iv) of the Act]:

a. The provisions of Section 303 (emergency powers) of the CAA, including USEPA's authority under that Section;

b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

c. The applicable requirements of the acid rain program consistent with Section 408(a) of the CAA; and

d. The ability of USEPA to obtain information from a source pursuant to Section 114 (inspections, monitoring, and entry) of the CAA.

9.1.3 Notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, pursuant to Section 39.5(7)(j) and (p) of the Act, any person (including the Permittee) may also use other credible evidence to establish compliance or noncompliance with applicable requirements.

9.2 General Obligations of Permittee

9.2.1 Duty to Comply

The Permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the CAA and the Act, and is grounds for any or all of the following: enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application [Section 39.5(7)(o)(i) of the Act].

The Permittee shall meet applicable requirements that become effective during the permit term in a timely manner unless an alternate schedule for compliance with the applicable requirement is established.

9.2.2 Duty to Maintain Equipment

The Permittee shall maintain all equipment covered under this permit in such a manner that the performance or operation of such equipment shall not cause a violation of applicable requirements.

9.2.3 Duty to Cease Operation

No person shall cause, threaten or allow the continued operation of any emission unit during malfunction or breakdown of the emission unit or related air pollution control equipment if such operation would cause a violation of an applicable emission standard, regulatory requirement, ambient air quality standard or permit limitation unless this permit provides for such continued operation consistent with the Act and applicable Illinois Pollution Control Board regulations [Section 39.5(6)(c) of the Act].

9.2.4 Disposal Operations

The source shall be operated in such a manner that the disposal of air contaminants collected by the equipment operations, or activities shall not cause a violation of the Act or regulations promulgated there under.

9.2.5 Duty to Pay Fees

The Permittee must pay fees to the Illinois EPA consistent with the fee schedule approved pursuant to Section 39.5(18) of the Act, and submit any information relevant thereto [Section 39.5(7)(o)(vi) of the Act]. The check should be payable to "Treasurer, State of Illinois" and sent to: Fiscal Services Section, Illinois Environmental Protection Agency, P.O. Box 19276, Springfield, Illinois 62794-9276.

9.3 Obligation to Allow Illinois EPA Surveillance

Upon presentation of proper credentials and other documents as may be required by law and in accordance with constitutional limitations, the Permittee shall allow the Illinois EPA, or an authorized representative to perform the following [Sections 4 and 39.5(7)(a) and (p)(ii) of the Act]:

a. Enter upon the Permittee's premises where an actual or potential emission unit is located; where any regulated equipment, operation, or activity is located or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect during hours of operation any sources, equipment (including monitoring and air pollution control equipment),

practices, or operations regulated or required under this permit;

d. Sample or monitor any substances or parameters at any location:

i. At reasonable times, for the purposes of assuring permit compliance or applicable requirements; or

ii. As otherwise authorized by the CAA, or the Act.

e. Obtain and remove samples of any discharge or emission of pollutants authorized by this permit; and

f. Enter and utilize any photographic, recording, testing, monitoring, or other equipment for the purposes of preserving, testing, monitoring, or recording any regulated activity, discharge or emission at the source authorized by this permit.

9.4 Obligation to Comply with Other Requirements

The issuance of this permit does not release the Permittee from applicable State and Federal laws and regulations, and applicable local ordinances addressing subjects other than air pollution control.

9.5 Liability

9.5.1 Title

This permit shall not be considered as in any manner affecting the title of the premises upon which the permitted source is located.

9.5.2 Liability of Permittee

This permit does not release the Permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the sources.

9.5.3 Structural Stability

This permit does not take into consideration or attest to the structural stability of any unit or part of the source.

9.5.4 Illinois EPA Liability

This permit in no manner implies or suggests that the Illinois EPA (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the source.

9.5.5 Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege [Section 39.5(7)(o)(iv) of the Act].

9.6 Recordkeeping

9.6.1 Control Equipment Maintenance Records

A maintenance record shall be kept on the premises for each item of air pollution control equipment. At a minimum, this record shall show the dates of performance and nature of preventative maintenance activities.

9.6.2 Records of Changes in Operation

A record shall be kept describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes [Section 39.5(12)(b)(iv) of the Act].

