REVISED PROPOSED CAAPP PERMIT - DRAFT
December 2004

217/782-2113

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

PERMITTEE

Midwest Generation, LLC
Attn: Scott Miller
440 South LaSalle Street, Suite 3500
Chicago, IL 60605

Application No.: 95090080 I.D. No.: 197810AAK
Applicant's Designation: Will County Date Received: September 07, 1995
Operation of: Electrical Power Generation
Date Issued: TO BE DETERMINED Expiration Date[2]: DATE
Source Location: 529 East 135th, Romeoville, Will County 60446
Responsible Official: David Strom/Station Director

This permit is hereby granted to the above-designated Permittee to operate an electrical power generation station, pursuant to the above referenced permit application. This permit is subject to the conditions contained herein.

The current federal Phase II Acid Rain Permit issued to Midwest Generation by the Illinois EPA is incorporated into this CAAPP permit (See Attachment 5).

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

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

DES:CPR:JRC

cc: Illinois EPA, FOS, Region 1
USEPA

[1]This permit contains terms and conditions that address the applicability, and, if determined applicable, substantive requirements of Title I of the Clean Air Act (CAA) and regulations promulgated thereunder, including 40 CFR 52.21, Prevention of Significant Deterioration (PSD) and 35 IAC Part 203, Major Stationary Sources Construction and Modification. The authority for these provisions is found in these regulations and in the general authority provided to the Illinois EPA by Section 9.1 of the Environmental Protection Act (Act) and Sections 39(a) and 39.5(7)(a) of the Act, which authorize the Illinois EPA to include conditions in permits that are required to accomplish the purposes of the Act. Any such terms and conditions are specifically identified within this permit as T1 conditions. These terms and conditions continue in effect as provided by Condition 8.7 of this permit, notwithstanding the expiration date specified above, as their authority derives from Title I, as well as from Title V of the CAA.

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

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1.0 SOURCE IDENTIFICATION

1.1 Source

Will County Generating Station
529 East 135th Road
Romeoville, IL 60446-1538
815/886-1010 ext 2289

I.D. No.: 197810AAK
Acid Rain Permit ORIS Code No.: 884

Standard Industrial Classification: 4911, Electrical Services

1.2 Owner/Parent Company

Midwest Generation, LLC
440 South LaSalle Street, Suite 3500
Chicago, IL 60605

1.3 Operator

Midwest Generation, LLC - Will County Generating Station
529 East 135th Road
Romeoville, IL 60446

Craig Lucke / Environmental Contact
815/886-1010 ext 2289

1.4 General Source Description

Will County generating station is located at 529 East 135th Road in Romeoville. The source operates four coal fired boilers.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

acfm	actual cubic feet per minute
ACMA	Alternative Compliance Market Account
Act	Illinois Environmental Protection Act [415 ILCS 5/1 et seq.]
AP-42	Compilation of Air Pollutant Emission Factors, Volume 1, Stationary Point and Other Sources (and Supplements A through F), USEPA, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711
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
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CO	Carbon Monoxide
dcfm	dry cubic feet per minute
EGU	Electrical Generating Unit(s)
ERMS	Emissions Reduction Market System (35 IAC Part 205)
Gal	Gallon
ESP	Electrostatic Precipitator
°F	degrees Fahrenheit
FGC	Flue Gas Conditioning
FGR	Flue Gas Recirculation
ft	foot
ft^3	cubic foot
HAP	Hazardous Air Pollutant
HP	horsepower
Hr or 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
°K	degrees Kelvin
Kg	kilogram
kW	Kilowatts
Lb or lb	Pound
LNB	Low NO_x Burners
m	meter
MACT	Maximum Achievable Control Technology
mmBtu	million British thermal units
MW	Megawatts
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards (40 CFR Part 60)
NSSA	New Source Set-Aside
ORIS	Office of Regulatory Information System
OFA	Over-Fire Air
OM	organic material
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 (40 CFR 52.21)
psia	pounds per square inch absolute
RMP	Risk Management Plan
SO_2	Sulfur Dioxide
T	ton (2000 pounds)
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
VOC or VOM	volatile organic compounds or volatile organic material
VOL	volatile organic liquid
Yr or yr	year

3.0 CONDITIONS FOR INSIGNIFICANT ACTIVITIES

3.1 Identification of Insignificant Activities

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

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

None

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

Sulfuric Acid Storage Tank
Sodium Hypochlorite Storage Tank
Sodium Bromide Storage Tank
Diesel Fuel Unloading

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

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

Equipment used for filling drums, pails, or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions [35 IAC 201.210(a)(8)].

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

Gas turbines and stationary reciprocating internal combustion engines of between 112 kW and 1,118 kW (150 and 1,500 horsepower) power output that are emergency or standby units [35 IAC 201.210(a)(16)].

Storage tanks of any size containing exclusively soaps, detergents, surfactants, glycerin, waxes, vegetable oils, greases, animal fats, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials [35 IAC 201.210(a)(17)].

Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials, provided an organic solvent has not been mixed with such materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous caustic solutions [35 IAC 201.210(a)(18)].

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

Note: The heating of the coal-fired boiler with auxiliary fuel during maintenance and repair of the boiler is considered an insignificant activity under 35 IAC 201.210(b)(29) and is generally not addressed by the unit-specific conditions of this permit for boilers. Notwithstanding such status as an insignificant activity, the opacity of the exhaust from a boiler is at all times subject to 35 IAC 212.123 (Condition 5.2(b) and 7.1.4(a)) and the unit-specific conditions of this permit for boilers that relate to opacity are applicable during maintenance and repair of a boiler.

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 218.182.

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 218.301, 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	Description	Emission Control Equipment
Unit 1 Boiler BLR1	Babcock and Wilcox Nominal 1,728 mmBtu/hr (1955)	ESP
Unit 2 Boiler BLR2	Babcock and Wilcox Nominal 1,712 mmBtu/hr (1955)	ESP
Unit 3 Boiler BLR3	Combustion Engineering Nominal 2,709 mmBtu/hr (1957)	Low NOx Burners, Overfire Air and ESP
Unit 4 Boiler BLR4	Combustion Engineering 5,016 Nominal mmBtu/hr (1963)	Low NOx Burners, Overfire Air and ESP
Coal Handling Equipment	Coal Receiving Operations, Coal Storage Operations	Enclosures, Covers, Dust Collection Devices, and Dust Suppressant Application System
Coal Breaker Building	Coal Processing	Enclosures and Covers and Dust Collection Devices
Fly Ash Equipment	Pneumatic System, Silo, and Loadout Operations	Enclosures and Dust Collection Devices
Tank TK19	Gasoline Storage Tank 1,500 Gallon Capacity	Submerged Loading Pipe

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 SO_2, CO, NOx, VOM, PM, and HAP emissions.

5.1.2 This permit is issued based on the source requiring a CAAPP permit as an "affected source" for the purposes of Acid Deposition Control, Title IV of the Clean Air Act.

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 shall be based on the procedures in Section 7 (Unit Specific Conditions) of this permit.

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 Certain emission units at the source are subject to the following standards related to control of fugitive particulate matter emissions because the source is located in Will County, an area listed in 35 IAC 212.302:

a. Pursuant to 35 IAC 212.308, crushers, grinding mills, screening operations, conveyor transfer points, conveyors, bagging operations, storage bins and fine product truck and railcar loading operations shall be sprayed with water or surfactant solution, utilize choke-feeding or be treated by an equivalent method, in accordance with an operating program for fugitive particulate matter emissions. (Refer to Condition 5.2.4 for the operating program for fugitive particulate matter emissions.)

b. Pursuant to 35 IAC 212.307, all unloading and transporting of materials collected by pollution control equipment shall be enclosed or shall utilize spraying, pelletizing, screw conveying or other equivalent methods.

c. Pursuant to 35 IAC 212.313, if particulate matter collection control equipment is operated pursuant to the above rules, emissions of particulate matter from such equipment shall not exceed 68 mg/dscm (0.03 gr/dscf).

5.2.4 Fugitive Particulate Matter Operating Program

a. This source shall be operated under the provisions of an operating program prepared by the Permittee and submitted to the Illinois EPA for its review. Such operating program shall be designed to significantly reduce fugitive particulate matter emissions [35 IAC 212.309(a)].

b. The operating program shall be amended from time to time by the Permittee so that the operating program is current. Such amendments shall be consistent with the requirements set forth by this Condition and shall be submitted to the Illinois EPA [35 IAC 212.312].

c. All normal traffic pattern roads and parking facilities located at this source shall be paved or treated with water, oils, or chemical dust suppressants. All paved areas shall be cleaned on a regular basis. All areas treated with water, oils, or chemical dust suppressants shall have the treatment applied on a regular basis, as needed, in accordance with the operating program [35 IAC 212.306].

5.2.5 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.

5.2.6 Risk Management Plan (RMP)

Should this stationary source, as defined in 40 CFR 68.3, become subject to the federal rules for Chemical Accident Prevention in 40 CFR Part 68, then the owner or operator shall submit:

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

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

Note: This condition is imposed pursuant to 40 CFR 68.215(a).

5.2.7 Future Emission Standards

a. Should this source become subject to a regulation under 40 CFR Parts 60, 61, or 63, or 35 IAC Subtitle B after the date issued of this permit, then the owner or operator shall, in accordance with the applicable regulation(s), comply with the applicable requirements by the date(s) specified and shall certify compliance or otherwise demonstrate initial compliance as provided by such regulation. Following the submittal of such a compliance certification or initial compliance demonstration, the Permittee shall address the applicable requirements of such regulation as part of the annual compliance certification required by Condition 9.8.

   Note: This permit may also have to be revised or reopened to address such new regulations. (See Condition 9.12.2.)

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 regulations under 40 CFR Parts 60, 61, or 63, or 35 IAC Subtitle B that were promulgated after the date issued of this permit.

5.2.8 Episode Action Plan

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

5.2.9 Compliance Assurance Monitoring (CAM) Plan

Pursuant to 40 CFR 64.5, if the Permittee submits a request for a significant revision of this permit that is applicable to an affected large pollutant-specific emissions unit, as defined by 40 CFR 64.1, 64.2 and 64.5(a), (e.g., a coal-fired boiler as it emits particulate matter), the Permittee shall submit as part of such application the information required under 40 CFR 64.4 for a CAM plan.

Note: As provided by 40 CFR 64.5(a)(1), the Permittee was not required to submit CAM plans for affected large pollutant-specific emissions units with the application for this permit because a complete CAAPP application was submitted before April 20, 1998. For all pollutant-specific emissions units that meet the criteria in 40 CFR 64.42(a), so as to be subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, the source must submit the information required under 40 CFR 64.4 as part of the application for renewal of this permit.

5.3 General Non-Applicability of Regulations of Concern

None

Note: For individual emissions units or groups of similar emission units, non-applicability of regulations is addressed in Section 7 of this permit.

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

Emission limitations are not set for this source for the purpose of permit fees. The Permittee shall be required to pay the maximum fee required pursuant to Section 39.5(18)(a)(ii)(A) of the Act, which is currently $250,000.00 per year.

5.5.2 Emissions of Hazardous Air Pollutants (HAPs)

Source-wide emission limitations for HAPs as listed in Section 112(b) of the CAA are not set. This source is considered to be a major source of HAPs.

5.5.3 Other Source-Wide Emission Limitations

Other source-wide emission limitations are not set for this source pursuant to either the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21, state rules for Major Stationary Sources Construction and Modification, 35 IAC Part 203, or Section 502(b)(10) of the CAA. However, there may be unit specific emission limitations set forth in Section 7 of this permit pursuant to these rules.

5.6 General Recordkeeping Requirements

5.6.1 Records for Emissions

The Permittee shall maintain records for the source to prepare its Annual Emission Report including the following items, pursuant to Section 39.5(7)(b) of the Act:

a. Records of annual emissions from the emission units that are covered by Section 7 (Unit Specific Conditions) of this permit, including emissions of mercury, hydrogen chloride, and hydrogen fluoride.

b. i. For purposes of estimating mercury emissions from the source, the mercury content of coal burned in boilers shall be based on the data collected by USEPA in its Information Collection Request (ICR) pursuant to Section 112 of the Clean Air Act.

ii. If such data above is not available for a coal that is burned in a boiler, the Permittee shall collect representative data on the elemental composition of the coal, including mercury, similar to the ICR data collected by USEPA.

5.6.2 Retention and Availability of Records

a. All records and logs required by this permit shall be retained for at least five years from the date of entry (unless a longer retention period is specified by the particular recordkeeping provision herein),

shall be kept at a location at the source that is readily accessible to the Illinois EPA or USEPA, and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request.

