

217/782-2113

CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT - REVISED

PERMITTEE

Village of Freeburg  
Attn: Ron Dintelmann, Public Works Director  
14 Southgate Center  
Freeburg, Illinois 62243

<u>Application No.:</u> 95070019	<u>I.D. No.:</u> 163060AAF
<u>Applicant s Designation:</u>	<u>Date Received (Initial):</u> July 6, 1995
<u>Operation of:</u> Power Plant	
<u>Date Issued:</u> June 24, 1997	<u>Expiration Date:</u> June 24, 2002
<u>Source Location:</u> 412 West High Street, Freeburg	
<u>Responsible Official:</u> Allen L. Watters, Village President	
<u>Date Received (Rev.):</u> April 22, 1998	<u>Date Issued (Rev.):</u> December 5, 2001

This permit is hereby granted to the above-designated Permittee to OPERATE a power plant peaking station, 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 Manish Patel at 217/782-2113.

Donald E. Sutton, P.E.  
Manager, Permit Section  
Division of Air Pollution Control

DES:MNP:jar

cc: Illinois EPA, FOS, Region 3  
USEPA

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1.0 Source Identification

1.1 Source

Village of Freeburg - Power Plant  
412 West High Street  
Freeburg, Illinois 62243  
618/539-3112

I.D. No.: 163060AAF  
Standard Industrial Classification: 4911, Electric Generation

1.2 Owner/Parent Company

Village of Freeburg  
14 Southgate Center  
Freeburg, Illinois 62243

1.3 Operator

Village of Freeburg - Electric Department  
14 Southgate Center  
Freeburg, Illinois 62243

Ron Dintelmann, Public Works Director  
618/539-3112

1.4 General Source Description

The source operates as a peaking station, generating electric power for 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. The source includes a total of eight internal combustion engines including three new engines.

1.5 Description of Permit Revisions

1.5.1 The permit was revised to address new engines (# 3a, #8 and #9), which are designated as the Group 2 engines. Minor changes to the provisions for existing engines (#1, #2, #4, #6 and #7), which are now designated as the Group 1 engines, were made to improve clarity.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

Act	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
Btu	British thermal unit
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CFR	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
hr	Hour
IAC	Illinois Administrative Code
I.D. No.	Identification Number of Source, assigned by Illinois EPA
Illinois EPA	Illinois Environmental Protection Agency
kW	kilowatts
lb	pound
mmBtu	Million British thermal units
NO <sub>x</sub>	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM <sub>10</sub>	Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns as measured by applicable test or monitoring methods
ppm	parts per million
PSD	Prevention of Significant Deterioration
SO <sub>2</sub>	Sulfur Dioxide
T1	Title I - identifies Title I conditions that have been carried over from an existing permit
USEPA	United States Environmental Protection Agency
VOM	Volatile Organic Material

### 3.0 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:

Storage tanks of virgin or rerefined distillate oil.

Emergency generator with power output less than 150 horsepower.

Boiler/heaters, each with heat input less than 1.0 mmBtu/hr that fire only oil or oil in combination with only natural gas, propane or liquefied petroleum gas.

- 3.1.4 Activities that are considered insignificant activities pursuant to 35 IAC 201.210(b).

#### 3.2 Addition of Insignificant Activities

- 3.2.1 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).

- 3.2.2 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.

3.2.3 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).

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Unit	Source Designation	Description	Rated Peak Load (kWe)	Date Constructed	Emission Control Equipment
Group 1	Engine #1	Generation of electrical energy with internal combustion engines fired either with distillate fuel oil or a combination of distillate fuel oil and natural gas	485	1948	None
	Engine #2	Generation of electrical energy with internal combustion engines fired either with distillate fuel oil or a combination of distillate fuel oil and natural gas	485	1948	None
	Engine #4	Generation of electrical energy with internal combustion engines fired with distillate fuel oil	1,003	1965	None
	Engine #6	Generation of electrical energy with internal combustion engines fired either with distillate fuel oil or a combination of distillate fuel oil and natural gas	2158	1973	None
	Engine #7	Generation of electrical energy with internal combustion engines fired either with distillate fuel oil or a combination of distillate fuel oil and natural gas	2764	1984	None

Emission Unit	Source Designation	Description	Rated Peak Load (kWe)	Date Constructed	Emission Control Equipment
Group 2	Engine #3a	Generation of electrical energy with internal combustion engines fired with distillate fuel oil	645	2001	None
	Engine #8	Generation of electrical energy with internal combustion engines fired with distillate fuel oil	1,825	1997	None
	Engine #9	Generation of electrical energy with internal combustion engines fired with distillate fuel oil	1,825	1997	None

## 5.0 OVERALL SOURCE CONDITIONS

### 5.1 Source Description

- 5.1.1 This permit is issued based on the source requiring a CAAPP permit as a major source of NO<sub>x</sub> emissions.
- 5.1.2 This permit is issued based on the source not being a major source of HAPs.