9.6.3 Retention of Records

a. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit [Section 39.5(7)(e)(ii) of the Act].

b. Other records required by this permit including any logs, plans, procedures, or instructions required to be kept by this permit shall be retained for a period of at least 5 years from the date of entry unless a longer period is specified by a particular permit provision.

9.7 Annual Emissions Report

The Permittee shall submit an annual emissions report to the Illinois EPA, Air Quality Planning Section no later than May 1 of the following year, as required by 35 IAC Part 254.

9.8 Requirements for Compliance Certification

Pursuant to Section 39.5(7)(p)(v) of the Act, the Permittee shall submit annual compliance certifications. The compliance certifications shall be submitted no later than May 1 or more frequently as specified in the applicable requirements or by permit condition. The compliance certifications shall be submitted to the Air Compliance Unit, Air Regional Field Office, and USEPA Region 5 – Air Branch. The addresses for the submittal of the compliance certifications are provided in Condition 8.6.4 of this permit.

a. The certification shall include the identification of each term or condition of this permit that is the basis of the

certification; the compliance status; whether compliance was continuous or intermittent; the method(s) used for determining the compliance status of the source, both currently and over the reporting period consistent with the conditions of this permit.

b. All compliance certifications shall be submitted to USEPA Region 5 in Chicago as well as to the Illinois EPA.

c. All compliance reports required to be submitted shall include a certification in accordance with Condition 9.9.

9.9 Certification

Any document (including reports) required to be submitted by this permit shall contain a certification by a responsible official of the Permittee that meets the requirements of Section 39.5(5) of the Act and applicable regulations [Section 39.5(7)(p)(i) of the Act]. An example Certification by a Responsible Official is included as Attachment 1 to this permit.

9.10 Defense to Enforcement Actions

9.10.1 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit [Section 39.5(7)(o)(ii) of the Act].

9.10.2 Emergency Provision

a. An emergency shall be an affirmative defense to an action brought for noncompliance with the technology-based emission limitations under this permit if the following conditions are met through properly signed, contemporaneous operating logs, or other relevant evidence [Section 39.5(7)(k) of the Act]:

i. An emergency occurred as provided in Section 39.5(7)(k) of the Act and the Permittee can identify the cause(s) of the emergency.

Note: For this purpose, emergency means a situation arising from sudden and reasonably unforeseeable events beyond the control of the source, as further defined by Section 39.5(7)(k)(iv) of the Act.

ii. The permitted source was at the time being properly operated;

iii. The Permittee submitted notice of the emergency to the Illinois EPA within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a detailed

description of the emergency, any steps taken to mitigate emissions, and corrective actions taken; and

iv. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations, standards, or regulations in this permit.

b. This provision is in addition to any emergency or upset provision contained in any applicable requirement. This provision does not relieve a Permittee of any reporting obligations under existing federal or state laws or regulations [Section 39.5(7)(k)(iv) of the Act].

9.11 Permanent Shutdown

This permit only covers emission units and control equipment while physically present at the indicated source location(s). Unless this permit specifically provides for equipment relocation, this permit is void for the operation or activity of any item of equipment on the date it is removed from the permitted location(s) or permanently shut down. This permit expires if all equipment is removed from the permitted location(s), notwithstanding the expiration date specified on this permit.

9.12 Reopening and Reissuing Permit for Cause

9.12.1 Permit Actions

This permit may be modified, revoked, reopened and reissued, or terminated for cause in accordance with applicable provisions of Section 39.5 of the Act. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition [Section 39.5(7)(o)(iii) of the Act].

9.12.2 Reopening and Revision

This permit must be reopened and revised if any of the following occur [Section 39.5(15)(a) of the Act]:

a. Additional requirements become applicable to the equipment covered by this permit and three or more years remain before expiration of this permit.

b. Additional requirements become applicable to an affected source for acid deposition under the acid rain program.

c. The Illinois EPA or USEPA determines that this permit contains a material mistake or that inaccurate statement were made in establishing the emission standards or limitations, or other terms or conditions of this permit.

d. The Illinois EPA or USEPA determines that this permit must be revised or revoked to ensure compliance with the applicable requirements.

9.12.3 Inaccurate Application

The Illinois EPA has issued this permit based upon the information submitted by the Permittee in the permit application. Any misinformation, false statement or misrepresentation in the application shall be grounds for revocation and reissuance under Section 39.5(15) of the Act, pursuant to Sections 39.5(5)(e) and (i) of the Act.