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

c. Upon written request by the Illinois EPA for copies of records or reports required to be kept by this permit, the Permittee shall promptly submit a copy of such material to the Illinois EPA. For this purpose, material shall be submitted to the Illinois EPA within 30 days unless additional time is provided by the Illinois EPA or the Permittee believes that the volume and nature of requested material would make this overly burdensome, in which case, the Permittee shall respond within 30 days with the explanation and a schedule for submittal of the requested material. (See also Condition 9.12.4.)

d. For certain records required to be kept by this permit as specifically identified in the recordkeeping provisions in Section 7 of this permit, which records are a basis for control practices or other recordkeeping required by this permit, the Permittee shall promptly submit a copy of the record to the Illinois EPA when the record is created or revised. For this purpose, the initial record shall be submitted within 30 days of the issuance of this permit. Subsequent revisions shall be submitted within 10 days of the date the Permittee begins to rely upon the revised record.

5.7 General Reporting Requirements

5.7.1 General Source-Wide Reporting Requirements

The Permittee shall promptly notify the Illinois EPA of deviations of the source 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. For emissions units that are addressed by the unit-specific conditions of this permit, the timing for reporting of deviations shall be in accordance with such conditions.

ii. A. For other emissions units and activities at the source, the timing for reporting of deviations shall be in accordance with the provisions of

relevant regulations if such provisions address timing of deviation reports.

B. Otherwise, if the relevant regulations do not address timing of deviation reports, deviation reports shall be submitted within 30 days.

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 including information for emissions of mercury, hydrogen chloride, hydrogen fluoride, and other hazardous air pollutants, as specified by 35 IAC Part 254 (see also Condition 9.7).

5.8 General Operational Flexibility/Anticipated Operating Scenarios

None

Note: For individual emissions units or groups of similar emission units, operation flexibility and anticipated operating scenarios are addressed in Section 7 of this permit.

5.9 General Compliance Procedures

None

6.0 EMISSIONS CONTROL PROGRAMS

6.1 NO_x Trading Program

6.1.1 Description of NO_x Trading Program

The NO_x Trading Program is a regional "cap and trade" market system for large sources of NO_x emissions in the eastern United States, including Illinois. It is designed to reduce and maintain NO_x emissions from the emission units covered by the program within a budget to help contribute to attainment and maintenance of the ozone ambient air quality standard in the multi-state region covered by the program. The NO_x Trading Program applies in addition to other applicable requirements for NO_x emissions and in no way relaxes these other requirements.

Electrical generating units (EGU) that are subject to the NO_x Trading Program are referred to as "budget EGU." Sources that have one or more EGU or other units subject to the NO_x Trading Program are referred to as budget sources.

The NO_x Trading Program controls NO_x emissions from budget EGU and other budget units during a seasonal control period from May 1 through September 30 of each year, when weather conditions are conducive to formation of ozone in the ambient air. (In 2004, the first year that the NO_x Trading Program is in effect, the control period will be May 31 through September 30.) By November 30 of each year, the allowance transfer deadline, each budget source must hold "NO_x allowances" for the actual NO_x emissions of its budget units during the preceding control period. The USEPA will then retire NO_x allowances in the source's accounts in amounts equivalent to its seasonal emissions. If a source does not have sufficient allowances in its accounts, USEPA would subtract allowances from the source's future allocation for the next control period and impose other penalties as appropriate. Stringent monitoring procedures developed by USEPA apply to budget units to assure that actual emissions of NO_x emissions are accurately determined.

The number of NO_x allowances available for budget sources is set by the overall budget for NO_x emissions established by USEPA. This budget requires a substantial reduction in NOx emissions from historical levels as necessary to meet air quality goals. In Illinois, existing budget sources initially receive their allocation or share of the NO_x allowances budgeted for EGU in an amount determined by rule [35 IAC Part 217, Appendix F]. Between 2007 and 2011, the allocation mechanism for existing EGU gradually shifts to one based on the actual operation of EGU in preceding control periods. New budget EGU, for which limited operating data may be available, may obtain NOx allowances from the new source set-aside (NSSA), a portion of the overall budget reserved for new EGU.

In addition to directly receiving or purchasing NO_x allowances as described above, budget sources may transfer NO_x allowances from one of their units to another. They may also purchase allowances in the marketplace from other sources that are willing to sell some of the allowances that they have received. Each budget source must designate an account representative to handle all its allowance transactions. The USEPA, in a central national system, will maintain allowance accounts and record transfer of allowances among accounts.

The ability of sources to transfer allowances will serve to minimize the costs of reducing NO_x emissions from budget units to comply with the overall NO_x budget. In particular, the NO_x emissions of budget units that may be most economically controlled will be targeted by sources for further control of emissions. This will result in a surplus of NO_x allowances from those units that can be transferred to other units at which it is more difficult to control NO_x emissions. Experience with reduction of sulfur dioxide emissions under the federal Acid Rain program has shown that this type of trading program not only achieves regional emission reductions in a more cost-effective manner but also results in greater overall reductions than application of traditional emission standards to individual emission units.

The USEPA developed the plan for the NO_x Trading Program with assistance from affected states. Illinois' rules for the NO_x Trading Program for EGU are located at 35 IAC Part 217, Subpart W, and have been approved by the USEPA. These rules provide for interstate trading, as mandated by Section 9.9 of the Act. Accordingly, these rules refer to and rely upon federal rules at 40 CFR Part 96, which have been developed by USEPA for certain aspects of the NO_x Trading Program, and which an individual state must follow to allow for interstate trading of allowances.

Note: This narrative description of the NO_x Trading Program is for informational purposes only and is not enforceable.

6.1.2 Applicability

a. The following emission units at this source are existing budget EGU for purposes of the NO_x Trading Program. Accordingly, this source is a budget source and the Permittee is the owner or operator of a budget source and budget EGU. In this section of this permit, these units are addressed as budget EGU.

   Boilers 1, 2, 3, and 4

b. This permit does not provide "low-emitter status" for the above units pursuant to 35 IAC 217.754(c).

6.1.3 General Provisions of the NO_x Trading Program

a. This source and the budget EGU at this source shall comply with all applicable requirements of Illinois' NO_x Trading Program, i.e., 35 IAC Part 217, Subpart W, and 40 CFR Part 96 (excluding 40 CFR 96.4(b) and 96.55(c), and excluding 40 CFR 96, Subparts C, E, and I), pursuant to 35 IAC 217.756(a) and 217.756(f)(2).

b. Any provision of the NO_x Trading Program that applies to a budget source (including any provision applicable to the account representative of a budget source) shall also apply to the owner and operator of such budget source and to the owner and operator of each budget EGU at the source, pursuant to 35 IAC 217.756(f)(3).

c. Any provision of the NO_x Trading Program that applies to a budget EGU (including any provision applicable to the account representative of a budget EGU) shall also apply to the owner and operator of such budget EGU. Except with regard to requirements applicable to budget EGUs with a common stack under 40 CFR 96, Subpart H, the owner and operator and the account representative of one budget EGU shall not be liable for any violation by any other budget EGU of which they are not an owner or operator or the account representative, pursuant to 35 IAC 217.756(f)(4).

6.1.4 Requirements for NO_x Allowances

a. Beginning in 2004, by November 30 of each year, the allowance transfer deadline, the account representative of each budget EGU at this source shall hold allowances available for compliance deduction under 40 CFR 96.54 in the budget EGU's compliance account or the source's overdraft account in an amount that shall not be less than the budget EGU's total tons of NO_x emissions for the preceding control period, rounded to the nearest whole ton, as determined in accordance with 40 CFR 96, Subpart H, plus any number necessary to account for actual utilization (e.g., for testing, start-up, malfunction, and shut down) under 40 CFR 96.42(e) for the control period, pursuant to 35 IAC 217.756(d)(1). For purposes of this requirement, an allowance may not be utilized for a control period in a year prior to the year for which the allowance is allocated, pursuant to 35 IAC 217.756(d)(5).

b. The account representative of a budget EGU that has excess emissions in any control period, i.e., NO_x emissions in excess of the number of NOx allowances held as provided above, shall surrender allowances as required for deduction under 40 CFR 96.54(d)(1), pursuant to 35 IAC 217.756(f)(5). In addition, the

owner or operator of a budget EGU that has excess emissions shall pay any fine, penalty, or assessment, or comply with any other remedy imposed under 40 CFR 96.54(d)(3) and the Act, pursuant to 35 IAC 217.756(f)(6). Each ton of NOx emitted in excess of the number of NO_x allowances held as provided above for each budget EGU for each control period shall constitute a separate violation of 35 IAC Part 217 and the Act, pursuant to 35 IAC 217.756(d)(2).

c. An allowance allocated by the Illinois EPA or USEPA under the NO_x Trading Program is a limited authorization to emit one ton of NO_x in accordance with the NO_x Trading Program. As explained by 35 IAC 217.756(d)(6), no provisions of the NO_x Trading Program, the budget permit application, the budget permit, or a retired unit exemption under 40 CFR 96.5 and no provision of law shall be construed to limit the authority of the United States or the State of Illinois to terminate or limit this authorization. As further explained by 35 IAC 217.756(d)(7), an allowance allocated by the Illinois EPA or USEPA under the NO_x Trading Program does not constitute a property right. As provided by 35 IAC 217.756(d)(4), allowances shall be held in, deducted from, or transferred among allowances accounts in accordance with 35 IAC Part 217, Subpart W, and 40 CFR 96, Subparts F and G.

6.1.5 Monitoring Requirements for Budget EGU

a. The Permittee shall comply with the monitoring requirements of 40 CFR Part 96, Subpart H, for each budget EGU and the compliance of each budget EGU with the emission limitation under Condition 6.1.4(a) shall be determined by the emission measurements recorded and reported in accordance with 40 CFR 96, Subpart H, pursuant to 35 IAC 217.756(c)(1), (c)(2) and (d)(3).

   i. For Boilers 1, 2, 3, and 4, the Permittee is conducting continuous emissions monitoring for NOx, as generally provided for by 40 CFR 75.71(a).

b. The account representative for the source and each budget EGU at the source shall comply with those sections of the monitoring requirements of 40 CFR 96, Subpart H, applicable to an account representative, pursuant to 35 IAC 217.756(c)(1) and (d)(3).

Note: Pursuant to 40 CFR 96.70(b), existing budget EGU were to begin complying with applicable monitoring requirements of 40 CFR Part 96 at least one year in advance of the start of the first control period governed by the NO_x Trading Program.

6.1.6 Recordkeeping Requirements for Budget EGU

Unless otherwise provided below, the Permittee shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This 5-year period may be extended for cause at any time prior to the end of the 5 years, in writing by the Illinois EPA or the USEPA.

a. The account certificate of representation of the account representative for the source and each budget EGU at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 40 CFR 96.13, as provided by 35 IAC 217.756(e)(1)(A). These certificates and documents must be retained on site at the source for at least 5-years after they are superseded because of the submission of a new account certificate of representation changing the account representative.

b. All emissions monitoring information, in accordance with 40 CFR 96, Subpart H, (provided that to the extent that 40 CFR 96, Subpart H, provides for a 3-year period for retaining records, the 3-year period shall apply), pursuant to 35 IAC 217.756(e)(1)(B).

c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_x Trading Program or documents necessary to demonstrate compliance with requirements of the NO_x Trading Program, pursuant to 35 IAC 217.756(e)(1)(C).

d. Copies of all documents used to complete a budget permit application and any other submission under the NO_x Trading Program, pursuant to 35 IAC 217.756(e)(1)(D).

6.1.7 Reporting Requirements for Budget EGU

a. The account representative for this source and each budget EGU at this source shall submit to the Illinois EPA and USEPA the reports and compliance certifications required under the NO_x Trading Program, including those under 40 CFR 96, Subparts D and H, and 35 IAC 217.774, pursuant to 35 IAC 217.756(e)(2).

b. Notwithstanding the provisions in Conditions 9.8 and 9.9 of this CAAPP permit, these submittals need only be signed by the designated representative, who may serve in place of the responsible official for this purpose, as provided by Section 39.5(1) of the Act, and submittals to the Illinois EPA need only be made to the Illinois EPA, Air Compliance Section.