### 5.2 Applicable Regulations

- 5.2.1 Specific emission units at this source are subject to particular regulations as set forth in Section 7 (Unit-Specific Conditions) of this permit.
- 5.2.2 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. 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, pursuant to 35 IAC 212.123(a), except as allowed by 35 IAC 212.123(b) and 212.124.
- 5.2.3 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 Non-Applicability of Regulations of Concern

None

5.4 Source-Wide Operational and Production Limits and Work Practices

In addition to the source-wide requirements in the Standard Permit Conditions in Section 9, the Permittee shall fulfill the following source-wide operational and production limitations and/or work practice requirements:

None

5.5 Source-Wide Emission Limitations

5.5.1 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 5.5.1) are set for the purpose of establishing fees and are not federally enforceable.

Permitted Emissions of Regulated Pollutants

Pollutant	Tons/Year
Volatile Organic Material (VOM)	2.60
Sulfur Dioxide (SO <sub>2</sub> )	1.68
Particulate Matter (PM)	1.94
Nitrogen Oxides (NO <sub>x</sub> )	100.00
HAP, not included in VOM or PM	-
TOTAL	106.22

The Permittee has determined its emissions for purposes of fees based on maximum projected operation of the peaking station.

5.5.2 Emissions of Hazardous Air Pollutants

This permit is issued based on the emissions of HAPs as listed in Section 112(b) of the CAA not being equal to or exceeding 10 tons per year of a single HAP or 25 tons per year of any combination of such HAPs, so that this source is considered a minor source for HAPs.

### 5.5.3 Other Source-Wide Emission Limitations

The annual emissions from the source shall not exceed the following limitations:

Pollutant	Emissions (Tons/Year)	Underlying Rules
NO <sub>x</sub>	100	40 CFR 52.21
CO	100	40 CFR 52.21
SO <sub>2</sub>	100	40 CFR 52.21
PM	100	40 CFR 52.21
VOM	100	40 CFR 52.21

The NO<sub>x</sub> limit in the above table is limitation on the source established in Permits 97040108 and 01010023 for Engine 8 and 9 and Engine 3A, respectively, at the request of the Permittee. For consistency, identical limits are being established for other pollutants. These limits ensure that these new engines do not constitute major modification pursuant to the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21.

## 5.6 General Recordkeeping Requirements

### 5.6.1 Emission Records

- a. The Permittee shall maintain records of the following items for the source to demonstrate compliance with Condition 5.5.1, pursuant to Section 39.5(7)(b) of the Act:

Total annual emissions on a calendar year basis for the emission units covered by Section 7 (Unit Specific Conditions of this permit).

- b. The Permittee shall maintain records of the following items for the source to address compliance with Condition 5.5.3, pursuant to Section 39.5(7)(b) and 39.5(7)(p)(i) of the Act:

Total emissions, determined from a running total of 12 months of data for the emission units covered by Section 7 of this permit, if annual emissions of NO<sub>x</sub> are less than 80 tons/year. If annual emissions of NO<sub>x</sub> are equal to or greater than 80 tons/year compliance shall be determined from a running total of daily data.

### 5.6.2 Fuel Receiving Records

The Permittee shall record the amount received, sulfur content, and supplier for each shipment of fuel oil received.

### 5.6.3 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 record keeping 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.

## 5.7 General Reporting Requirements

### 5.7.1 General Source-Wide Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance 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.

### 5.7.2 Annual Emissions Report

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

## 5.8 General Operational Flexibility/Anticipated Operating Scenarios

N/A

## 5.9 General Compliance Procedures

### 5.9.1 General Procedures for Calculating Emissions

Compliance with the source-wide emission limits specified in Condition 5.5 shall be based on the record keeping and reporting requirements of Conditions 5.6 and 5.7, and Compliance Procedures in Section 7 (Unit Specific Conditions) of this permit. If NOx emissions exceed 80 tons/year calculated using AP-42 emission factors, the Permittee shall calculate NOx emissions using emission factors from the manufacturer data or on-site emission testing as approved or specified by the Illinois EPA.

5.9.2 General Procedures for Fugitive PM Emissions

Compliance with Condition 5.2.2(a) is considered to be assured by the inherent nature of operations at this source, as demonstrated by historical operation.