9.12.4 Duty to Provide Information

The Permittee shall furnish to the Illinois EPA, within a reasonable time specified by the Illinois EPA any information that the Illinois EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the Illinois EPA copies of records required to be kept by this permit, or for information claimed to be confidential, the Permittee may furnish such records directly to USEPA along with a claim of confidentiality [Section 39.5(7)(o)(v) of the Act].

9.13 Severability Clause

The provisions of this permit are severable. In the event of a challenge to any portion of the permit, other portions of the permit may continue to be in effect. Should any portion of this permit be determined to be illegal or unenforceable, the validity of the other provisions shall not be affected and the rights and obligations of the Permittee shall be construed and enforced as if this permit did not contain the particular provisions held to be invalid and the applicable requirements underlying these provisions shall remain in force [Section 39.5(7)(i) of the Act].

9.14 Permit Expiration and Renewal

Upon the expiration of this permit, if the source is operated, it shall be deemed to be operating without a permit unless a timely and complete CAAPP application has been submitted for renewal of this permit. However, if a timely and complete application to renew this CAAPP permit has been submitted, the terms and all conditions of this CAAPP permit will remain in effect until the issuance of a renewal permit [Section 39.5(5)(l) and (o) of the Act].

Note: Pursuant to Sections 39.5(5)(h) and (n) of the Act, upon submittal of a timely and complete renewal application, the permitted source may continue to operate until final action is taken by the Illinois EPA on the renewal application, provided, however, that this protection shall cease if the applicant fails to submit any additional information necessary to evaluate or take final action on the renewal

application as requested by the Illinois EPA in writing. For a renewal application to be timely, it must be submitted no later than 9 months prior to the date of permit expiration.

9.15 General Authority for the Terms and Conditions of this Permit

The authority for terms and conditions of this permit that do not include a citation for their authority is Section 39.5(7)(a) of the Act, which provides that the Illinois EPA shall include such provisions in a CAAPP permit as are necessary to accomplish the purposes of the Act and to assure compliance with all applicable requirements. Section 39.5(7)(a) of the Act is also another basis of authority for terms and conditions of this permit that do include a specific citation for their authority.

Note: This condition is included in this permit pursuant to Section 39.5(7)(n) of the Act.

10.0 ATTACHMENTS

Attachment 1 Example Certification by a Responsible Official

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: _____

Name: _____

Official Title: _____

Telephone No.: _____

Date Signed: _____

Attachment 2 Emissions of Particulate Matter from Process Emission Units

a. New Process Emission Units for Which Construction or Modification Commenced On or After April 14, 1972 [35 IAC 212.321].

i. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates specified in subsection (c) of 35 IAC 212.321 [35 IAC 212.321(a)].

ii. Interpolated and extrapolated values of the data in subsection (c) of 35 IAC 212.321 shall be determined by using the equation [35 IAC 212.321(b)]:

$$E = A(P)^B$$

where:

P = Process weight rate; and
E = Allowable emission rate; and,

A. Up to process weight rates of 408 Mg/hr (450 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	1.214	2.54
B	0.534	0.534

B. For process weight rate greater than or equal to 408 Mg/hr (450 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	11.42	24.8
B	0.16	0.16

iii. Limits for Process Emission Units For Which Construction or Modification Commenced On or After April 19, 1972 [35 IAC 212.321(c)]:

Metric P Mg/hr	E kg/hr	English P T/hr	E lb/hr
0.05	0.25	0.05	0.55
0.1	0.29	0.10	0.77
0.2	0.42	0.2	1.10
0.3	0.64	0.30	1.35
0.4	0.74	0.40	1.58
0.5	0.84	0.50	1.75
0.7	1.00	0.75	2.40
0.9	1.15	1.00	2.60
1.8	1.66	2.00	3.70
2.7	2.1	3.00	4.60
3.6	2.4	4.00	5.35
4.5	2.7	5.00	6.00
9.0	3.9	10.00	8.70
13.0	4.8	15.00	10.80
18.0	5.7	20.00	12.50
23.0	6.5	25.00	14.00
27.0	7.1	30.00	15.60
32.0	7.7	35.00	17.00
36.0	8.2	40.00	18.20
41.0	8.8	45.00	19.20
45.0	9.3	50.00	20.50
90.0	13.4	100.00	29.50
140.0	17.0	150.00	37.00
180.0	19.4	200.00	43.00
230.0	22.0	250.00	48.50
270.0	24.0	300.00	53.00
320.0	26.0	350.00	58.00
360.0	28.0	400.00	62.00
408.0	30.1	450.00	66.00
454.0	30.4	500.00	67.00

iv. For process weight rates of less than 100 pounds per hour, the allowable rate is 0.5 pounds per hour [35 IAC 266.110].