6.1.8 Allocation of NO_x Allowances to Budget EGU

a. As the budget EGU identified in Condition 6.1.2(a) are "existing" EGU listed in 35 IAC Part 217, Appendix F, these EGU are entitled to NO_x allowances as follows. (The portion of Appendix F that applies to the Permittee is provided in Condition 6.1.10.) The number of NO_x allowances actually allocated for the budget EGU shall be the number of NO_x allowances issued by USEPA pursuant to the allocation information reported to it by the Illinois EPA, which information may reflect adjustments to the overall allocations to budget EGU as provided for by 35 IAC 217.760(b) and (c):

i. In 2004 through 2006 (the first three years of the NO_x Trading Program), an annual allocation of NO_x allowances as specified by 35 IAC 217.764(a)(1), i.e., the number of NO_x allowances listed in Appendix F, Column 7, and as provided by 35 IAC 217.768(j), a pro-rata share of any NO_x allowances remaining in the new source set-aside (NSSA) following the allocation of allowances to new budget EGU.

ii. In 2007, as provided by 35 IAC 217.764(b), an allocation of NO_x allowances as specified by 35 IAC 217.764(b)(1), i.e., the number of NO_x allowances listed in Appendix F, Column 8, and as provided by 35 IAC 217.764(b)(4), a pro-rata share of any NO_x allowances remaining after the allocation of allowances pursuant to 35 IAC 217.764(b)(2) to budget EGU that commence operation between January 1, 1995 and April 30, 2003.

iii. In 2008, as provided by 35 IAC 217.764(c), a specified allocation of NO_x allowances, i.e., the number of NO_x allowances listed in Appendix F, Column 8, and as provided by 35 IAC 217.764(c)(4), a pro-rata share of any NO_x allowances remaining after the allocation of allowances to budget EGU that commence operation between January 1, 1995 and April 30, 2004.

iv. In 2009, as provided by 35 IAC 217.764(d), a specified allocation of NO_x allowances, i.e., the number of NO_x allowances listed in Appendix F, Column 9, and as provided by 35 IAC 217.764(d)(4), a pro-rata share of any NO_x allowances remaining after the allocation of NO_x allowances to budget EGU that commence operation between January 1, 1995 and April 30, 2005, and as provided by 35 IAC 217.764(d)(6), a pro-rata share of any surplus of NO_x allowances in the NSSA after the

allocation of NO_x allowances to new budget EGU pursuant to 35 IAC 217.764(d)(5).

v. In 2010, as provided by 35 IAC 217.764(e), a specified allocation of NO_x allowances, i.e., the number of NO_x allowances listed in Appendix F, Column 9, and a pro-rata share of any NO_x allowances remaining after the allocation of NO_x allowances to budget EGU that commence operation between January 1, 1995 and April 30, 2006, and a pro-rata share of any surplus of NO_x allowances in the NSSA following the allocation of NO_x allowances to new budget EGU.

vi. In 2011 and annually thereafter, as provided by 35 IAC 217.764(f), an allocation of NO_x allowances based on the prior operation of the EGU during previous control periods, as described in Condition 6.1.8(b), and a pro-rata share of any surplus of NO_x allowances in the NSSA following the allocation of NO_x allowances to new budget EGU.

Note: If the start of the NO_x Trading program is shifted because of a Court Decision, the years defining the different control periods would be considered to be adjusted accordingly, as provided by the Board note following 35 IAC 217.764.

b. In accordance with 35 IAC 217.762, the theoretical number of NO_x allowances for the budget EGU listed in Condition 6.1.2(a), calculated as the product of the applicable NO_x emissions rate and heat input as follows, shall be the basis for determining the pro-rata share of NO_x allowances for the budget EGU and the allocation of NO_x allowances to the budget EGU based on their prior operation:

i. The applicable NO_x emission rate for the budget EGU shall be 0.15 lb/mmBtu, as specified by 35 IAC 217.762(a)(1).

ii. The applicable heat input (mmBtu/control period) shall be the average of the two highest heat inputs from the control periods four to six years prior to the year for which the allocation is being made, as provided by 35 IAC 217.762(b)(1).

6.1.9 Budget Permit Required by the NO_x Trading Program

a. For this source, this segment of the CAAPP Permit, i.e., Section 6.1, is the Budget Permit required by the NO_x Trading Program and is intended to contain federally enforceable conditions addressing all applicable NO_x Trading Program requirements. This

Budget Permit shall be treated as a complete and segregable portion of the source's entire CAAPP permit, as provided by 35 IAC 217.758(a)(2).

b. The Permittee and any other owner or operator of this source and each budget EGU at the source shall operate the budget EGU in compliance with this Budget Permit, pursuant to 35 IAC 217.756(b)(2).

c. No provision of this Budget Permit or the associated application shall be construed as exempting or excluding the Permittee, or other owner or operator and, to the extent applicable, the account representative of a budget source or budget EGU from compliance with any other regulation or requirement promulgated under the CAA, the Act, the approved State Implementation Plan, or other federally enforceable permit, pursuant to 35 IAC 217.756(g).

d. Upon recordation by USEPA under 40 CFR 96, Subpart F or G, or 35 IAC 217.782, every allocation, transfer, or deduction of an allowance to or from the budget units' compliance accounts or to or from the overdraft account for the budget source is deemed to amend automatically, and become part of, this budget permit, pursuant to 35 IAC 217.756(d)(8). This automatic amendment of this budget permit shall be deemed an operation of law and will not require any further review.

e. No revision of this Budget Permit shall excuse any violation of the requirements of the NO_x Trading Program that occurs prior to the date that the revisions to this permit takes effect, pursuant to 35 IAC 217.756(f)(1).

f. The Permittee, or other owner or operator of the source, shall reapply for a Budget Permit for the source as required by 35 IAC Part 217, Subpart W and Section 39.5 of the Act. For purposes of the NO_x Trading Program, the application shall contain the information specified by 35 IAC 217.758(b)(2).

6.1.10 References

35 IAC Part 217 Appendix F (provisions applicable to the Permittee)

Company Name/ I.D. No.	Generating Unit	EGU	NOx Budget Allowances	80% of NOx Budget Allowances	50% of NOx Budget Allowances	2004, 2005, 2006 Allowances	2007, 2008 Allowances	2009, 2010 Allowances
1	2	3	4	5	6	7	8	9
197810AAK	Will County 1	Will County 1	364	291	182	346	285	178
197810AAK	Will County 2	Will County 2	354	283	177	336	278	173
197810AAK	Will County 3	Will County 3	449	359	225	427	352	220
197810AAK	Will County 4	Will County 4	766	613	383	728	601	375

6.2 Emissions Reduction Market System (ERMS)

6.2.1 Description of ERMS

The ERMS is a "cap and trade" market system for major stationary sources located in the Chicago ozone nonattainment area. It is designed to reduce VOM emissions from stationary sources to contribute to reasonable further progress toward attainment, as required by Section 182(c) of the CAA.

The ERMS addresses VOM emissions during a seasonal allotment period from May 1 through September 30. Once the ERMS begins, participating sources must hold "allotment trading units" (ATUs) for their actual seasonal VOM emissions. Each year participating sources are issued ATUs based on allotments set during initial issuance of the sources' CAAPP permits. These allotments are established from historical VOM emissions or "baseline emissions" lowered to provide the emissions reductions from stationary sources required for reasonable further progress.

By December 31 of each year, the end of the reconciliation period following the seasonal allotment period, each source should have sufficient ATUs in its transaction account to cover its actual VOM emissions during the preceding season. A transaction account's balance as of December 31 will include any valid ATU transfer agreements entered into as of December 31 of the given year, provided such agreements are promptly submitted to the Illinois EPA for entry into the transaction account database. The Illinois EPA will then retire ATUs in sources' transaction accounts in amounts equivalent to their seasonal emissions. When a source does not appear to have sufficient ATUs in its transaction account, the Illinois EPA will issue a notice to the source to begin the process for Emissions Excursion Compensation.

In addition to receiving ATUs pursuant to their allotments, participating sources may also obtain ATUs from the market, including ATUs bought from other participating sources and general participants in the ERMS that hold ATUs (35 IAC 205.630) and ATUs issued by the Illinois EPA as a consequence of VOM emissions reductions from an Emissions Reduction Generator or an Intersector Transaction (35 IAC 205.500 and 35 IAC 205.510). During the reconciliation period, sources may also buy ATUs from a secondary reserve of ATUs managed by the Illinois EPA, the "Alternative Compliance Market Account" (ACMA) (35 IAC 205.710). Sources may also transfer or sell the ATUs that they hold to other sources or participants (35 IAC 205.630).

6.2.2 Applicability

Emissions of VOM from the source during the seasonal allotment period from May 1 through September 30 of each year shall not exceed 15 tons, not including VOM emissions from insignificant emission units and activities as identified in Section 3 of this permit. This limitation is established at the request of the source to exempt it from the requirements of 35 IAC Part 205, Emissions Reduction Market System (ERMS), pursuant to 35 IAC 205.205.

6.2.3 Recordkeeping and Reporting

a. The Permittee shall maintain the following records to determine compliance with the above limitation:

   i. Records of operating data and other information for each individual emission unit or group of related emission units at the source, as specified in Sections 5 and 7 of this permit, as appropriate, to determine actual VOM emissions during the seasonal allotment period;

   ii. Records of the VOM emissions, in tons, during the seasonal allotment period, with supporting calculations, for each individual emission unit or group of related emission units at the source, determined in accordance with the procedures specified in Sections 5 and 7 of this permit; and

   iii. Total VOM emissions from the source, in tons, during each seasonal allotment period.

b. The Permittee shall submit the seasonal emissions component of the Annual Emissions Report by November 30 of each year, reporting actual emissions of VOM during the seasonal allotment period, in accordance with 35 IAC 205.205(b) and 35 IAC 205.300.

c. In the event that the source's VOM emissions during the seasonal allotment period exceed 15 tons, the source shall no longer be exempt from the ERMS and beginning with the following seasonal allotment period, shall comply with 35 IAC Part 205, by holding allotment trading units (ATUs) for its VOM emissions during each seasonal allotment period.

6.3 Acid Rain Program

6.3.1 Applicability

Under Title IV of the CAA, Acid Deposition Control, this source is an affected source and the following emission units at the source are affected units for acid deposition:

Boilers 1, 2, 3, and 4

Note: Title IV of the CAA, and other laws and regulations promulgated thereunder, establish requirements for affected sources related to control of emissions of pollutants that contribute to acid rain. For purposes of this permit, these requirements are referred to as Title IV provisions.

6.3.2 Applicable Emission Requirements

The owners and operators of the source shall not violate applicable Title IV provisions. In particular, NO_x emissions of affected units shall not exceed the limit set by 40 CFR Part 76 as allowed by an Acid Rain Permit. SO2 emissions of the affected units shall not exceed any allowances that the source lawfully holds under Title IV provisions. [Section 39.5(7)(g) and (17)(l) of the Act]

Note: Affected sources must hold SO_2 allowances to account for the SO_2 emissions from affected units at the source that are subject to Title IV provisions. Each allowance is a limited authorization to emit up to one ton of SO2 emissions during or after a specified calendar year. The possession of allowances does not authorize exceedances of applicable emission standards or violations of ambient air quality standards.

6.3.3 Monitoring, Recordkeeping and Reporting

The owners and operators of the source and, to the extent applicable, their designated representative, shall comply with applicable requirements for monitoring, recordkeeping and reporting specified by Title IV provisions, including 40 CFR Part 75. [Section 39.5(7)(b) and 17(m) of the Act]

Note: As further addressed by Section 7 of this permit, the following emission determination methods are currently being used for the affected units at this source.

NO_x:	Continuous Emissions Monitoring (40 CFR 75.12)
SO_2:	Continuous Emissions Monitoring (40 CFR 75.11)
Opacity:	Continuous Emission Monitoring (40 CFR 75.14)
CO_2 or O_2:	Continuous Monitoring (40 CFR 75.13 or Appendix F)

6.3.4 Acid Rain Permit

The owners and operators of the source shall comply with the terms and conditions of the source's Acid Rain permit. [Section 39.5(17)(l) of the Act]

Note: The source is subject to an Acid Rain permit, which was issued pursuant to Title IV provisions, including Section 39.5(17) of the Act. Affected sources must be operated in compliance with their Acid Rain permits. This source's Acid Rain permit is incorporated by reference into this permit and a copy of the current Acid Rain permit is included as Attachment 5 of this permit. Revisions and modifications of this Acid Rain permit, including administrative amendments and automatic amendments (pursuant to Sections 408(b) and 403(d) of the CAA or regulations thereunder) are governed by Title IV provisions, as provided by Section 39.5(13)(e) of the Act. Accordingly, revision or renewal of the Acid Rain permit may be handled separately from this CAAPP permit and a copy of the new Acid Rain permit may be included in this permit by administrative amendment.