6.0 [NOT APPLICABLE TO THIS PERMIT]

7.0 UNIT SPECIFIC CONDITIONS

7.1 Group 1 Older Peaking Units -Internal Combustion Engines

7.1.1 Description

The Permittee operates internal combustion engines constructed before November 15, 1992 for peak electric generation or emergency electric generation. In addition to actual operation for this purpose, each engine must be periodically "exercised" to confirm the engine will operate when needed to generate electricity. The engines are fired with either distillate fuel oil or a combination of distillate fuel oil and natural gas.

7.1.2 List of Emission Units and Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
Engine #1	Superior KNSDG (5.5 mmBtu/hr)	None
Engine #2	Superior KNSDG (6.5 mmBtu/hr)	None
Engine #4	Busch-Sulzer 8DBT-24 (11.7 mmBtu/hr, oil only)	None
Engine #6	Worthington SWCGO (25.6 mmBtu/hr)	None
Engine #7	Nordberg FSG-13HSC (30.4 mmBtu/hr)	None

7.1.3 Applicability Provisions and Applicable Regulations

- a. The "affected engines" for the purpose of these unit specific conditions, are either distillate fuel-oil or combination of distillate fuel oil and natural gas fired. As of the "date issued" as shown on page 1 of this permit, the affected engines are identified in Condition 7.1.2.
- b. i. As provided in 35 IAC 214.304, the emissions from the burning of fuel at process emission sources in the Chicago or St. Louis (Illinois) major metropolitan area shall comply with 35 IAC 214.161(b), which indicates that no person shall cause or allow the emission of sulfur dioxide into the atmosphere in any one hour period, burning distillate fuel oil, to exceed 0.3 lb/mmBtu;

- ii. Each affected engine, while burning distillate fuel oil is hereby shielded from compliance with 35 IAC 214.301. This shield is issued to streamline the applicable requirements for the source following the Illinois EPA's review of the respective requirements of 35 IAC 214.301 and 214.304, and finding that compliance with 35 IAC 214.304 while burning distillate fuel oil assures compliance with 35 IAC 214.301; and
  - iii. As provided in 35 IAC 214.301, no person shall cause or allow the emissions of sulfur dioxide into the atmosphere from any process emission unit to exceed 2,000 ppm, while burning combination of distillate fuel and natural gas.
- c. Affected engines are subject to the emission limits identified in Condition 5.2.2.
- d. Startup Provisions

The Permittee is authorized to operate affected engines in excess of the applicable limit of 35 IAC 123 (Condition 5.2.2(b)) during startup pursuant to 35 IAC 201.262, as the Permittee has affirmatively demonstrated that all reasonable efforts have been made to minimize startup emissions, duration of individual starts, and frequency of startups. This authorization is subject to the following:

- i. This authorization only extends for a period of up to two-hours following initial firing of fuel during each startup event.
- ii. The Permittee shall take the following measures to minimize startup emissions, the duration of startups, and minimize the frequency of startups:
  - A. Implementation of established startup procedures, including preheating an engine prior to startup when sufficient time is available; and
  - B. Operating the engines as peaking units.
- iii. The Permittee shall fulfill the applicable recordkeeping requirements of Condition 7.1.9(a).

- e. The Illinois EPA or USEPA shall be allowed to sample all fuels stored at the source.

#### 7.1.4 Non-Applicability of Regulations of Concern

This permit is issued based on affected engines not being subject to the requirements of 35 IAC 212.321 or 212.322 because due to the unique nature of these units, a process weight rate weight cannot be set so that such rules cannot reasonably be applied.

7.1.5 Operational and Production Limits and Work Practices

Affected engines shall only be fired with distillate fuel oil (grades number 1 and 2) or a combination of distillate fuel oil and natural gas.

7.1.6 Emission Limitations

There are no specific emission limitations for group 1 engines, however, there are source wide emission limitations in Condition 5.5 that include group 1 engines.

7.1.7 Testing Requirements

- a. Within 45 days of a written request by the Illinois EPA, the Permittee shall have the opacity of affected engines determined by a certified observer in accordance with USEPA Test Method 9 during representative operating conditions of the engine as specified by the Illinois EPA. The Illinois EPA may require such observations if, based on its observations, the engine opacity does not comply with 35 IAC 212.123(Condition 5.2.2(b)), or the affected engine is poorly maintained or operated so as to make compliance uncertain.
- b.
  - i. The Permittee shall notify the Illinois EPA at least 15 days in advance of the date and time of observations, in order to allow the Illinois EPA to witness the observations. This notification shall include the name and employer of the certified observer(s) and identify any concerns for successful completion of observations, i.e., lack of suitable point for proper observation or inability to conduct observations under specified conditions;
  - ii. The Permittee shall promptly notify the Illinois EPA of any changes in the date and time of observation; and
  - iii. The Permittee shall provide a copy of its observers readings to the Illinois EPA at the time of observations, if Illinois EPA personnel are present at the conclusion of observations.
- c. The Permittee shall submit a written report for these observations within 15 days of the date of observation. This report shall include:

- i. Date, place, and time of observations;
- ii. Name and employer of certified observer;
- iii. Copy of current certification;
- iv. Description of observation conditions;
- v. Description of engine operating conditions;
- vi. Raw data;
- vii. Opacity determination; and
- viii. Conclusion.

