217/782-2113

TITLE V - CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT
and
TITLE I PERMIT[1]

PERMITTEE

Breese Municipal Power Plant
Attn: Matt Johnson, Power Plant Superintendent
800 North First Street
Breese, Illinois 62231

Application No.: 95080109 ID No.: 027025AAB
Applicant's Designation: Date Received: August 28, 1995
Operation of: Power Generating Plant
Date Issued: November 26, 2002 Expiration Date[2]: November 26, 2007
Source Location: 800 North First Street, City of Breese, Clinton County
Responsible Official: Donald L. Maue, Mayor

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

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

DES:KMP:jar

cc: Illinois EPA, FOS, Region 3

[1] This permit may contain terms and conditions established pursuant to Title I of the Clean Air Act (CAA) that addresses the applicability, and compliance if determined applicable, of Title I of the CAA and regulations promulgated thereunder, including 40 CFR 52.21 – federal rules for Prevention of Significant Deterioration ("PSD") for Major Stationary Sources Construction and Modification. Any such terms and conditions would be specifically identified within this permit.

[2] Except as provided in Condition 8.7 of this permit.

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1.0 SOURCE IDENTIFICATION

1.1 Source

Breese Municipal Power Plant
800 North First Street
Breese, Illinois 62230
618/526-7151

Illinois EPA I.D. No.: 027025AAB
Standard Industrial Classification: 4911, Electric Generation

1.2 Owner/Parent Company

City of Breese
800 North First Street
Breese, Illinois 62230

1.3 Operator

City of Breese
800 North First Street
Breese, Illinois 62230

Mathew Johnson
618/526-7151

1.4 General Source Description

The Breese Municipal Power Plant is located at 800 North First Street in the City of Breese. The source operates engine driven electric generators. The source operates as a peaking station, generating electric power for the community and surrounding area when sufficient electric power is not available, due to planned repair and maintenance, unexpected breakdowns, or high levels of electricity demand.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

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
Btu	British thermal unit
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
ERMS	Emissions Reduction Market System
HAP	Hazardous Air Pollutant
Ft^3	Cubic foot
hr	hour
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
kW	kilowatts
lb	pound
mmBtu	Million British thermal units
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
ppm	parts per million
PSD	Prevention of Significant Deterioration
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 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 IEPA 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:

a. Storage tanks of virgin or re-refined distillate fuel oil, lubricating oil, or waste oil [35 IAC 201.210(a)(11)];

b. Emergency generator with power output less than 1500 horsepower [35 IAC 201.210(a)(16)];

c. Storage tanks of organic liquids with a capacity of less than 10,000 gallons and an annual throughput of less than 100,000 gallons [35 IAC 201.210(a)(10)];

d. 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 [35 IAC 201.210(a)(4)].

3.1.4 Activities that are considered insignificant activities pursuant to 35 IAC 201.211(a):

Gasoline Storage Tank [35 IAC 201.211(a)(2)].

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 5.2.2), the Permittee shall comply with the following requirements, as

applicable:

3.2.1 For each cold cleaning degreaser, the Permittee shall comply with the applicable equipment and operating requirements of 35 IAC 215.182, 218.182, or 219.182.

3.2.2 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. 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.

3.2.3 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 do not qualify as photochemically reactive material as defined in 35 IAC 211.4690.

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).

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Unit No.	Description	Emission Unit Designation (Serial No.)	Rated Nominal Capacity	Year Constructed
01	Internal Combustion Engines Fired with Distillate Oil	IC-4 (5046)	968 kW	1953
		IC-5 (70-A2-1006)	2,444 kW	1991
		IC-6 (71-K3-1501)	2,444 kW	1997
02	Internal Combustion Engines Fired with Distillate Oil or Dual Fuel (A Combination of Natural Gas and Distillate Oil)	IC-2 (38D881012TDFS12)	2,910 kW	1981
		IC-3 (VO 3647)	2,907 kW	1968

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 nitrogen oxides (NO_X) emissions for purposes of CAAPP, i.e., a source with the potential to emit 100 tons per year or more of NO_X.

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.