6.3.5 Coordination with Other Requirements

a. This permit does not contain any conditions that are intended to interfere with or modify the requirements of Title IV provisions. In particular, this permit does not restrict the flexibility under Title IV provisions of the owners and operators of this source to amend their Acid Rain compliance plan. [Section 39.5(17)(h) of the Act]

b. Where another applicable requirement of the CAA is more stringent than an applicable requirement of Title IV provisions, both requirements are incorporated into this permit and are enforceable and the owners and operators of the source shall comply with both requirements. [Section 39.5(7)(h) of the Act]

7.0 UNIT SPECIFIC CONDITIONS

7.1 Coal Fired Boilers

7.1.1 Description

The Permittee operates coal-fired boilers for electric generation. The boilers, which were built in 1955, 1955, 1957, and 1963, have nominal capacities of 1728, 1712, 2709, and 5016 mmBtu/hour and are served by four indivudal stacks. These boilers also have the capability to fire at various modes such as combination of coal, petroleum coke and/or fuel oil as their principal fuel. In addition to coal, these boilers fire fuel oil during startup and for flame stabilization.

Nitrogen oxide (NO_x) emissions from the two largest boilers, Boiler 3 and 4, are controlled by low-NO_x burners and overfire air systems. Particulate matter (PM) emissions from all the boilers are controlled by electrostatic precipitators (ESP).

7.1.2 List of Emission Units and Air Pollution Control Equipment

Boiler ID	Description	Emission Control Equipment
Boiler BLR1	Babcock and Wilcox Nominal 1,728 mmBtu/hr (1955)	ESP
Boiler BLR2	Babcock and Wilcox Nominal 1,712 mmBtu/hr (1955)	ESP
Boiler BLR3	Combustion Engineering Nominal 2,709 mmBtu/hr (1957)	Low NOx Burners, Overfire Air and ESP
Boiler BLR4	Combustion Engineering Nominal 5,016 mmBtu/hr (1963)	Low NOx Burners, Overfire Air and ESP

7.1.3 Applicability Provisions

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

b. Startup Provisions

The Permittee is authorized to operate an affected boiler in violation of the applicable standards in Condition 7.1.4(a) (35 IAC 212.123), Condition 7.1.4(b) (35 IAC 212.201), Condition 7.1.4(d) (35 IAC 216.121), and Condition 7.1.4(e) (35 IAC 217.141(b)) during startup subject to the following provisions. This authorization is provided 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 startups and frequency of startups."

i. This authorization only extends for a period of up to 20 hours following initial firing of fuel

for each startup event. As provided by 35 IAC 201.265, this authorization does not shield the Permittee from enforcement for any such violation and shall only constitute a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all associated terms and conditions.

ii. The Permittee shall conduct startup of an affected boiler in accordance with the manufacturers' written instructions or other written instructions prepared by the Permittee and maintained on site, that are specifically developed to minimize excess emissions from startups and that include, at a minimum, the following measures:

A. Review of the operational condition of an affected boiler prior to initiating startup of the boiler.

B. Use of oil burners to heat the boiler prior to initiating burning of coal.

C. Review of the operating parameters of an affected boiler during each startup to make appropriate adjustments to the startup to reduce or eliminate excess emissions.

D. Timely energization of the electrostatic precipitator as soon as this may be safely accomplished without damage or risk to personnel or equipment.

iii. The Permittee shall fulfill applicable recordkeeping requirements of Conditions 7.1.9(c) and (g).

c. Malfunction and Breakdown Provisions

The Permittee is authorized to continue operation of an affected boiler in violation of the applicable requirements of Condition 7.1.4(a) (35 IAC 212.123), Condition 7.1.4(b) (35 IAC 212.201), Condition 7.1.4(d) (35 IAC 216.121), and Condition 7.1.4(e) (35 IAC 217.141(b)) in the event of a malfunction or breakdown of an affected boiler, including the coal pulverizer, the ash removal system, or the electrostatic precipitator (including flue gas conditioning) subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262 as the Permittee has submitted "… proof that continued operation is required to provide essential service, prevent risk of injury to personnel or severe damage to equipment." This authorization supersedes

the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

i. This authorization only allows such continued operation as necessary to provide essential service or prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee. As provided by 35 IAC 201.265, this authorization does not shield the Permittee from enforcement for any such violation and shall only constitute a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all associated terms and conditions.

ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as soon as practicable reduce boiler load, repair the affected boiler, or remove the affected boiler from service so that excess emissions cease. Unless the Permittee obtains an extension from the Illinois EPA, this shall be accomplished within 24 hours* or noon of the Illinois EPA's next business day*, whichever is later. The Permittee may obtain an extension for up to a total of 72 hours* from the Illinois EPA, Air Regional Office. The Illinois EPA, Air Compliance Section, in Springfield, may grant a longer extension if the Permittee demonstrates that extraordinary circumstances exist and the affected boiler can not reasonably be repaired or removed from service within the allowed time, it will repair the affected boiler or remove the boiler from service as soon as practicable; and it is taking all reasonable steps to minimize excess emissions, based on the actions that have been and will be taken.

* For this purpose and other related provisions, time shall be measured from the start of a particular incident. The absence of excess emissions for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the boiler out of service.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Conditions 7.1.9(c) and (h), 7.1.10-2(d) and 7.1.10-3(a).

iv. Following notification to the Illinois EPA of a malfunction or breakdown with excess emissions,

the Permittee shall comply with all reasonable directives of the Illinois EPA with respect to such incident, pursuant to 35 IAC 201.263.

7.1.4 Applicable Emission Standards

a. The affected boilers shall comply with the standard in Condition 5.2.2(b) [35 IAC 212.123], which addresses the opacity of the emission of smoke or other PM from the affected boilers.

b. The emissions of PM from each affected boiler shall not exceed 0.10 lb/mmBtu of actual heat input in any one hour period, pursuant to 35 IAC 212.201.

c. The emissions of SO_2 from each affected boiler shall not exceed 1.8 lb/mmBtu of actual heat input, pursuant to 35 IAC 214.141.

d. The affected boilers are subject to 35 IAC 216.121 which provides that no person shall cause or allow the emission of CO into the atmosphere from any fuel combustion emission source with actual heat input greater than 2.9 MW (10 mmBtu/hr) to exceed 200 ppm, corrected to 50 percent excess air.

e. The emissions of NOx from affected boilers Unit 3 and Unit 4 shall not exceed 0.9 lb/mmBtu of actual heat input in any one hour period, pursuant to 35 IAC 217.141(b).

f. The affected boilers are subject to the following requirements related to NOx emissions pursuant to 35 IAC Part 217 Subpart V:

i. During each ozone control period (May 1 through September 30):

A. The emissions of NOx from an affected boiler shall not exceed 0.25 lb/mmBtu of actual heat input based on a ozone control period average for that unit, pursuant to 35 IAC 217.706(a), or

B. If the Permittee elects to participate in a NOx averaging plan, the emissions of NOx from the affected boiler and other eligible EGU that are participating in such NOx averaging demonstration shall not exceed 0.25 lbs/mmBtu of actual heat input, as averaged for the ozone control period for the EGU participating in the demonstration, pursuant to 35 IAC 217.708(a) and (b). For this purpose, other eligible EGU include: (1) EGU at this source, which are also authorized by this permit to participate in a NOx

averaging demonstration, and (2) other EGU that are authorized to participate in a NOx averaging plan by a CAAPP permit or other federally enforceable permit issued by the Illinois EPA to the owner or operator of those EGU.

Note: Given the emission determination methods specified by 35 IAC 217.710, the emissions of NOx for purposes of these standards are generally calculated in accordance with the federal Acid Rain Program and are different from the emissions determined for purposes of the NOx Trading Program.

ii. If the Permittee elects to have an affected boiler comply by participation in a NOx averaging demonstration as provided for and authorized above:

A. The affected boiler shall be included in only one NOx averaging demonstration during an ozone control period, pursuant to 35 IAC 217.708(d).

B. The NO_x averaging demonstration shall only include other EGU that are authorized through a federally enforceable permit to participate in a NO_x averaging demonstration and for which the owner or operator of the EGU maintains the required records, data and reports and submits copies of such records, data, and reports to the Illinois EPA upon request, pursuant to 35 IAC 217.708(c) and (g).

C. The effect of failure of the NO_x averaging demonstration to show compliance shall be that the compliance status of the affected boiler shall be determined pursuant to Condition 7.1.4(f)(i)(A) as if the NO_x emission rates of the affected boiler were not averaged with other EGU, pursuant to 35 IAC 217.708(f).

Note: The above requirements also apply as a matter of rule to EGUs other than the affected boiler if the owner or operator of such other EGUs elects to participate in a NOx averaging demonstration.

7.1.5 Non-Applicability of Regulations of Concern

a. This permit is issued based on affected boilers Unit 1 and Unit 2 not being subject to 35 IAC 217.141(b) (Condition 7.1.4(e)) because they are cyclone fired boilers [35 IAC 217.141(d)].

b. i. If an affected boiler is not using solid fuel (coal) as its principal fuel, the affected boiler shall comply with the requirements of the following conditions. During such periods, Condition 7.1.5(b)(i)(A), below for PM, shall substitute for Condition 7.1.4(b) and Condition 7.1.5(b)(i)(B), below for SO_2, shall supplement Condition 7.1.4(c). Otherwise, the affected boiler is shielded from such requirements because incidental use of other fuels generally serves as a good combustion practice for firing of solid fuel and does not provide a decrease in emissions that can be used to reduce the emission rate that must be achieved for the emissions associated with combustion of solid fuel.

A. The emissions of PM from the affected boiler in any one hour period shall not exceed the amount, in lb/hr, allowed by the formula in 35 IAC 212.207. For this purpose, the applicable PM standard for heat input from liquid fuel and natural gas shall be 0.1 and 0.0 lb/mmBtu, respectively, pursuant to 35 IAC 212.206 and 212.207.

B. The emissions of SO_2 from the affected boiler in any one hour period shall not exceed the amount, in lb/hr, allowed by the formula in 35 IAC 214.162. For this purpose, the applicable SO_2 standards for heat input from residual fuel oil, distillate fuel oil, and natural gas shall be 1.0, 0.3 and 0.0 lb/mmBtu, respectively, pursuant to 35 IAC 214.161(a), 214.161(b), and 214.162.

ii. For the purpose of the above conditions, an affected boiler shall be considered to be using solid fuel (coal) as its principal fuel if the use of natural gas and/or fuel oil is incidental to the use of coal, occurring for specific purposes associated with routine firing of solid fuel, such as startup, opacity reduction emission mitigation, flame stabilization, outage of a coal pulverizer, or other temporary interruption in solid fuel supply. A boiler shall not be considered to be using solid fuel as its principal fuel if the use of natural gas and/or fuel oil is more than incidental to the firing of coal in the boiler or the use of coal is incidental to the operation of the boiler.

iii. The Permittee shall notify the Illinois EPA if the status of an affected boiler changes to or from using solid fuel (coal) as its principal

fuel. This notification shall be provided at least 7 days in advance of such change in status unless the change results from a sudden event that precludes such advance notification, in which case notification shall be provided as soon as practicable prior to the change.

c. Pursuant to 35 IAC 201.403(a), the Permittee is not subject to the requirements of 35 IAC Part 201 Subpart L for opacity monitoring because the Permittee must conduct opacity monitoring on the affected boilers in accordance with the NSPS pursuant to the federal Acid Rain program.

7.1.6 Work Practices, Operational and Production Limits, and Emission Limitations

None

7.1.7 Testing Requirements

Pursuant to Section 39.5(7)(d)(ii) of the Act, the Permittee shall have the PM and CO emissions of each affected boiler measured by an approved testing service as specified below:

a. i. PM emission measurements shall be made prior to December 31, 2005. (To satisfy this requirement, the measurements must be made after December 31, 2003.)

ii. PM emission measurements shall be made within 90 days of operating an affected boiler for more than 24 hours total in a calendar quarter at a load* that is more than 2 percent higher than the greatest load on the boiler, during the most recent set of PM tests on the affected boiler in which compliance is shown (refer to Condition 7.1.7(e)(iii)(D)), provided, however, that the Illinois EPA may upon request of the Permittee provide more time for testing (if such time is reasonably needed to schedule and perform testing or coordinate testing with seasonal conditions) or waive this requirement for further testing (if other information, e.g., the margin of compliance shown by previous testing, indicates compliance at such higher load).