#### 7.1.8 Monitoring Requirements

None

#### 7.1.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for each affected engine to demonstrate compliance with Conditions 5.5 and 7.1, pursuant to Section 39.5(7)(b) of the Act:

##### a. Records for Startup and Excess Opacity

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

- i. The following information for each startup of affected engines:
  - A. Date and time of startup;
  - B. Whether operating personnel for the affected engine or air environmental staff are on site during startup; and
  - C. A description of startup, if operating problems are identified during the startup.
- ii. The following information for each affected engine when above normal opacity has been

observed by source personnel as identified in (i)(B) above:

- A. Name of observer, position and reason for being at site;
- B. Date and duration of above normal opacity, including start time and time normal operation was achieved;
- C. If normal operation was not achieved within an hour, an explanation why startup could not be achieved in an hour;
- D. A detailed description of the startup, including reason for operation and whether reduced loading was performed;
- E. An explanation why reduced loading and other established startup procedures could not be performed, if not performed;
- F. The nature of opacity following the end of startup or one hour of operation, whichever occurs first, and duration of operation until achievement of normal opacity or shutdown; and
- G. Whether exceedance of Condition 5.2.2 may have occurred during startup, with explanation if qualified observer was on site.

b. Fuel Records for Affected Engines

- i. The sulfur content of fuel oil for each affected engine that could cause SO<sub>2</sub> emissions to exceed the limit in Condition 7.1.3(b), with documentation for engine exhaust flow as a function of fuel consumption and supporting calculations.
- ii. The Permittee shall maintain the following records to address compliance with Condition 7.1.3(b).
  - A. For each shipment of fuel oil received, the amount, sulfur content, and supplier.
  - B. The sulfur content of the fuel oil supply to the engines, based on the weighted

average of material in the storage tank,  
or the sulfur content of the supply shall  
be assumed to be the highest sulfur  
content in any shipment in the tank.

- iii. Distillate fuel oil usage for each engine,  
(gal/month or gal/day (see condition 5.6.1(b))  
and gal/year);
- iv. Natural gas usage for each engine, (ft<sup>3</sup>/month  
or ft<sup>3</sup>/day (see condition 5.6.1(b)) and  
ft<sup>3</sup>/year);
- v. Heat content of the fuels used in the affected  
engine as follows:
  - A. Fuel oil, Btu/gal
  - B. Natural gas, Btu/ft<sup>3</sup>

c. Records of Excess SO<sub>2</sub> Emissions from affected engines

Operation of the engine with an oil in excess of the sulfur content limit as specified in Condition 7.1.3(b), as determined from the records required by Condition 7.1.9(b), with date, duration, sulfur content of oil, and explanation.

d. Records of Maintenance Activities

A maintenance and repair log for each engine, listing significant activities performed with date.

7.1.10 Reporting Requirements

a. The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance of affected engines 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. Notification within 60 days of operation of affected engines that may not have been in compliance with the opacity limitations in Condition 5.2.2(b), other than during startup as addressed in Condition 7.1.3(d), as determined from the records required by Condition 7.1.9(a), with a copy of such record for each incident;

ii. Notification within 60 days of any operation of an affected engine that is not in compliance with the sulfur content limitations in Conditions 7.1.3(b), as addressed by the records required by Condition 7.1.9(b) and (c), with a copy of such records for each incident; and

b. The Permittee shall provide an annual report, submitted with the Annual Emission Report, to the Illinois EPA, Compliance Section and Regional Field Office, pursuant to Section 39.5(7)(b) of the Act, concerning startup of affected engines. At a minimum, this report shall include the total number of startups and the total number of startups that may have resulted in opacity in excess of Condition 5.2.2(b) (35 IAC 212.123) as determined by the records required by Condition 7.1.9(a).

7.1.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to affected engines (Group 1) without prior notification to the Illinois EPA or revision of this permit. This condition does not affect the Permittee's obligation to properly obtain a construction permit in a timely manner for any activity constituting construction or modification of the source, as defined in 35 IAC 201.102:

Changes in the type of fuel combusted in the affected engines from a combination of distillate fuel oil and natural gas to distillate fuel oil only.