Compliance with this requirement is considered to be assured by the inherent nature of operations at this source, as demonstrated by historical operation.

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 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.

5.2.4 Risk Management Plan

Should this stationary source, as defined in 40 CFR Section 68.3, become subject to the Accidental Release Prevention Regulations in 40 CFR Part 68, then the owner or operator shall submit [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 68.20(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 Risk Management Plan (RMP), as part of the annual compliance certification required by 40 CFR Part 70 or 71.

5.2.5 Future Applicable Standards

a. Should this stationary source become subject to a regulation under 40 CFR Parts 60, 61, or 63, or 35 IAC after the date issued of this permit, then the Permittee 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 40 CFR Part 70 or 71.

b. No later than upon the submittal for renewal of this permit, the owner or operator shall submit, as part of an application, the necessary information to address either the non-applicability of, or demonstrate compliance with all applicable requirements of any potentially applicable regulation which was promulgated after the date issued of this permit.

5.2.6 Episode Action Plan

a. If the source is required to have an episode action plan pursuant to 35 IAC 244.142, 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.

b. The Permittee shall immediately implement the appropriate steps described in this plan should an air pollution alert or emergency be declared.

c. If a change occurs at the source which requires a revision of the plan (e.g., operational change, change in the source contact person), a copy of the revised plan shall be submitted to the Illinois EPA for review within 30 days of the change. Such plans shall be further revised if disapproved by the Illinois EPA.

d. For sources required to have a plan pursuant to 35 IAC 244.142, a copy of the original plan and any subsequent revisions shall be sent to the Illinois EPA, Compliance Section

5.3 Non-Applicability of Regulations of Concern

5.3.1 This permit is issued based on the source not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the source doe not have a pollutant-specific emissions unit that uses an add-on control device to achieve compliance with an emission limitation or standard.

5.3.2 This permit is issued based on the affected turbine not being a major source of emissions of HAPs. (See also Condition 5.5.2) This is inherent in the current role of the turbines which effectively serves as emergency units that are normally only used for peaking power if other newer and more efficient peaking units are unavailable or insufficient to meet the demand for electricity.

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)	45.7
Sulfur Dioxide (SO_2)	5.4
Particulate Matter (PM)	7.5
Nitrogen Oxides (NO_x)	316.0
HAP, not included in VOM or PM	----
Total	375.0

- The Permittee has determined its emissions for purposes of fees based on 20% of the theoretical capacity of the source, even though this is much greater than the normal annual operation of this peaking station, which is on the order of less than 2% of the theoretical capacity. The source has set its permitted emissions at this higher level to satisfy its obligation for availability of reserve electrical generating capacity.

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 and Operating Limitations

a. The total annual heat input to the significant emission units covered by Section 7 (Unit Specific Conditions) shall not exceed 213,377 million Btu/yr.(T1N)

b. The total annual emissions from the significant emission units at the source prior to construction of engine IC-6, i.e., engines IC-2, IC-3, IC-4, and IC-5, shall not exceed the following limitations:(T1R)

Pollutant	Emissions (Tons/Year)
NO_x	249
CO	84

c. Compliance with these 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).

d. The above limitations are established pursuant to federal rules for PSD, 40 CFR 52.21. These limitations ensure that these units do not constitute a major source pursuant to PSD. (See also Conditions 7.1.4(c), 7.1.6, and 7.2.6)

5.6 General Recordkeeping Requirements

5.6.1 Emission Records

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

a. Total annual emissions of VOM, SO_2, PM, NO_x, and CO on a calendar year basis for the emission units covered by Section 7 (Unit Specific Conditions) of this permit.

b. If total annual fuel emissions are 10 tons or greater, records of total annual HAPs that are sufficient to address compliance with Condition 5.5.2, with supporting documentation and calculations.

5.6.2 Fuel Records

Total annual fuel consumption (million Btu/yr) for the emission units covered by Section 7 (Unit Specific Conditions) of this permit.

5.6.3 General Records for Operating Scenarios

None

5.6.4 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), 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. Any records retained in an electronic format (e.g., computer) shall be capable of being retrieved and printed on paper during normal source office hours so as to be able to respond to an Illinois EPA 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 deviations of the source with the permit requirements, 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

None

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 recordskeeping requirements of Conditions 5.6 and 5.7, and compliance procedures in Section 7 (Unit Specific Conditions) of this permit.