* For this purpose, load shall be expressed in terms of either gross megawatt output or steam flow, consistent with the form of the records kept by the Permittee pursuant to Condition 7.1.9(a).

iii. Periodic PM emission measurements shall be made for the affected boilers within a time period determined from the compliance margin for the

applicable PM emission standard, based on the results of the preceding PM measurement, as follows. For this purpose, the compliance margin is the extent to which the actual PM emissions as measured are lower than the applicable PM limit. For example, if the measured PM emissions of the affected boiler are 0.075 lb/mmBtu, the compliance margin for the applicable PM limit, 0.10 lb/mmBtu, would be 25 percent. (0.100 – 0.075 = 0.025, 0.025 /0.100 = 0.25 or 25 percent)

A. If the compliance margin is less than 20 percent, within 15 months of the previous measurement.

B. If the compliance margin is between 20 and 40 percent, within 27 months of the previous measurement.

C. If the compliance margin is greater than 40 percent, within 39 months of the previous measurement.

iv. Measurements of CO emissions shall be made as follows:

A. In conjunction with the initial measurements of PM emissions as required above by Condition 7.1.7(a)(i) (unless this PM measurement is conducted prior to the issuance of this permit), if a measurement of CO emissions is not otherwise performed earlier in conjunction with a relative accuracy test audit (RATA) for SO_2 or NOx conducted under this permit.

B. In conjunction with each subsequent measurement of PM emissions made pursuant to Condition 7.1.7(a)(ii) or (iii) (or a RATA for SO_2 or NOx preceding such measurement), provided, however, that if measured CO emissions are no more than 100 ppm at 50 percent excess air, CO measurements need not be performed with the next PM measurement (or preceding RATA) but shall be performed with the second measurement of PM emissions following the measurement in which CO emissions were no more than 100 ppm (or a RATA preceding that PM measurement).

v. A. If standard fuel (i.e., coal, fuel oil, and gas) is less than 97.0 percent by weight of the fuel supply to a boiler during a quarter, the Permittee shall have

measurements of PM and CO emissions from the boiler make during the next quarter while firing alternative fuel or process waste in the boiler.

B. The Permittee shall conduct such measurements while firing the boiler with 1.25 times the greatest percentage of alternative fuel material or process waste that it would normally fire in the boiler. If the boiler has been firing a mix of alternative fuel materials or process wastes, the mix of fuel during such measurements shall be approved by the Illinois EPA.

C. The Permittee shall repeat such measurements if the percentage of alternative fuel materials and process wastes burned in a boiler during a quarter is more than the percentage of such material in the fuel supply to the boiler when previous emission measurements were conducted.

vi. Measurements of PM and CO emissions shall be made within 90 days (or such later date set by the Illinois EPA) following a reasonable request by the Illinois EPA for such measurements.

b. i. These measurements shall be performed at the maximum operating loads of the affected boilers and other operating conditions that are representative of normal operation. In addition, the Permittee may perform measurements at other operating conditions to evaluate variation in emissions.

ii. Measurements shall be taken at an appropriate location in the ductwork or stack associated with the affected boiler.

iii. The following test methods and procedures shall be used for these measurements. Refer to 40 CFR 60, Appendix A for USEPA Methods.

Location of Sample Points	USEPA Method 1
Gas Flow and Velocity	USEPA Method 2
Flue Gas Weight	USEPA Method 3
Moisture	USEPA Method 4
Particulate Matter (PM)	USEPA Method 5/202*
Carbon Monoxide (CO)	USEPA Method 10

Other test methods adopted by USEPA may be used in place of the above methods with the approval of the Illinois EPA

*Measurements of condensable PM is also required by USEPA Method 202 (40 CFR Part 51, Appendix M) or other established test method approved by the Illinois EPA, except for a test conducted prior to issuance of this permit.

c. Except for minor deviations in test methods, as defined by 35 IAC 283.130, emission testing shall be conducted in accordance with a test plan prepared by the Permittee and submitted to the Illinois EPA for review prior to emission testing, and the conditions, if any, imposed by the Illinois EPA as part of its review and approval of the test plan, pursuant to 35 IAC 283.220 and 283.230.

   i. The Permittee shall submit this test plan at least 60 days prior to the actual date of testing and the test plan shall include the information specified by Condition 8.6.2.

   ii. Notwithstanding the above, as provided by 35 IAC 283.220(d), the Permittee need not submit a test plan for emission testing that will be conducted in accordance with the procedures used for previous tests accepted by the Illinois EPA or the previous test plan submitted to and approved by the Illinois EPA, provided that the Permittee's notification for testing, as required below, contains the information specified by 35 IAC 283.220(d)(1)(A), (B) and (C).

d. The Permittee shall notify the Illinois EPA prior to conducting emission tests to enable the Illinois EPA to observe testing. Notification for the expected test date shall be submitted a minimum of 30 days prior to the expected date of testing. Notification of the actual date and expected time of testing shall be submitted a minimum of 5 working days prior to the actual test date. The Illinois EPA may on a case-by case basis accept shorter advance notice if it would not interfere with the Illinois EPA's ability to observe testing.

e. The Permittee shall submit the Final Report(s) for any required emission testing to the Illinois EPA within 45 days after the tests results are compiled and finalized but no later than 120 days after the date of testing. The Final Report shall include the information specified in Condition 8.6.3 and the following information:

i. Description of test method(s), including description of sampling points, sampling train, analysis equipment, and test schedule.

ii. A description of any minor deviations from the test plan, as provided by 35 IAC 283.230(a).

iii. Detailed description of operating conditions during testing, including:

A. Source(s) of fuel and specifications (ash, sulfur and heat content).

B. Boiler information, i.e., firing rate of the affected boiler(s) (mmBtu/hr), composition of fuel as burned (ash, sulfur and heat content), and fuel blending ratio (%), if a blend of fuels is burned.

C. Control equipment information, i.e., equipment condition and operating parameters during testing.

D. Load during testing (gross megawatt output and steam flow).

iv. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.

v. The opacity data (6-minute averages) measured during testing.

7.1.8 Monitoring Requirements

a. Pursuant to 40 CFR 75.14 and Section 39.5(7)(d)(iii) of the Act, the Permittee shall install, operate, calibrate and maintain continuous monitoring equipment for the measurement of opacity from the affected boilers.

i. This monitoring equipment shall be operated pursuant to written monitoring procedures that include a quality assurance/control plan, which procedures shall reflect the manufacturer's instructions as adapted by the Permittee based on its experience.

ii. The Permittee shall operate this equipment in accordance with the general provisions for opacity monitoring systems in 40 CFR 75.10.

iii. These monitors shall be the primary basis for quarterly reporting of exceedances of Condition 7.1.4(a). (See Condition 7.1.10-2(a)).

Note: The requirements of 35 IAC Part 201 Subpart L for opacity monitoring do not apply because the Permittee must conduct opacity monitoring for the affected boilers in accordance with the NSPS. (Refer to Condition 7.1.5(c).)

b. Pursuant to 40 CFR 75.11 and Section 39.5(7)(d)(iii) of the Act, the Permittee shall install, operate, calibrate and maintain a continuous emission monitoring system (CEMS) for the measurement of SO_2 emissions from each affected boilers.

   i. These CEMS shall be used to demonstrate compliance with the limits in Condition 7.1.4(c) based on the average hourly SO_2 emission rate determined from monitored data from three-hour block averaging periods.

   ii. These CEMS shall be operated pursuant to written monitoring procedures that include a quality assurance/control plan, which procedures address the requirements in 40 CFR Part 75.

c. Pursuant to 40 CFR 75.12, 35 IAC 217.710(a), and Section 39.5(7)(d)(iii) of the Act, the Permittee, shall install, calibrate, maintain and operate CEMS for the measurement of NOx emissions from the affected boilers, in accordance with the requirements of 40 CFR 75 Subpart B.

d. Pursuant to Section 412 of the Clean Air Act and 40 CFR Part 75, the source is required to operate continuous monitors for the affected boilers for various parameters, including SO_2, NOx, volumetric flow and opacity, along with a computerized data acquisition and handling system for collected data. (See also Condition 6.3.3) To the extent that applicable performance specifications and operating requirements for monitoring under 40 CFR Part 75 are inconsistent with the above requirements for monitoring, the procedures of 40 CFR Part 75 shall take precedence. (See also Condition 8.2)

7.1.9 Recordkeeping Requirements

a. Records for Boiler Operation

   Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain the following operating records for the affected boilers:

   i. Load (in terms of either gross megawatts output or steam flow) on an hourly basis for each affected boiler.

   ii. A. Records for each day when a fuel material other than coal, gas or oil was burned,

including the estimated amount of each such material burned and the affected boiler(s) in which it was burned.

B. Records of agreements with suppliers of alternative fuels, including origin of material, specifications for heat and ash content, and representative data for elemental composition of such material, including mercury and other heavy metals, chlorine and fluorine.

C. Records for each load of such material received at the source, which at a minimum shall include date, supplier name, type of material and amount (tons).

iii. Total operating hours (hours/quarter) for each affected boiler.

iv. Amount of coal consumed (tons/quarter).

v. Amount of each other fuel material consumed (tons, gallons, cubic feet per quarter, as appropriate).

vi. If the Permittee is relying on data for heat input for purposes of compliance with Condition 7.1.4(b) (35 IAC Part 212 Subpart E) that is different from that recorded pursuant to the federal Acid Rain Program, heat input (mmBtu, on an hourly basis) or the conversion factors that the Permittee relies upon to convert from boiler load as recorded pursuant to Condition 7.1.9(a)(i) to hourly heat input.

b. Records for Control Device(s)

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain the following operating records for the control devices(s) on each affected boiler:

i. Electrostatic Precipitators (ESP)

When the boiler is in operation, the status of each ESP field shall be recorded at least once per shift and the following numerical data shall be recorded at least once per day:

A. Fields in service.

B. Primary voltages and currents.

C. Secondary voltages and currents.

c. Records for Continuous Opacity Monitoring Systems

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain records for the opacity monitoring system on each affected boilers required by Condition 7.1.8(a) that as a minimum shall include:

i. Operating records for each opacity monitoring system, including:

   A. Opacity measurements.

   B. Continuous monitoring system performance testing measurements.

   C. Performance evaluations and other quality assurance/control activities.

   D. Calibration checks.

   E. Maintenance and adjustment performed.

   F. Periods other than performance of quality assurance, calibration, and maintenance, as addressed above, when the monitor was inoperative, with reason.

   G. Quarterly reports submitted in accordance with Condition 7.1.10-2(a) and (d).

ii. Records for each affected boiler that identify the upper bound of the normal range of opacity measurements from the boilers, considering an hour of operation, within which compliance with Condition 7.1.4(b) is assured, with supporting explanation and documentation, including results of historic emission tests. At a minimum, these records shall be reviewed and revised as necessary following performance of each subsequent PM emission test on the affected boiler. Copies of these records shall be submitted to the Illinois EPA in accordance with Condition 5.6.2(d).

iii. Records to address compliance with Conditions 7.1.4(a) and (b), including:

   A. Each 6-minute period when the opacity was above the limitation of Condition 7.1.4(a) (30 percent opacity) with date, time, whether it occurred during startup, malfunction, breakdown, or shutdown, and further explanation of the incident.