7.1.12 Compliance Procedures

- a. Compliance with Condition 7.1.3(b) is addressed by the recordkeeping requirements in Condition 7.1.9.
- b. Compliance with emission limits in Condition 5.5 shall be based on the records required by Condition 7.1.9 and the emission factors and formulae listed below:

For emissions from fuel oil combustion - Use the following emission factors (AP-42 Table 3.4-1 and 3.4-2, 10/96).

<u>Pollutant</u>	<u>Factor (lb/mmBtu)</u>
NO <sub>x</sub>	3.2
CO	0.85
SO <sub>2</sub>	1.01S <sub>F0</sub>
VOM	0.09
PM	0.0697

Where S<sub>F0</sub> represents the percent sulfur in the fuel oil.

Emissions from fuel oil combustion shall be calculated by the following:

Emissions(lb) = Fuel Oil Usage (gal) × Heat Content of Fuel Oil (mmBtu/gal) × The Appropriate Emission Factor (lb/mmBtu)

- ii. For emissions from dual fuel combustion - Use the following emission factors (AP-42 Table 3.4-1 and 3.4-2, 10/96).

Factor

<u>Pollutant</u>	<u>(lb/mmBtu)</u>
NO <sub>x</sub>	2.7
CO	1.16
SO <sub>2</sub>	0.05S <sub>FO</sub> + 0.895S <sub>NG</sub>
VOM	0.2
PM	0.0697

Where:

S<sub>FO</sub> = the % sulfur in the fuel oil; and

S<sub>NG</sub> = the % sulfur in the natural gas

Emissions from dual fuel combustion shall be calculated by the following:

Emissions(lb) = {Fuel Oil Usage (gal) × Heat Content of Fuel Oil (Btu/gal) + Natural Gas Usage (ft<sup>3</sup>) × Heat Content of Natural Gas, (Btu/ft<sup>3</sup>)} × The Appropriate Emission Factor, (lb/mmBtu)

7.2 Group 2 Newer Peaking Units - Internal Combustion Engines

7.2.1 The Permittee operates "New" internal combustion engines constructed after November 14, 1992 for peak electric generation or emergency electric generation. In addition to actual operation for this purpose, each engine must be periodically "exercised" to confirm the engine will operate when needed to generate electricity. The engines are fired with distillate fuel oil only.

7.2.2 List of Emission Units and Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
Engine 3a	Superior - 60BSX8 (645 kWe)	None
Engine #8	Caterpillar - 3516B (1825 kWe)	None
Engine #9	Caterpillar - 3516B (1825 kWe)	None

7.2.3 Applicability Provisions and Applicable Regulations

- a. The "affected engines" for the purpose of these unit specific conditions, are "new" distillate fuel oil fired engines. As of the "date issued" as shown on page 1 of this permit, the affected engines are identified in Condition 7.2.2.
- b.
  - i. Each affected engine shall only fire fuels with an annual average sulfur content of 0.05 percent or less by weight, pursuant to the Permittee's representation that the affected engines are exempt from the Acid Rain Program by meeting the new units exemption requirement of 40 CFR 72.7(a); and
  - ii. Each affected engine is hereby shielded from compliance with 35 IAC 214.301 and 35 IAC 214.304. This shield is issued to streamline the applicable requirements for the source following the Illinois EPA's review of the respective requirements of 35 IAC 214.301, 35 IAC 214.304 and 40 CFR 72.7, and finding that compliance with 40 CFR 72.7(a) assures compliance with 35 IAC 214.301 and 35 IAC 214.304;
- c. Each affected engine is subject to the emission limits identified in Condition 5.2.2.
- d. Startup Provisions

The Permittee is authorized to operate an affected engine in excess of the applicable limit of 35 IAC 123 (Condition 5.2.2(b)) during startup pursuant to 35 IAC 201.262, as the Permittee has affirmatively demonstrated that all reasonable efforts have been made to minimize startup emissions, duration of individual starts, and frequency of startups. This authorization is subject to the following:

- i. This authorization only extends for a period of up to two-hours following initial firing of fuel during each startup event.
- ii. The Permittee shall take the following measures to minimize startup emissions, the duration of startups, and minimize the frequency of startups:
  - A. Implementation of established startup procedures, including preheating an engine prior to startup when sufficient time is available; and
  - B. Operating the engines as peaking units.
- iii. The Permittee shall fulfill the applicable recordkeeping requirements of Condition 7.2.9(a).
- e. The Illinois EPA or USEPA shall be allowed to sample all fuels stored at the source.

#### 7.2.4 Non-Applicability of Regulations of Concern

This permit is issued based on affected engines not being subject to the requirements of 35 IAC 212.321 because due to the unique nature of these units, a process weight rate weight cannot be set so that such rules cannot reasonably be applied.