6.0 NOT APPLICABLE TO THIS PERMIT

7.0 UNIT SPECIFIC CONDITIONS

7.1 Unit 01

Distillate Oil Fired Internal Combustion Engines

7.1.1 Description

The Permittee operates internal combustion engines that are only fired with distillate oil. The engines are used for peak electric generation or emergency electric generation. In addition to, actual operation to generate electricity, each engine may have to be periodically "exercised" to confirm that the engine will operate when needed to generate electricity.

7.1.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit No.	Description	Emission Unit Designation (Serial No.)	Rated Nominal Capacity	Year Constructed
01	Internal Combustion Engines Fired with Distillate Oil	IC-4 (5046)	968 kW	1953
		IC-5 (70-A2-1006)	2444 kW	1991
		IC-6 (71-K3-1501)	2444 kW	1997

7.1.3 Applicability Provisions and Applicable Regulations

a. The "affected engines" for the purpose of these unit specific conditions are engines fired with distillate oil only as described in Condition 7.1.2.

b. Each affected engine is subject to the emission standards identified in Conditions 5.2.2.

c. The emissions of sulfur dioxide into the atmosphere from each affected engines shall not exceed 2,000 ppmv [35 IAC 214.301].

d. Startup Provisions

The Permittee is authorized to operate an affected engine with emissions in excess of the applicable limit of Condition 5.2.2(b) (i.e., 35 IAC 212.123) 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;

B. Operating the engines in accordance with the manufacturer's instructions so as to minimize emissions during startup; and

C. Operating the engines as peaking units.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.1.9(a).

7.1.4 Non-Applicability of Regulations of Concern

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

b. This permit is issued based on the affected engines not being 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.

c. This permit is issued based on affected engine IC-6 not being a major source or major modification for the purposes of federal rules for Prevention of Significant Deterioration of Air Quality (PSD), 40 CFR 52.21. The source prior to construction of affected engine IC-6, was not a major source. As a result, the construction of affected engine IC-6 in 1997 pursuant to Construction Permit 96090047 was not subject to PSD. Other conditions restricting the operation and emissions from this source are contained elsewhere in this permit, e.g. Condition 5.5.3.

7.1.5 Operational and Production Limits and Work Practices

a. The affected engines shall only be fired with

distillate oil. [T1]

b. i. Total distillate oil usage for affected engines IC-4 and IC-5 shall not exceed 478,100 gallons/yr.

ii. Total distillate oil usage for affected engine IC-6 shall not exceed 336,255 gallons/yr.

c. i. The affected engines IC-5 and IC-6 shall only fire distillate oil with an annual average sulfur content of 0.05 percent or less by weight, pursuant to the Permittee's representation that the affected engines IC-5 and IC-6 are exempt from the Acid Rain Program by meeting the new units exemption requirement of 40 CFR 72.7(a). These units are subject to the Acid Rain Program provisions for exempt units, 40 CFR 72.2 through 72.7 and 72.10 through 72.13.

ii. The Permittee shall use the following equation to address compliance with the above sulfur limit pursuant to 40 CFR 72.7(d)(3):

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

Where:

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

$\%S_n$ = Sulfur content of the nth sample of the oil delivered during the year to the unit, as a percentage by weight;

M_n = Mass of the oil in a delivery during the year to the unit of which the nth sample is taken, in lb;

d_n = Density of the nth sample of the fuel delivered during the year to the unit, in lb per gallons;

$_n$ = Each sample taken of the fuel delivered during the year to the unit, taken at last once for each delivery.

7.1.6 Emission Limitations

In addition to the source wide emission limitations in Conditions 5.5.1 and 5.5.3, the affected engines are subject to the following specific emission limitations.