   B. Each hour when the measured opacity of an affected boiler was above the normal range, as specified above in Condition 7.1.9(c)(ii), with date, time, operating

condition if startup, malfunction, breakdown, or shutdown, further explanation of the incident, and whether PM emissions may have exceeded the limit of Condition 7.1.4(b), with explanation.

d. Records for Continuous SO_2 Monitoring Systems

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain records for the SO_2 CEMS on each affected boiler required by Condition 7.1.8(b) that as a minimum shall include:

i. Operating records for the SO_2 CEMS, including:

A. SO_2 emission measurements.

B. Continuous monitoring system performance testing measurements.

C. Performance evaluations and other quality assurance /control activities.

D. Calibration checks.

E. Maintenance and adjustments performed.

F. Periods when the SO_2 CEMS was inoperative, with date, time and reason.

G. Data reduction information.

H. Quarterly reports submitted in accordance with Condition 7.1.10-2(a) and (b).

ii. Records to verify compliance with the limitation of Condition 7.1.4(c), including:

A. SO_2 emissions in the terms of the applicable standard (lb/mmBtu) from the affected boiler on an hourly basis, as derived from the data obtained by the SO_2 CEMS.

e. Records for Continuous NOx Monitoring

The Permittee shall maintain records for the NOx CEMS on each affected boiler required by Condition 7.1.8(c) in accordance with the applicable recordkeeping requirements of 40 CFR 75, pursuant to 35 IAC 217.712(a), that as a minimum shall include:

i. Operating records for the NOx CEMS, including:

A. NOx emission measurements.

B. Continuous monitoring system performance testing measurements.

C. Performance evaluations and other quality assurance /control activities.

D. Calibration checks.

E. Maintenance and adjustments performed.

F. Periods when the CEMS was inoperative, with date, time and reason.

G. Data reduction information.

H. Quarterly reports submitted in accordance with Condition 7.1.10-2(a) and (c).

ii. Records for Unit 3 and Unit 4 to verify compliance with the limitation of Condition 7.1.4(e), including:

A. NOx emissions in the terms of the applicable standard (lb/mmBtu) from the affected boiler on an hourly basis, as derived from the data obtained by the NOx CEMS.

f. Acid Rain Program

Records for the continuous emission monitoring required for the affected boilers by the Acid Rain Program should be kept by the source in accordance with 40 CFR Part 75, including the General Recordkeeping Provisions; the General Recordkeeping Provisions for Specific Situations, if applicable; and Certification, Quality Assurance and Quality Control Record Provisions. [See Condition 6.3.3]

g. Records for Startups

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain records, related to startup of each affected boiler that at a minimum shall include the following:

i. Records of the source’s established startup procedures for each affected boiler (as summarized in the CAAPP application).

ii. Records for each startup of an affected boiler, including:

A. Date and description of startup, e.g., startup following scheduled maintenance outage.

B. Duration of the startup, from initial firing of fuel to achievement of normal operation, i.e., stable operation firing the principal fuel with control equipment operating to enable compliance.

C. If normal operation is not achieved within 14 hours or if established startup procedures are not followed:

I. A detailed explanation why startup could not be completed sooner or established procedures could not be followed.

II. Documentation for the established startup procedures that were followed.

III. The time at which solid fuel (coal) firing was begun.

IV. The flue gas temperature at which the ESP was energized, if coal was fired before the ESP was energized.

V. Estimates of magnitude of PM emitted in excess of the applicable PM standard during startup.

h. Records for Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263 and Section 39.5(7)(a) of the Act, the Permittee shall maintain records, related to malfunction and breakdown for each affected boiler that as a minimum, shall include:

i. A maintenance and repair log for each affected boiler and associated equipment, listing activities performed with date.

ii. Records for each incident when operation of an affected boiler continued with excess emissions, including malfunction or breakdown as provided by Condition 7.1.3(c), including the following information:

A. Date and duration of malfunction or breakdown.

B. A description of the malfunction or breakdown.

C. The corrective actions used to reduce the quantity of emissions and the duration of the incident.

D. Confirmation of fulfillment of the requirements of Condition 7.1.10-3(a), as applicable, including copies of follow-up reports submitted pursuant to Condition 7.1.10-3(a)(ii).

E. If opacity exceeded the applicable standard (Condition 7.1.4(a)) for two or more hours or PM emissions may have exceeded the applicable hourly standard (Condition 7.1.4(b)):

I. A detailed explanation why continued operation of the affected boiler was necessary.

II. The preventative measures that have been or will be taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity, including any repairs to the affected boilers and associated equipment and any changes to their operating and maintenance procedures.

III. An estimate of the magnitude of excess emissions occurring during the incident.

7.1.10-1 Reporting Requirements – Reporting of Deviations

a. Prompt Reporting of Deviations

For the affected boilers, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act:

i. Notification and reporting as specified in Condition 7.1.10-3(a) for any deviation from Condition 7.1.4(b).

ii. Notification and reporting as specified in Condition 7.1.10-3(a) for certain deviations from Condition 7.1.4(a).

iii. Reporting as specified in Conditions 7.1.10-2(b), (c), and (d) for deviations from Condition 7.1.4(a), (b), (c), and (e).

iv. Reporting with the quarterly reports required by Condition 7.1.10-2(a) for deviations not addressed above by Condition 7.1.10-1(a)(i), (ii) or (iii), including deviations from other applicable requirements, e.g., monitoring and

recordkeeping requirements. For this purpose, the quarterly reports shall also include the following information for each incident if not already otherwise required: a description of the deviation, including whether it occurred during startup, malfunction, or breakdown, if applicable; a discussion of the probable cause of the deviation; a description of the corrective actions taken; and a description of the preventative measures taken.

b. Summary Reporting of Deviations

The quarterly reports required by Condition 7.1.10-2 shall include the following information for the affected boiler related to deviations during the quarter:

i. A summary of deviations that have been previously reported to the Illinois EPA, as provided by Condition 7.1.10-3(a)(i) and (ii), including identification of each such report. For this purpose, the Permittee need not resubmit copies of the previous reports but may elect to supplement such material.

ii. Detailed information for other deviations, as generally specified by Condition 7.1.10-1(a)(iii) and (iv).

7.1.10-2 Reporting Requirements - Regular Reports

a. Quarterly Operating Reports

In place of the semi-annual reports required by General Permit Condition 8.6.1, the Permittee shall submit quarterly operating report to the Illinois EPA pursuant to Section 39.5(7)(b) of the Act.

i. These reports shall include the following information for operation of the affected boilers during the quarter:

A. The total operating hours, as also reported in accordance with 40 CFR Part 75.

B. The greatest load achieved by each affected boiler (steam flow or gross megawatts).

C. A discussion of significant changes in the fuel supply to the affected boilers, if any, including changes in the source of coal, the introduction of new fuel materials other than coal, gas and oil, and changes in the source of such other

fuel materials or the maximum rate at which they will be fired.

D. The number of startups for each affected boiler.

ii. These reports shall include the information for SO2, NOx, and PM emissions and opacity from the affected boiler during the quarter and the operation of required continuous monitoring systems specified by Conditions 7.1.10-2(b), (c) and (d).

iii. A. These reports shall be submitted promptly after the end of every calendar quarter as follows:

Monitoring Period	Submittal Deadline
January - March	May 15
April – June	August 15
July – September	November 15
October - December	February 15

B. Notwithstanding the above, the first four quarterly reports required pursuant to this permit shall be submitted no later that 60 days after the end of each calendar quarter.

b. Reporting of SO_2 Emissions

Pursuant to Sections 39.5(7)(b) of the Act, the Permittee shall report the following information for the affected boilers to the Illinois EPA with its quarterly operating reports pursuant to Condition 7.1.10-2(a):

i. Summary information on the performance of the SO_2 CEMS, including the information for a "Summary Report" specified by 40 CFR 60.7(d). When the SO_2 CEMS was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.

ii. If specifically requested by the Illinois EPA or the CEMS downtime was more than 5 percent of the total operating time for the affected boilers: the date and time identifying each period during which the CEMS was inoperative except for zero and span checks, and the nature of CEMS repairs or adjustments and a summary of quality assurance data consistent with 40 CFR Part 75, i.e., the dates and results of the Linearity Test(s) and any Relative Accuracy Test Audit(s) during the quarter, a listing of any days when a required daily calibration was not performed,

and the date and duration of any periods when the CEMS was out-of-control as addressed by 40 CFR 75.24.

iii. The following information for each period when SO_2 emissions were in excess of the limitation in Condition 7.1.4(c)*. When there were no such exceedances, this shall be stated in the report.

A. The starting date and time of the SO_2 excess emissions.

B. The duration of the excess emissions.

C. A copy of the records for the excess emissions, as maintained pursuant to Condition 7.1.9(d)(ii).

D. A detailed explanation of the cause of the excess emissions.

E. A detailed explanation of the corrective actions and actions taken to lessen the emissions.

* - For SO_2 emissions, the averaging period is a three-hour block average, as used to determine compliance with the limitations of Condition 7.1.4(c). The records for excess emissions shall consist of a three-hour block emission averages during which the limitation was exceeded.

c. Reporting of NOx Emissions

Pursuant to Sections 39.5(7)(b) of the Act, the Permittee shall report the following information for the affected boilers to the Illinois EPA with its quarterly operating reports pursuant to Condition 7.1.10-2(a):

i. Summary information on the performance of the NOx CEMS, including the information for a "Summary Report" specified by 40 CFR 60.7(d). When the NOx CEMS was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.

ii. If specifically requested by the Illinois EPA or the CEMS downtime was more than 5 percent of the total operating time for the affected boiler: the date and time identifying each period during which the CEMS was inoperative except for zero and span checks, and the nature of CEMS repairs or adjustments and a summary of quality assurance data consistent with 40 CFR Part 75, i.e., the dates and results of the Linearity

Test(s) and any Relative Accuracy Test Audit(s) during the quarter, a listing of any days when a required daily calibration was not performed, and the date and duration of any periods when the CEMS was out-of-control as addressed by 40 CFR 75.24.

iii. The following information for affected boilers Unit 3 and Unit 4 for each period when NOx emissions were in excess of the limitation in Condition 7.1.4(e)*. When there were no such exceedances, this shall be stated in the report.

A. The starting date and time of the NOx excess emissions.

B. The duration of the excess emissions.

C. A copy of the records for the excess emissions, as maintained pursuant to Condition 7.1.9(e)(ii).

D. A detailed explanation of the cause of the excess emissions.

E. A detailed explanation of the corrective actions and actions taken to lessen the emissions.

* - For NOx emissions, the averaging period is a three-hour block average, as used to determine compliance with the limitations of Condition 7.1.4(e). The records for excess emissions shall consist of a three-hour block emission averages during which the limitation was exceeded.

d. Reporting Related to Opacity and PM Emissions

Pursuant to Sections 39.5(7)(b) and (f) of the Act, the Permittee shall report the following information for each affected boiler to the Illinois EPA with its quarterly operating report pursuant to Condition 7.1.10-2(a):

i. Summary information on the performance of the opacity monitoring system and excess emissions, as required for a "Summary Report" in accordance with 40 CFR 60.7(d). When no excess opacity occurred or the continuous opacity monitoring system was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.

ii. The operating status of the opacity monitoring system, including the dates and times of any periods during which it was inoperative, if

requested by the Illinois EPA or the opacity monitoring system downtime was more than 5 percent of the total operating time for an affected boiler during the quarter.

iii. The following information for each period when opacity was in excess of the limitation in Condition 7.1.4(a).

A. The starting dates and time of the exceedance.

B. The duration of the excess opacity.

C. The magnitude of excess opacity, based on six minute average opacity, including:

I. The percent opacity for each six-minute period.

II. The start and stop time of each six-minute period in excess of the limitation.

D. A detailed explanation of the cause of excess opacity, if known, including whether such excess opacity occurred during startup, malfunction or breakdown of the boiler.

E. A detailed explanation of the corrective actions and actions taken to lessen the opacity.

F. Identification of the previous report for the incident submitted to the Illinois EPA pursuant to Condition 7.1.10-3(a)(ii). For this purpose, the Permittee need not resubmit copies of such report but may elect to supplement such material.

G. A summary of the records required by Condition 7.1.9(h)(ii) for incidents when operation of the affected boiler continued during malfunction or breakdown with excess emissions that are not addressed by individual reports submitted pursuant to Condition 7.1.10-3(a)(ii).

Note: Because the Permittee is subject to the reporting requirements of the NSPS, 40 CFR 60.7(c) and (d) for the affected boiler for opacity, as included above, the Permittee is not subject to reporting pursuant to 35 IAC 201.405 (35 IAC 201.403(a)).

iv. The following information for periods when PM emissions were in excess of the limitation in Condition 7.1.4(b). If there were no such exceedances during the reporting period, the quarterly report shall so state.

A. A summary of information for each period of exceedance that includes:

I. The starting date and time of the exceedance.

II. The duration of the exceedance.

III. The magnitude of the exceedance.

IV. The percent opacity measured for each six-minute period during the exceedance.

V. The means by which the exceedance was indicated or identified, in addition to the level of opacity.

VI. A detailed explanation of the cause of the exceedance, including whether the exceedance occurred during startup, malfunction or breakdown.

VII. A detailed explanation of the corrective actions and actions taken to lessen the emissions.

B. Identification of the previous reports for the incidents submitted to the Illinois EPA pursuant to Condition 7.1.10-3(a)(ii). For this purpose, the Permittee need not resubmit copies of such report but may elect to supplement such material.

v. The following summary information related to opacity and PM exceedances:

A. Further information for each type of recurring opacity exceedance that occurred during the quarter, including: a discussion of any circumstances or events during the quarter that generally affected the number or magnitude of such exceedances; a discussion of any additional understanding of the causes for such exceedances gained during the quarter, including the role of component failure or degradation, maintenance practices, and operating procedures; a general discussion of the effectiveness of the corrective actions that were taken in

response to such exceedances; and a general discussion of further actions that are being considered to address such exceedances.