#### 7.2.5 Operational and Production Limits and Work Practices

Affected engines shall only be fired with distillate fuel oil (grades number 1 and 2).

#### 7.2.6 Emission Limitations

- a. In addition to Condition 5.2.2 and the source wide emission limitations in Condition 5.5, emissions of NOx from the affected engines 8 and 9 shall not exceed 39 tons/year total. Compliance with this limit shall

be determined from a running total of 12 months of data, if annual emissions of NO<sub>x</sub> are less than 32 tons/year. If annual emissions of NO<sub>x</sub> are equal to or greater than 32 tons/year, compliance shall be determined from a running total of daily data.

The above limit has been established in Permit 97040108, pursuant to 35 IAC Part 203. This limit ensures that the affected engines do not constitute a new major source or major modification pursuant to 35 IAC Part 203 [T1]. Accordingly, this limit shall no longer apply if:

- i. 35 IAC Part 203 ceases to be applicable in St. Clair county for NO<sub>x</sub> from engines because a "NO<sub>x</sub> waiver" has been put in place by USEPA pursuant to Section 182(f) of the Clean Air Act, and
  - ii. The presence of such NO<sub>x</sub> waiver is confirmed by correspondence from the Illinois EPA to the Permittee.
- b. In addition to Condition 5.2.2 and the source wide emission limitations in Condition 5.5, emissions of NO<sub>x</sub> from affected engine 3a shall not exceed 39 tons/year total. Compliance with this limit shall be determined from a running total of 12 months of data, if annual emissions of NO<sub>x</sub> are less than 32 tons/year. If annual emissions of NO<sub>x</sub> are equal to or greater than 32 tons/year, compliance shall be determined from a running total of daily data.

The above limit has been established in Permit 01010023, pursuant to 35 IAC Part 203. This limit ensures that the affected engine does not constitute a new major source or major modification pursuant to 35 IAC Part 203 [T1].

#### 7.2.7 Testing Requirements

- a. Within 45 days of a written request by the Illinois EPA, the Permittee shall have the opacity of affected engines determined by a certified observer in accordance with USEPA Test Method 9 during representative operating conditions of the engine as specified by the Illinois EPA. The Illinois EPA may require such observations if, based on its observations, the engine opacity does not comply with 35 IAC 212.123(Condition 5.2.2(b)), or the affected engine is poorly maintained or operated so as to make compliance uncertain.

- b. i. The Permittee shall notify the Illinois EPA at least 15 days in advance of the date and time of observations, in order to allow the Illinois EPA to witness the observations. This notification shall include the name and employer of the certified observer(s) and identify any concerns for successful completion of observations, i.e., lack of suitable point for proper observation or inability to conduct observations under specified conditions;
- ii. The Permittee shall promptly notify the Illinois EPA of any changes in the date and time of observation; and
- iii. The Permittee shall provide a copy of its observers readings to the Illinois EPA at the time of observations, if Illinois EPA personnel are present at the conclusion of observations.
- c. The Permittee shall submit a written report for these observations within 15 days of the date of observation. This report shall include:
  - i. Date, place, and time of observations;
  - ii. Name and employer of certified observer;
  - iii. Copy of current certification;
  - iv. Description of observation conditions;
  - v. Description of engine operating conditions;
  - vi. Raw data;
  - vii. Opacity determination; and
  - viii. Conclusion.

7.2.8 Monitoring Requirements

None

7.2.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items

for each affected engine to demonstrate compliance with Conditions 5.5 and 7.2, pursuant to Section 39.5(7)(b) of the Act:

a. Records for startup and excess opacity

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

- i. The following information for each startup of affected engines:
  - A. Date and time of startup;
  - B. Whether operating personnel for the affected engine or air environmental staff are on site during startup; and
  - C. A description of startup, if operating problems is identified during the startup.
- ii. The following information for each affected engine when above normal opacity has been observed by source personnel as identified in (i)(B) above:
  - A. Name of observer, position and reason for being at site;
  - B. Date and duration of above normal opacity, including start time and time normal operation was achieved;
  - C. If normal operation was not achieved within an hour, an explanation why startup could not be achieved in an hour;
  - D. A detailed description of the startup, including reason for operation and whether reduced loading was performed;
  - E. An explanation why reduced loading and other established startup procedures could not be performed, if not performed;
  - F. The nature of opacity following the end of startup or one hour of operation, whichever occurs first, and duration of

operation until achievement of normal opacity or shutdown; and

- G. Whether exceedance of Condition 5.2.2 may have occurred during startup, with explanation if qualified observer was on site.

b. Fuel records for affected engines

- i. Distillate fuel oil usage for each engine, (gallon/month or gallon/day (see condition 7.2.6) and gallon/year);
- ii. Heat content of the fuel oil fired in the affected engines, (Btu/gal); and
- iii. Annual average sulfur content of the fuel burned during the year by affected engines, as a percentage by weight determined from the equation in Condition 7.2.12(a).

c. Records of excess sulfur content in fuel fired in affected engines

Operation of an engine with an oil with a sulfur content that is in excess of 0.05 percent by weight, as addressed in Condition 7.2.3(b), as determined from the records required by Condition 7.2.9(b)(iii), with date, duration, sulfur content of oil, and explanation.

d. Records of maintenance activities

A maintenance and repair log for each engine, listing significant activities performed with date.