These emission limits and distillate oil usage limits in Condition 7.1.5(b) for the affected engines were established pursuant to PSD. These limits ensure that the construction and operation of affected engines do not constitute a major modification pursuant to PSD. The source has requested that Illinois EPA establish emission limits and other appropriate terms and conditions in this permit to ensure that the emissions from the affected engines do not trigger the applicability of PSD, consistent with information provided in the CAAPP application.

a. Total annual emissions from the Affected engines (IC-4 and IC-5) shall not exceed the following limits:

Pollutant	Emissions (Tons/Yr)
VOM	5.0
SO_2	2.8
PM	3.9
NO_x	178.5
CO	47.4

b. Total annual emissions of NO_x from affected engine IC-6 shall not exceed 249 tons/yr. [T1]

7.1.7 Testing Requirements

a. Within 45 days of a written request, or the date affected engine next operates, or the date agreed upon by the Illinois EPA, whichever is later, the Permittee shall have the opacity of an affected engine 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 if the engine opacity does not comply with Condition 5.2.2(b), or the affected engine is poorly maintained or operated so as to make compliance with 35 IAC 212.123 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 pursuant to Section 39.5(7)(b) of the Act:

a. Records for startup

The Permittee shall maintain the following records for each affected engine subject to Condition 7.1.3(c). At a minimum the records shall include:

i. The following information for each startup of affected engines:

A. Date and type of startup, i.e., exercise of engine or startup to generate electricity;

B. Duration of the startup, i.e., start time and time startup discontinued or normal operation achieved, i.e., stable operation at load;

C. Whether operating personnel for the affected engine or environmental staff are

on site during startup; and

D. A description of startup, if operating problems are identified during the startup.

b. Fuel Records

i. For each shipment of fuel oil received, records of the quantity and maximum sulfur content;

ii. Records of the sulfur content of the fuel oil supply to the affected 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. Total distillate oil usage for each affected engine, (gallons/month and gallons/year).

iv Combined total usage of distillate oil for all affected engines (gallons/month and gallons/yr)

v. Heat content of the distillate oil fired in the affected engines, (Btu/gal).

c. Emissions Records

Monthly and annual VOM, SO_2, PM, NO_x, and CO emissions (tons/month and tons/year) based on distillate oil consumption for each affected engine and the applicable emission factors from Condition 7.1.12, and annual HAPs emissions (tons/yr) with supporting calculations.

d. Records of Excess Emissions

Following records for each occurrence of excess emissions of affected engine:

i. Date and duration of excess emissions, including start time and time normal operation achieved;

ii. If normal operation was not achieved within one hour, an explanation why normal operation could not be achieved in one hour;

iii. A detailed explanation of the cause of the excess emissions and documentation that established procedures for minimizing emissions were followed;

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

v. An explanation why established procedures for minimizing excess emissions were not performed, if not performed;

vi. The amount of release above typical emissions

during startup, malfunction, and breakdown, with supporting calculations;

e. Records of operation of the affected engines fired with distillate fuel oil with a sulfur content in excess of the sulfur content limit specified in Condition 7.1.5(c), with date, duration, sulfur content of oil, and explanation for usage.

f. Records of Maintenance Activities

An inspection, maintenance, and repair logs for each affected engine, listing each activity performed with date.

7.1.10 Reporting Requirements

a. The Permittee shall promptly notify to the Illinois EPA, of deviations 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. Reports shall be submitted within 30 days of such an occurrence .

b. Reporting for Startups of Engines

The Permittee shall provide an annual report, submitted with the Annual Emission Report, to the Illinois EPA, pursuant to Section 39.5(7)(b) of the Act, concerning startup of engines subject to Condition 7.1. At a minimum, this report shall include:

i. For each engine, the total number of startups to generate electricity and the total number of such startups that may have resulted in opacity in excess of Condition 5.2.2(b) (i.e., 35 IAC 212.123); and

ii. For each engine, the estimated duration of excess opacity during startup, minutes/year.

7.1.11 Operational Flexibility/Anticipated Operating Scenarios

None

7.1.12 Compliance Procedures

a. Compliance provisions addressing Conditions 5.2.2 and 7.1.3(c) are not set by this permit as compliance is assumed to be achieved by proper operating conditions of the affected engines.

b. Compliance with the emission limits specified in Conditions 5.5 and 7.1.6 for the affected engines shall be based on the records required by Condition 7.1.9 and an appropriate emission factor, i.e., the emission factor listed below providing that the engine is properly operated:

Pollutant	Emission Factor (lbs/mmBtu)
VOM	0.09
SO_2	$1.01S_{FO}$
PM	0.07
NO_X	3.2
CO	0.85

Where S_{FO} represents the percent sulfur in the fuel oil.