b. Existing Process Emission Units for Which Construction or Modification Prior to April 14, 1972 [35 IAC 212.322].

i. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any process emission unit for which construction or modification commenced prior to April 14, 1972, which, either alone or in combination with the emission of particulate matter from all other similar process emission units at a source or premises, exceeds the allowable emission rates specified in subsection (c) of 35 IAC 212.322 [35 IAC 212.322(a)].

ii. Interpolated and extrapolated values of the data in subsection (c) of 35 IAC 212.321 shall be determined by using the equation [35 IAC 212.322(b)]:

$$E = C + A(P)^B$$

where:

P = Process weight rate; and
E = Allowable emission rate; and,

A. Up to process weight rates up to 27.2 Mg/hr (30 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	1.985	4.10
B	0.67	0.67
C	0	0

B. For process weight rate in excess of 27.2 Mg/hr (30 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	25.21	55.0
B	0.11	0.11
C	- 18.4	- 40.0

iii. Limits for Process Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972 [35 IAC 212.322(c)]:

Metric		English	
P	E	P	E
Mg/hr	kg/hr	T/hr	lb/hr
0.05	0.27	0.05	0.55
0.1	0.42	0.10	0.87
0.2	0.68	0.2	1.40
0.3	0.89	0.30	1.83
0.4	1.07	0.40	2.22
0.5	1.25	0.50	2.58
0.7	1.56	0.75	3.38
0.9	1.85	1.00	4.10
1.8	2.9	2.00	6.52
2.7	3.9	3.00	8.56
3.6	4.7	4.00	10.40
4.5	5.4	5.00	12.00
9.0	8.7	10.00	19.20
13.0	11.1	15.00	25.20
18.0	13.8	20.00	30.50
23.0	16.2	25.00	35.40
27.2	18.15	30.00	40.00
32.0	18.8	35.00	41.30
36.0	19.3	40.00	42.50
41.0	19.8	45.00	43.60
45.0	20.2	50.00	44.60
90.0	23.2	100.00	51.20
140.0	25.3	150.00	55.40
180.0	26.5	200.00	58.60
230.0	27.7	250.00	61.00
270.0	28.5	300.00	63.10
320.0	29.4	350.00	64.90
360.0	30.0	400.00	66.20
400.0	30.6	450.00	67.70
454.0	31.3	500.00	69.00

iv. For process weight rates of less than 100 pounds per hour, the allowable rate is 0.5 pounds per hour [35 IAC 266.110].

Attachment 3 Compliance Assurance Monitoring (CAM) Plan

There are no specific emission units that require a CAM plan as identified in the Monitoring Requirements of Subsection 8 for each Section 7, Unit Specific Conditions for Specific Emission Units.

Attachment 4 Guidance

The Illinois has prepared guidance for sources on the Clean Air Act Permit Program (CAAPP) that is available on the Internet site maintained by the Illinois EPA, www.epa.state.il.us. This guidance includes instructions on applying for a revision or renewal of the CAAPP permit.

Guidance On Revising A CAAPP Permit:

www.epa.state.il.us/air/caapp/caapp-revising.pdf

Guidance On Renewing A CAAPP Permit:

www.epa.state.il.us/air/caapp/caapp-renewing.pdf

The application forms prepared by the Illinois EPA for the CAAPP are also available from the Illinois EPA's Internet site:

www.epa.state.il.us/air/caapp/index.html

These CAAPP application forms should also be used by a CAAPP source when it applies for a construction permit. For this purpose, the appropriate CAAPP application forms and other supporting information, should be accompanied by a completed Application For A Construction Permit form (199-CAAPP) and Fee Determination for Construction Permit Application form (197-FEE):

www.epa.state.il.us/air/caapp/199-caapp.pdf
www.epa.state.il.us/air/permits/197-fee.pdf

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