7.2.10 Reporting Requirements

a. The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance of affected engines 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. Notification within 60 days of operation of affected engines that may not have been in compliance with the opacity limitations in Condition 5.2.2(b), other than during startup as addressed in Condition 7.2.3(d), as determined from the records required by Condition 7.2.9(a), with a copy of such record for each incident;

ii. Notification by March 1 of the following year of operation of an affected engine that is not in compliance with the sulfur content limitation in Conditions 7.2.3(b), as addressed by the records required by Condition 7.2.9(b) and (c), with a copy of such records for each incident; and

b. The Permittee shall provide an annual report, submitted with the Annual Emission Report, to the Illinois EPA, Compliance Section and Regional Field Office, pursuant to Section 39.5(7)(b) of the Act, concerning startup of affected engines. At a minimum, this report shall include the total number of startups and the total number of startups that may have resulted in opacity in excess of Condition 5.2.2(b) (35 IAC 212.123) as determined by the records required by Condition 7.2.9(a).

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

N/A

7.2.12 Compliance Procedures

a. Compliance with Condition 7.2.3(b) is addressed by the following equation, pursuant to 40 CFR 72.7(d)(3):

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

Where:

$\%S_{\text{annual}}$  = 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.

$d_n$  = Density of the nth sample of the fuel delivered during the year to an affected engine, in lb per gallon; 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.

b. Compliance with the emission limits in Condition 5.5 shall be based on the records required by Condition 7.2.9(b), the formula provided below, and appropriate emission factors (also addressed below).

i. Formula for emissions from Fuel oil combustion:

Emissions (lb) = Fuel Oil Usage (gal) × Heat Content of Fuel Oil (mmBtu/gal) × The Appropriate Emission Factor (lb/mmBtu)

- ii. The following emission factors for typical operation of Engine 3a. However, if calculated NO<sub>x</sub> emissions exceed 32 tons/year using this factor, the Permittee shall calculate NO<sub>x</sub> emissions using an emission factor from the manufacturer or on-site emission testing as approved by the Illinois EPA.

<u>Pollutant</u>	<u>Factor (lb/mmBtu)</u>
NO <sub>x</sub>	3.2 <sup>1</sup>
CO	0.85 <sup>1</sup>
SO <sub>2</sub>	1.01S <sub>FO</sub> <sup>1, 2</sup>
VOM	0.09 <sup>1</sup>
PM	0.0697 <sup>1</sup>

Notes:

- USEPA factor from AP-42, Table 3.4-1 and 3.4-2, 10/96.
- S<sub>FO</sub> represents the percent sulfur in the fuel oil.

- iii. The following emission factors for typical operation of engines 8 and 9 unless an emission factor based on on-site emission testing is approved by the Illinois EPA.

<u>Pollutant</u>	<u>Factor (lb/mmBtu)</u>
NO <sub>x</sub>	2.7105 <sup>1</sup>
CO	0.2086 <sup>1</sup>
SO <sub>2</sub>	1.01S <sub>FO</sub> <sup>1, 2</sup>
VOM	0.0602 <sup>1</sup>
PM	0.0409 <sup>1</sup>

Notes:

- Manufacturer's factor
- USEPA factor from AP-42, Table 3.4-1, 10/96.

## 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 December 18, 1998 (the date of issuance of the draft 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 an affected source under Title IV of the CAA and is subject to requirements pursuant to Title IV of the CAA. To the extent that the federal regulations promulgated under Title IV are inconsistent with the requirements of this permit, the federal regulations promulgated under Title IV shall take precedence pursuant to Section 39.5(17)(j) of the Act.

### 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].

As of the date of issuance of this permit, there are no such economic incentive, marketable permit or emission trading programs that have been approved by USEPA.

### 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 without applying for or obtaining an amendment to this permit, provided that the changes do not constitute a modification under Title I of the CAA, emissions will not exceed the emissions allowed under this permit following implementation of the physical or operational change, and 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 [Section 39.5(12)(a) of the Act]. This notice shall:

- a. Describe the physical or operational change;
- b. Identify the schedule for implementing the physical or operational change;
- c. 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;
- d. Provide emission calculations which demonstrate that the physical or operational change will not result in a modification; and
- e. 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. 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 Condition 8.6.