These are the emission factors from Tables 3.4.1 and 3.4.2, USEPA's Compilation of Air Pollutant Factor AP-42, Fifth Edition, Volume I, October 1996.

7.2 Unit 02

Dual Fuel Fired Internal Combustion Engines

7.2.1 Description

The Permittee operates internal combustion engines for electric generation that are fired with a combination of natural gas and distillate oil (dual fuel) or alternatively with distillate oil only. The engines are used for peak electric generation or 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.

7.2.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit No.	Description	Emission Unit Designation (Serial No.)	Rated Nominal Capacity	Year Constructed
02	Internal Combustion Engines Fired with Dual Fuel or Distillate Oil	IC-2 (38D881012TDFS12)	2910 kW	1981
		IC-3 (VO 3647)	2907 kW	1968

7.2.3 Applicability Provisions and Applicable Regulations

a. The “affected engines” for the purpose of these unit-specific conditions are internal combustion engines fired with dual fuel or distillate oil only as described in Condition 7.2.2.

b. Each affected engine is subject to the emission standards identified in Condition 5.2.2.

c. The emission of sulfur dioxide into the atmosphere from the affected engines shall not exceed 2,000 ppm [35 IAC 214.301].

d. Startup Provisions

The Permittee is authorized to operate an affected engine with emissions in excess of the applicable limit of Condition 5.2.2(b) (i.e., 35 IAC 212.123) 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;

B. Operating the engines in accordance with the manufacturer's instructions so as to minimize emissions during startup; and

C. Operating the engines as peaking units.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.2.9(a).

7.2.4 Non-Applicability of Regulations of Concern

a. 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 therefore such rules cannot reasonably be applied.

b. This permit is issued based on the affected engines not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) rule 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.

c. This permit is issued based on each affected engine not being an affected unit under the federal Acid Rain Program because it is an internal combustion engine that commenced operation before November 15, 1990. [40 CFR 72.6(b)(1)]

7.2.5 Operational and Production Limits and Work Practices

a. The affected engines shall be fired with a distillate oil that has a sulfur content which enables compliance with Condition 7.2.3(c) as shown by the records required by Condition 7.2.9(b) or with a dual fuel.

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

7.2.6 Emission Limitations

In addition to Conditions 5.2.2 and the source wide emission limitations in Condition 5.5, the total annual emissions from the affected engines (IC-2 & IC-3) shall not exceed the following limit:

Pollutant	Emissions (Tons/Yr)
VOM	40.7
SO_2	2.6
PM	3.6
NO_x	137.4
CO	59.0

7.2.7 Testing Requirements

a. Within 45 days of a written request by the Illinois EPA, the Permittee shall have the opacity of an affected engine 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 if 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 with 35 IAC 212.123 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 pursuant to Section 39.5(7)(b) of the Act:

a. Records for startup

The Permittee shall maintain the following records for each affected engine subject to Condition 7.2.3(c). At a minimum the records shall include:

i. The following information for each startup of affected engines:

A. Date and type of startup, i.e., exercise of engine or startup to generate electricity;

B. Duration of the startup, i.e., start time and time startup discontinued or normal operation achieved, i.e., stable operation at load;

C. Whether operating personnel for the affected engine or environmental staff are on site during startup; and

D. A description of startup, if operating problems are identified during the startup.

b. Fuel Records

i. For each shipment of distillate oil received, records of the quantity, and maximum sulfur content ;

ii. Records of the sulfur content of the distillate oil supply to the affected 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. Total distillate oil usage for each affected engine, (gallons/month and gallons/year).

iv. Combined total usage of distillate oil for all affected engines (gallons/month and gallons/yr)

v. Natural gas usage for each affected engine (ft^3/month and ft^3/year)

vi. Heat content of the fuels used in the affected engines as follows:

A. Distillate oil, Btu/gallon

B. Natural gas, Btu/ft^3

c. Emissions Records

Monthly and annual VOM, SO_2, PM, NO_x, and CO emissions (tons/month and tons/year) based fuel consumption for each affected engine and the applicable emission factors from Condition 7.2.12, and annual HAPs emissions (tons/yr) with supporting calculations.

d. Records of Excess Emissions

Following records for each occurrence of excess emissions of affected engine:

i. Date and duration of excess emissions, including start time and time normal operation achieved;

ii. If normal operation was not achieved within one hour, an explanation why normal operation could not be achieved in one hour;

iii. A detailed explanation of the cause of the excess emissions and documentation that established procedures for minimizing emissions were followed;

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

v. An explanation why established procedures for minimizing excess emissions were not performed, if not performed;

vi. The amount of release above typical emissions during startup, malfunction, and breakdown, with supporting calculations;

e. Records of operation of the affected engines fired with distillate fuel oil with a sulfur content in excess of the sulfur content limit specified in Condition 7.1.5(c), with date, duration, sulfur content of oil, and explanation for usage.

f. Records of Maintenance Activities

An inspection, maintenance, and repair logs for each affected engine, listing each activity performed with date.

7.2.10 Reporting Requirements

a. The Permittee shall promptly notify the Illinois EPA, Compliance Section of noncompliance 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. Notification within 60 days of operation of an affected engine 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; and

ii. Notification within 60 days of any operation of an affected engine that is not in compliance with the sulfur content limitations in Conditions 7.2.3(b), as addressed by the records required by Condition 7.2.9(b) and (c), with a copy of such records for each incident.

b. The Permittee shall provide an annual report, submitted with the Annual Emission Report, to the Illinois EPA, 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

The Permittee is authorized to make the following physical or operational change with respect to an affected engine 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 dual fuel to distillate fuel oil only.

7.2.12 Compliance Procedures

a. Compliance provisions addressing Condition 7.2.3(b) is not set by this permit as compliance is assumed to be achieved by the work practices inherent in operation of the affected engines.

b. Compliance with emission limits in Condition 5.5 and 7.2.6 for the affected engines shall be based on the recordkeeping requirements in condition 7.2.9 and an appropriate emissions factor, i.e., the emission factor listed below providing that the engine is properly operated:

i. For emissions from the combustion of distillate oil only

Pollutant	Factor (lb/mmBtu)
VOM	0.09
SO_2	$1.01S_{FO}$
PM	0.07
NO_x	3.2
CO	0.85

Where S_{FO} represents the percent sulfur in the distillate oil

These emission factor are from Tables 3.4.1 and 3.4.2, USEPA's Compilation of Air Pollutant Factor AP-42, Fifth Edition, Volume I, October 1996

ii. For emissions from the combustion of dual fuel

Pollutant	Emission Factor (lb/mmBtu)
VOM	0.8
SO_2	$0.05S_{FO} + 0.895S_{NG}$
PM	0.07
NO_x	2.7
CO	1.16

Where:

S_{FO} = The % sulfur in the distillate oil

S_{NG} = The % sulfur in the natural gas

These emission factors are from Tables 3.4.1 and 3.4.2, USEPA’s Compilation of Air Pollutant Factor AP-42, Fifth Edition, Volume I, October 1996

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 **October 9, 2002** (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 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].

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 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. 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

If monitoring is required by any applicable requirements or conditions of this permit, a report summarizing the required monitoring results, 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]:

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 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
Bureau of Air
Compliance Section (MC 40)
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

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section (MC 11)
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.

8.7 Obligation to Comply with Title I Requirements

Any term, condition, or requirement identified in this permit by T1, T1R, or T1N is established or revised pursuant to 35 IAC Part 203 or 40 CFR 52.21 (“Title I provisions”) and incorporated in this permit pursuant to both Section 39.5 of the Act and Title I provisions of the CAA. Notwithstanding the expiration date on the first page of this permit, the Title I conditions remain in effect pursuant to Title I provisions until the Illinois EPA deletes or revises them in accordance with Title I procedures.