#### 8.6 Reporting Requirements

##### 8.6.1 Monitoring Reports

A report summarizing required monitoring as specified in the conditions of this permit shall be submitted to the Air Compliance Section of the Illinois EPA every six months as follows [Section 39.5(7)(f) of the Act]:

<u>Monitoring Period</u>	<u>Report Due Date</u>
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 determination of emissions and operation which are intended to be made, including sampling and monitoring locations;
- e. The test method(s) which 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. The following addresses should be utilized for the submittal of reports, notifications, and renewals:
  - i. Illinois EPA - Air Compliance Section  
  
Illinois Environmental Protection Agency (MC 40)  
Bureau of Air  
Compliance Section  
P.O. Box 19276  
Springfield, Illinois 62794-9276
  - ii. Illinois EPA - Air Regional Field Office  
  
Illinois Environmental Protection Agency  
Division of Air Pollution Control  
2009 Mall Street  
Collinsville, Illinois 62234
  - iii. Illinois EPA - Air Permit Section (MC 11)

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

iv. USEPA Region 5 - Air Branch

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

b. Unless otherwise specified in the particular provision of this permit, reports shall be sent to the Illinois EPA - Air Compliance Section with a copy sent to the Illinois EPA - Air Regional Field Office.

## 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 [Section 39.5(7)(j)(iv) of the Act].

9.1.2 In particular, this permit does not alter or affect the following:

- 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.

### 9.2 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, 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 such malfunction or breakdown is allowed by a permit condition [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 thereunder.

#### 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, the Permittee shall allow the Illinois EPA, or an authorized representative to perform the following [Section 39.5(7)(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
  - ii. As otherwise authorized by the CAA, or the Act.
- e. Obtain and remove samples of any discharge or emission of pollutants; and
- f. Enter and utilize any photographic, recording, testing, monitoring, or other equipment for the purposes of preserving, testing, monitoring, or recording any activity, discharge or emission at the source.

#### 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. As 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 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, Compliance 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 compliance certifications annually or more frequently as specified in the applicable requirement or by permit condition.

- 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 [Section 39.5(7)(p)(i) of the Act]. An example Certification by a Responsible Official is included as an attachment 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:
  - 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. Normally, an act of God such as lightning or flood is considered an emergency;
  - 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.

#### 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, reopened, and reissued, for cause pursuant to Section 39.5(15) of the Act. The filing of a request by the Permittee for a permit modification, revocation, and reissuance, 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 inaccurate statement when establishing the emission standards or limitations, or other terms or conditions of this permit; and
- d. The Illinois EPA or USEPA determines that this permit must be revised to ensure compliance with the applicable requirements of the Act.

#### 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 under Section 39.5(15)(b) 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, and should any one or more be determined to be illegal or unenforceable, the validity of the other provisions shall not be affected. 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

The right to operate terminates on the expiration date unless the Permittee has submitted a timely and complete renewal application. For a renewal to be timely it must be submitted no later than 9 and no sooner than 12 months prior to expiration. The equipment may continue to operate during the renewal period until final action is taken by the Illinois EPA, in accordance with the original permit conditions [Section 39.5(5)(1), (n), and (o) of the Act].

## 10.0 ACID RAIN REQUIREMENTS

### 10.1 New Units Exemption

The Village of Freeburg power plant Engines #8 and #9 (Group 2) are subject to the provisions of 40 CFR 72.2 through 72.7 and 72.10 through 72.13 of the Acid Rain Program pursuant to the Permittee's representation that these engines are exempt units not subject to other provisions of the Acid Rain Program, as these engines qualify for the new unit exemption in 40 CFR 72.7(b).

### 10.2 Loss of Exemption

A unit exempt under 40 CFR 72.7(b), (c), or (e) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR 70 and 71, on January 1 of the year following the year in which the annual average sulfur content for nongaseous fuel burned in the unit exceeds 0.05 percent by weight as determined by Condition 7.1.9(c). Pursuant to 40 CFR 72.7(f)(4), the following shall apply when a unit loses its exemption:

- a. The designated representative for a unit that loses its exemption as addressed above shall submit a complete Acid Rain permit application within 60 days after the first date on which the unit is no longer exempt; and
- b. For the purposes of applying monitoring requirements under 40 CFR 75, a unit that loses its exemption as addressed above shall be treated as a new unit that commenced commercial operation on the first date on which the unit is no longer exempt.

11.0 ATTACHMENTS

11.1 Attachment A - 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: \_\_\_\_\_

11.2 Attachment 2 - New Unit Exemption