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.

9.1.3 Notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, 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, 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)(a) and (p)(ii) of the Act and 415 ILCS 5/4]:

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 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 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. 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 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 Section, 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 [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)(l), (n), and (o) of the Act].

10.0 ATTACHMENTS

10.1 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: _____

10.2 Attachment 2 - Guidance

The Illinois EPA has prepared guidance for sources on the Clean Air Act Permit Program (CAAPP) that is available on the internet sit 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, CAAPP Form –199, which is available at: www.epa.state.il.us/air/caapp/199-caapp.pdf.

10.3 Attachment 3 - Guidance on Renewing This Permit

Timeliness - Pursuant to Section 39.5(5)(n) of the Act and 35 IAC 270.301(d), a source must submit to the Illinois EPA a complete CAAPP application for the renewal of a CAAPP permit not later than 9 months before the date of permit expiration of the existing CAAPP permit in order for the submittal to be deemed timely. Note that the Illinois EPA typically sends out renewal notices approximately 18 months prior to the expiration of the CAAPP permit.

The CAAPP application must provide all of the following information in order for the renewal CAAPP application to be deemed complete by the Illinois EPA:

1. A completed renewal application form 200-CAAPP, APPLICATION FOR CAAPP PERMIT.

2. A completed compliance plan form 293-CAAPP, COMPLIANCE PLAN/SCHEDULE OF COMPLIANCE FOR CAAPP PERMIT.

3. A completed compliance certification form 296-CAAPP, COMPLIANCE CERTIFICATION, signed by the responsible official.

4. Any applicable requirements that became effective during the term of the permit and that were not included in the permit as a reopening or permit revision.

5. If this is the first time this permit is being renewed and this source has not yet addressed CAM, the application should contain the information on form 464-CAAPP, COMPLIANCE ASSURANCE MONITORING (CAM) PLAN.

6. Information addressing any outstanding transfer agreement pursuant to the ERMS.

7. a. If operations of an emission unit or group of emission units remain unchanged and are accurately depicted in previous submittals, the application may contain a letter signed by a responsible official that requests incorporation by reference of existing information previously submitted and on file with the Illinois EPA. This letter must also include a statement that information incorporated by reference is also being certified for truth and accuracy by the responsible official’s signing of the form 200-CAAPP, APPLICATION FOR CAAPP PERMIT and the form 296-CAAPP, COMPLIANCE CERTIFICATION. The boxes should be marked yes on form 200-CAAPP, APPLICATION FOR CAAPP PERMIT, as existing information is being incorporated by reference.

b. If portions of current operations are not as described in previous submittals, then in addition to the information above for operations that remain unchanged, the application must contain the necessary information on all changes, e.g., discussion of changes, new or revised CAAPP forms, and a revised fee form 292-CAAPP, FEE DETERMINATION FOR CAAPP PERMIT, if necessary.

8. Information about all off-permit changes that were not prohibited or addressed by the permit to occur without a permit revision and the information must be sufficient to identify all applicable requirements, including monitoring, recordkeeping, and reporting requirements, for such changes.

9. Information about all changes made under 40 CFR 70.4(b)(12)(i) and (ii) that require a 7-day notification prior to the change without requiring a permit revision.

The Illinois EPA will review all applications for completeness and timeliness. If the renewal application is deemed both timely and complete, the source shall continue to operate in accordance with the terms and conditions of its CAAPP permit until final action is taken on the renewal application.

Notwithstanding the completeness determination, the Illinois EPA may request additional information necessary to evaluate or take final action on the CAAPP renewal application. If such additional information affects your allowable emission limits, a revised form 292-CAAPP, FEE DETERMINATION FOR CAAPP PERMIT must be submitted with the requested information. The failure to submit to the Illinois EPA the requested information within the time frame specified by the Illinois EPA, may force the Illinois EPA to deny your CAAPP renewal application pursuant to Section 39.5 of the Act.

Application forms may be obtained from the Illinois EPA website at http://www.epa.state.il.us/air/forms.html.

If you have any questions regarding this matter, please contact a permit analyst at 217/782-2113.

Mail renewal applications to:

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