B. Further information for any new type(s) of opacity exceedances that occurred during the quarter including: a general narrative description for the type(s) of exceedance; a general explanation of the cause(s) for such exceedances, including the role of component failure or degradation, maintenance practices, and operating procedures; a detailed explanation of the corrective actions that have been taken for such exceedances, including the reasons that the selected actions were taken, the effectiveness of those actions, and the likelihood of future occurrence of similar exceedances; and a general discussion of possible further actions that could be taken to address such exceedances. For this purpose, new type(s) of exceedance are ones that have not been addressed in the preceding four quarterly opacity reports.

C. Other information relevant to generally explaining the number and magnitude of opacity and PM exceedances during the quarter, e.g., a further discussion of specific events or circumstances that occurred that affected the number of magnitude or exceedances during the quarter.

D. Information describing actions taken during the quarter that should generally act to significantly reduce the number or magnitude of future opacity or PM exceedances, e.g., a summary of relevant upgrades or replacements of components that were completed, with a description of such actions, an explanation of their relationship to exceedances, and a discussion of their anticipated effect on future exceedances.

vi. A glossary of common technical terms used by the Permittee in its reports pursuant to this Condition 7.1.10-2(d), including the definitions for the categories used by the Permittee to classify exceedance events.

e. The Permittee shall submit a report to the Illinois EPA by November 30 of each year that demonstrates whether the affected boilers have complied with

Condition 7.1.4(f), pursuant to 35 IAC 217.712(d) and (e). These reports shall be accompanied by a certification statement signed by a responsible official for the Permittee as specified by 35 IAC 217.712(c).

i. If the Permittee is demonstrating compliance on a unit-specific basis with Condition 7.1.4(f)(i)(A), this report shall contain the information specified by 35 IAC 217.712(d) including the heat input and NOx emissions of the unit for the ozone control period.

ii. If the Permittee is demonstrating compliance by means of "NOx averaging" as authorized by Condition 7.1.4(f)(i)(B), this report shall contain the information specified by 35 IAC 217.712(e) and other related information as follows:

A. In all cases, for each affected boiler or unit covered by this permit that is participating in the NOx averaging demonstration, the Permittee shall report the following:

I. Identification of the other EGU that are participating in the demonstration, including identification of the source that is the lead party for the demonstration and that is also taking responsibility for submitting the information required by Condition 7.1.10-2(e)(ii)(B) below.

II. A statement confirming that the unit is eligible to participate in an averaging demonstration, i.e., the unit is included in only one demonstration [35 IAC 217.708(d)] and the Permittee is complying with applicable recordkeeping and reporting requirements for the unit, pursuant to 35 IAC 217.708(c) and (g).

III. The average NOx emission rate for the unit, with calculations and supporting information, as required by 35 IAC 217.712(e)(2) and (3), including the heat input and NOx emissions of the unit for the ozone control period.

IV. A statement whether the unit would show compliance on its own in the absence of averaging.

B. If the Permittee is the lead party for a NOx averaging demonstration, the Permittee shall report the following:

I. Copies of the information submitted by other parties for the EGU participating in the demonstration, which include all material required by Condition 7.1.10-2(e)(ii)(A) above (unless or except as this information is provided with the submittal by a person who is a responsible official for the EGU participating in the demonstration).

II. The averaged NOx emission rate for all EGU participating in the demonstration, with complete supporting calculations, as required by 35 IAC 217.712(e)(1).

III. A statement whether the demonstration shows compliance.

f. Acid Rain Program Reporting

Pursuant to Section 412 of the Clean Air Act and 40 CFR Part 75, the source is subject to the reporting requirements of 40 CFR Part 75, which includes General Provisions; Notifications; Initial Certification or Recertification Application; Quarterly Reports; and Opacity Reports. [See Condition 6.3.3] Pursuant to Section 39.5(17)(m) of the Act, the designated representative of the source must concurrently submit to the Illinois EPA in the same electronic format specified by the USEPA, the data and information submitted to USEPA on a quarterly basis pursuant to 40 CFR 75.64.

7.1.10-3 Reporting Requirements - Notifications

a. Reporting of Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263 and Section 39.5(7)(a) of the Act, the Permittee shall provide the following notifications and reports to the Illinois EPA, concerning incidents when operation of an affected boiler continued with excess emissions, including continued operation during malfunction or breakdown as addressed by Condition 7.1.3(c). These requirements do not apply to such excess emissions, if any, that

occur during startup or shutdown of the affected boiler.

i. The Permittee shall notify the Illinois EPA's Regional Office, by telephone (voice, facsimile or electronic) as soon as possible during normal working hours for each incident in which the applicable PM emissions standard (Condition 7.1.4(b)) could be exceeded or in which the opacity from an affected boiler exceeds 30 percent for more than five consecutive 6-minute averaging periods unless the Permittee has begun the shutdown of the affected boiler by such time. (Otherwise, as related to opacity, if opacity during an incident only exceeds 30 percent for less than six 6-minute averaging periods in a row, the Permittee need only report the incident in the quarterly report, in accordance with Conditions 7.1.10-1(b) and 7.1.10-2(a) and (d).)

ii. Upon conclusion of each incident in which the applicable PM emission standard may have been exceeded or in which exceedances of the opacity standard are two hours or more in duration, the Permittee shall submit a follow-up report to the Illinois EPA, Compliance Section and Regional Office, within 15 days that includes: a detailed description of the deviation and its cause(s); an explanation why continued operation of an affected boiler was necessary; the length of time during which operation continued under such conditions, until repairs were completed or the boiler was taken out of service; a description of the measures taken to minimize and correct deficiencies with chronology; and a description of the preventative measures that have been and are being taken.

7.1.11 Anticipated Operating Scenarios/Operating Flexibility

The Permittee is authorized to make the following operational changes with respect to each affected boiler without prior notification to the Illinois EPA or revision of this permit, pursuant to Section 35.5(7)(a) of the Act. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements; to properly obtain a construction permit in a timely manner for any activity constituting construction or modification as defined in 35 IAC 201.102 or, as applicable, 40 CFR 52.21(a)(2) or 35 IAC 203.207; and to comply with other legal requirements that apply to such a change:

a. Operation of additional air pollution control equipment, which is addressed by a separate construction permit.

b. Firing of coal or a mix of coal from different suppliers.

c. Firing of the following materials in conjunction with firing of standard fuels, provided that such materials can be accommodated with the existing fuel handling system and the burners in the affected boilers, and that such materials do not make up more than 25 percent by weight of the fuel supply to the boiler on a quarterly basis:

i. Other process wastes generated at the source in addition to used oil and boiler cleaning residue.

ii. Alternative fuels that do not constitute waste and were not generated from municipal waste or hazardous waste, such as petroleum coke, tire derived fuel (as defined at Section 54.10b of the Act), clean lumber and wood waste (as defined at 40 CFR 60.2265), shredded polyethylene agricultural containers, and seed corn, provided that such materials are shipped to the source in homogeneous form prepared for use as fuel (e.g., a shipment of tire derived fuel).

Note: Other requirements unrelated to air pollution control may apply to firing of alternative fuels, such as Standards for Management of Used Oil, 35 IAC Part 739.

7.1.12 Compliance Procedures

a. i. Compliance with the opacity limit of Condition 7.1.4(a) (30 percent opacity) is addressed by the average opacity calculated from 6-minute periods of opacity measurements from the continuous opacity monitoring system operated in accordance with the requirements of Condition 7.1.8(a) and the recordkeeping requirements of Conditions 7.1.9.

ii. Notwithstanding Condition 7.1.12(a)(i) above, should the Permittee choose to rely on 35 IAC 212.123(b) to allow opacity greater than 30 percent (6-minute average) from an affected boiler, the Permittee shall do the following:

A. Maintain records for each affected boiler of short-term opacity data, that is, either a continuous chart recording of measured opacity, a record of discrete measurements of opacity taken no more than 10 seconds apart, or a record of 1-minute average opacity data determined from six or more data points equally spaced during

each minute period, to determine whether opacity from the boiler exceeded 30 percent opacity.

B. Have the capability to review such short-term opacity data for the affected boiler to identify:

I. Any hour in which opacity, exceeded 30 percent, and then, in such hour, record the duration of opacity in excess of 30 percent; whether opacity ever exceeded 60 percent; and whether the duration of opacity in excess of 30 percent was more than 8 minutes in aggregate.

II. For each affected boiler, whether opacity in excess of 30 percent occurred in more than three hours in a 24 hour period.

C. For other emission units at the source, have the ability to review short-term opacity data representative of such units during hours in which the opacity of the affected boiler on a short-term basis may exceed 30 percent, to confirm that the opacity of any other unit at the source did not exceed 30 percent in any minute during an hour in which the short-term opacity of the affected boiler may have exceeded 30 percent.

D. In the reports required by Condition 7.1.10-2(d), confirm that the relevant short-term opacity data, reviewed as above, shows that the terms of 35 IAC 212.123(b) are satisfied, when 35 IAC 212.123(b) is relied upon as the basis to claim that an affected boiler did not violate Condition 7.1.4(a) even though opacity on a 6-minute average exceeded 30 percent.

E. Notify the Illinois EPA at least 15 days prior to changing its procedures associated with reliance on 35 IAC 212.123(b), to allow the Illinois EPA to review the new recordkeeping and data handling practices planned by the Permittee.

b. Compliance with PM emission limit of Condition 7.1.4(b) is addressed by continuous opacity monitoring in accordance with Condition 7.1.8(a), PM testing in

accordance with Condition 7.1.7, and the recordkeeping required by Conditions 7.1.9.

c. Compliance with the SO_2 emission limit of Condition 7.1.4(c) is addressed by continuous emissions monitoring in accordance with Condition 7.1.8(b) and the recordkeeping required by Condition 7.1.9(d).

d. Compliance with the CO emission limitation of Condition 7.1.4(d) is addressed by emission testing in accordance with Condition 7.1.7.

   Note: Further compliance procedures are not set for CO by this permit as the emission factor in USEPA's *Compilation of Air Pollutant Emission Factors*, AP-42, for uncontrolled CO emissions from a coal-fired boiler, indicates compliance with the applicable limitation.

e. Compliance with NOx emission limits of Conditions 7.1.4(e) and 7.1.4(f) is addressed by the continuous emissions monitoring and recordkeeping required by Conditions 7.1.7(c) and 7.1.9(e).

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

7.2 Coal Handling Equipment

7.2.1 Description

The Permittee transfers and stores coal in a series of operations, including railcar unloading, barge unloading and loading, various conveyor belts (with associated hoppers, diverters, and transfer points), silos, storage piles (with stackers and feeders), and bunkers. These operations first handle coal, as supplied by the mine and then, after the crushers, coal that has been processed at the source by the coal processing equipment (See Section 7.3).

Particulate matter (PM) emissions associated with these operations are controlled by various measures including the moisture content of the coal, application of dust suppressant to the coal, enclosures and covers, water sprays, and dust collection devices.

7.2.2 List of Emission Units and Air Pollution Control Equipment

<u>Coal Receiving Operations</u>

Railcar unloading, Barge Unloading
Coal Transfer Conveyors
Dust Suppressant/Water Spray Application System, Dust Collection Devices, Enclosures and Covers

<u>Coal Crushing House</u>

Coal Transfer Conveyors
Dust Suppressant Application System, Dust Collection Devices, Enclosures and Covers

<u>Coal Storage Operations</u>

Outdoor Storage Piles
Coal Transfer Conveyors
Coal Storage Bunkers
Dust Suppressant/Water Application System, Dust Collection Devices, Enclosures and Covers

7.2.3 Applicability Provisions

a. The "affected operations" for the purpose of these unit-specific conditions, are the emission units that are used solely for the purpose of transferring coal or other solid fuel from one location to another or for storage of coal or other solid fuel, without changing the size of the fuel, e.g., by crushing or screening, as described in Conditions 7.2.1 and 7.2.2.

b. The Permittee is authorized to continue operation of an affected operation in violation of the applicable requirements of Condition 7.2.4(b) (35 IAC 212.123) in the event of a malfunction or breakdown of an affected

operation subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262 as the Permittee has submitted "… proof that continued operation is required to provide essential service, prevent risk of injury to personnel or severe damage to equipment." This authorization supersedes the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

i. This authorization only allows such continued operation as necessary to provide essential service, prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee. As provided by 35 IAC 201.265, this authorization does not shield the Permittee from enforcement for any such violation and shall only constitute a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all associated terms and conditions.

ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as soon as practicable repair the affected operation or remove the affected operation from service so that excess emissions cease. Unless the Permittee obtains an extension from the Illinois EPA, this shall be accomplished within 24 hours* or noon of the Illinois EPA's next business day*, whichever is later. The Permittee may obtain an extension for up to a total of 72 hours* from the Illinois EPA, Air Regional Office. The Illinois EPA, Air Compliance Section, in Springfield, may grant a longer extension if the Permittee demonstrates that extraordinary circumstances exist and the affected operation can not reasonably be repaired or removed from service within the allowed time, the affected operation can not be repaired or removed from service as soon as practicable; and the Permittee is taking all reasonable steps to minimize excess emissions, based on the actions that have been and will be taken.

* For this purpose and other related provisions, time shall be measured from the start of a particular incident. The absence of excess emissions for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the affected operation out of service.

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

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

7.2.4 Applicable Emission Standards

a. The affected operations shall comply with the standard in Condition 5.2.2(a), which addresses visible emissions of fugitive particulate matter, as defined by 35 IAC 211.2490, from the affected operations, pursuant to 35 IAC 212.301.

b. The affected operations shall comply with the standard in Condition 5.2.2(b), which addresses the opacity of the emission of smoke or other particulate matter from the affected operations, pursuant to 35 IAC 212.123.

c. i. The affected operations shall comply with the applicable standards in Condition 5.2.3, which also address particulate matter emissions from the operations.

ii. As an affected operation emits fugitive particulate matter, e.g., fugitive emissions from conveyor transfer points, the affected operation shall be addressed by the Permittee in its fugitive particulate matter operating program, as required by Condition 5.2.3, and operated in accordance with such program.

7.2.5 Non-Applicability of Regulations of Concern

a. The affected operations are not subject to 35 IAC 212.321 or 212.322 because of the disperse nature of the operations, as generally addressed by 35 IAC 212.323.

7.2.6 Work Practices, Operational and Production Limits, and Emission Limitations

a. i. The Permittee shall implement and maintain control measures for the affected operations, such as enclosure, natural surface moisture, application of dust suppressant, and use of dust collection devices, that minimize visible emissions of particulate matter and provide assurance of compliance with the applicable emission control requirements in Conditions 7.2.4 and 7.2.6(b), pursuant to Section 39.5(7)(a) of the Act.

ii. The Permittee shall operate and maintain each affected operation with the control measures identified in Condition 7.2.9(b).

b. i. A. The new railcar coal handling system shall not handle more than 22.0 million tons of material per year. [T1]

B. The affected operations shall not exceed the following PM emission limits: [T1]

Operation	PM Emissions lb/ton	lb/hr	ton/yr
New Rotary Railcar Dumper	0.00044	1.58	4.84
New Unloading Conveyors*	0.00110	5.48	16.78
New Transfer Tower	0.00022	0.79	2.42

* Belt Conveyors 1, 2, 3, 4, 5 and 6

ii. PM emissions from the petroleum coke handling system shall not exceed 0.1 lb/hr and 0.44 ton/yr. [T1]

iii. PM emissions from the Bunker Building System and the C to D Transfer System (baghouses), each shall not exceed 0.21 lb/hr and 0.93 ton/yr. [T1]

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

Note: The above requirements were established in Permits 95110082, 96060115, and 99020105.

7.2.7 Testing Requirements

a. i. The Permittee shall have the opacity of the exhaust from the affected operations during representative weather and operating conditions determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(b) of the Act.

A. For each affected operation, testing shall be conducted at least annually. For this purpose, testing shall first be conducted within three months of the issuance of this permit.

B. Upon written request by the Illinois EPA, such testing shall be conducted for specific affected operation(s) within 45 calendar days of the request or on the

date agreed upon by the Illinois EPA, whichever is later.

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

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

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

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

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

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation condition, including recent weather.

E. Description of the operating conditions of the affected operations.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

7.2.8 Inspection Requirements

a. The Permittee shall perform inspections of the affected operations on at least a monthly basis, including associated control measures, while the affected operations are in use, to confirm compliance with the requirements of Condition 7.2.6(a). These inspections shall be performed with personnel not directly involved in the day-to day operation of the affected operations and may be scheduled so that only

a number of affected operations are reviewed during each inspection, provided however, that all affected operations shall be inspected at least once during each calendar quarter, pursuant to Section 39.5(7)(a) of the Act.

b. The Permittee shall perform detailed inspections of the dust collection equipment for the affected operations at least every 15 months while the processes are out of service, with an initial inspection performed before any maintenance and repair activities are conducted during the period the process is out of service and a follow-up inspection performed after any such activities are completed [Section 39.5(7)(a) of the Act].

7.2.9 Recordkeeping Requirements

The Permittee shall maintain records of the following items for the affected operations, pursuant to Section 39.5(7)(b) of the Act:

a. The Permittee shall keep a record, which shall be kept up to date, of the following:

i. Information related to the dust collection equipment associated with the affected operations, including the design control efficiency or performance specifications and maximum design particulate matter emissions, gr/dscf, with supporting documentation.

ii. The maximum operating capacity of each affected operation, (ton/hour), with supporting documentation.

b. i. The Permittee shall maintain a record, which shall be kept up to date, of the control measures of the affected operations currently being implemented pursuant to Condition 7.2.6(a). These control measures are referred to as the "established control measures" in this subsection of this permit.

ii. Accompanying this record, the Permittee shall maintain a demonstration that confirms that the above established practices are sufficient to assure compliance with the emission limitations in Condition 7.2.6(b), with supporting emission calculations and documentation for the emission factors and the efficiency of the control measures being relied upon by the Permittee. Except as addressed by Condition 7.2.9(a)(i), this demonstration shall developed using emission factors for uncontrolled PM emissions, efficiency of control measures, and controlled PM emissions published by USEPA.

iii. Copies of these records shall be submitted to the Illinois EPA in accordance with Condition 5.6.2(d).

c. The Permittee shall maintain the following operating records:

i. The amount of coal and other solid fuels received at the source, by type of fuel (tons/month and tons/year).

ii. The amount of coal and other solid fuels received via the rail coal car system, by type of fuel (tons/month and tons/year).

iii. PM emissions from each of the C to D transfer systems (baghouses) (tons/month and tons/year) based on the required records in Condition 7.2.9, with supporting calculations.

d. The Permittee shall maintain records of the following for the inspections required by Condition 7.2.8:

i. For the inspections required by Condition 7.2.8(a) for each affected operation:

A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the control measures for each affected operation, including the presence of any visible emissions or visible accumulations of coal fines in the vicinity of the process.

C. A description of any maintenance or repair associated with established control measures that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

D. A summary of compliance compared to the established control measures.

ii. For the inspections required by Condition 7.2.8(b) for the dust collection equipment for affected operations:

A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the equipment.

C. A summary of the maintenance and repair that is to be or was conducted on the equipment.

D. A description of any maintenance or repair that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

E. A summary of the observed condition of the equipment as related to its ability to reliably and effectively control emissions.

e. The Permittee shall maintain records of the following for each incident when any affected operation operated without the established control measures:

i. The date of the incident and identification of the affected operations that were involved.

ii. A description of the incident, including the established control measures that were not present or implemented; the established control measures that were present, if any; other control measures or mitigation measures that were implemented, if any; and the magnitude of the PM emissions during the incident.

iii. The time at and means by which the incident was identified, e.g., scheduled inspection or observation by operating personnel.

iv. The length of time after the incident was identified that the affected operations continued to operate before established control measures were in place or the operations were shutdown (to resume operation only after established control measures were in place) and, if this time was more than one hour, an explanation why this time was not shorter, including a description of any mitigation measures that were implemented during the incident.

v. The estimated total duration of the incident, i.e., the total length of time that the affected operations ran without established control measures and the estimated amount of coal handled during the incident.

vi. A discussion of the probable cause of the incident and any preventative measures taken.

vii. A discussion whether Condition 7.2.4(b) or the PM emission limits in Condition 7.2.6(b) may have been violated during the incident, with an estimate of the amount of any additional or excess PM emissions (lb) from the incident, with supporting explanation as needed.

f. The Permittee shall keep a maintenance and repair log for each item of air pollution control equipment, i.e., each dust suppressant application system and each dust collection device, associated with affected operations. This log shall list the date and nature of maintenance and repair activities performed on the item of equipment. (See also Condition 9.6.1, Control Equipment Maintenance Records.)

g. Records for Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263 and Section 39.5(7)(b) of the Act, the Permittee shall maintain records, related to malfunction and breakdown for affected operations that as a minimum, shall include:

i. A maintenance and repair log for each affected operation and associated equipment, listing activities performed with date.

ii. Records for each incident when operation of an affected operation continued during malfunction or breakdown with excess emissions, as provided by Condition 7.2.3(b), including the following information:

A. Date and duration of malfunction or breakdown.

B. A description of the malfunction or breakdown.

C. The corrective actions used to reduce the quantity of emissions and the duration of the incident.

D. Confirmation of fulfillment of the requirements of Condition 7.2.10(b), as applicable, including copies of follow-up reports submitted pursuant to Condition 7.2.10(b)(ii).

E. If excess emissions occurred for two or more hours:

I. A detailed explanation why continued operation of the affected operation was necessary.

II. A detailed explanation of the preventative measures planned or taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.

III. An estimate of the magnitude of excess emissions occurring during the incident.

h. Records for Opacity Measurements

Records for all opacity measurements made in accordance with USEPA Method 9 for the affected operations that the Permittee conducts or that are conducted on its behest by individuals who are qualified to make such observations. For each occasion on which such measurements are made, these records shall include the formal report for the measurements if conducted pursuant to Condition 7.2.7, or otherwise the identity of the observer, a description of the measurements that were made, the operating condition of the affected operations, the observed opacity, and copies of the raw data sheets for the measurements.

7.2.10 Reporting Requirements

a. Reporting of Deviations

For the affected operations, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

i. Notification within 30 days for operation of an affected operations that was not in compliance with applicable requirements in Conditions 7.2.6(a) that continued for more than 12 operating hours from the time that it was identified. Such notifications shall be accompanied by a copy of the records for the incident required by Condition 7.2.9(e).

ii. Notification with the quarterly reports required by Condition 7.1.10-2(a) for other deviations, including deviations from applicable emission standards, inspection requirements and recordkeeping requirements.

b. Reporting of Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263, the Permittee shall provide the following notifications and reports to the Illinois EPA, Compliance Section and Regional Office, concerning incidents when operation of an affected operation continued during malfunction or breakdown with excess emissions as addressed by Condition 7.2.3(b).

i. The Permittee shall notify the Illinois EPA's Regional Office, by telephone (voice, facsimile or electronic) as soon as possible during normal working hours for each incident in which the opacity from an affected operation exceeds or may have exceeded 30 percent for more than five consecutive 6-minute averaging periods. (Otherwise, if opacity during a malfunction or breakdown incident only exceeds or may have exceeded 30 percent for less than five consecutive 6-minute averaging periods in a row, the Permittee need only report the incident in the quarterly report, in accordance with Condition 7.1.10-2(a).

ii. Upon conclusion of each incident that is two hours or more in duration, the Permittee shall submit a written follow-up notice to the Illinois EPA, Compliance Section and Regional Office, within 15 days providing a detailed explanation of the event, an explanation why continued operation of an affected operation was necessary, the length of time during which operation continued under such conditions, the measures taken by the Permittee to minimize and correct deficiencies with chronology, and when the repairs were completed or when the affected operation was taken out of service.

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to the affected operations without prior notification to the Illinois EPA or revision of this permit, pursuant to Section 35.5(7)(a) of the Act. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or 35 IAC 203.207, as applicable, or for an activity for which a permit is required pursuant to 35 IAC 201.142.

a. Handling of solid fuels other than coal.

b. Operation of additional dust suppressant systems.

c. Operation of additional dust collection equipment.

d. Operation of replacement dust suppression systems or dust collection equipment that is of equal or greater effectiveness in controlling PM emissions than the device(s) being replaced, as recognized in a Construction Permit for such system or equipment.

7.2.12 Compliance Procedures

a. Compliance with Conditions 7.2.4(a), (b), and (c) is addressed by the control, testing, inspection, and recordkeeping required by Conditions 7.2.6(a), 7.2.7, 7.2.8, and 7.2.9, respectively.

b. Compliance with Condition 7.2.6(a) is addressed by the testing, inspection, and recordkeeping required by Conditions 7.2.7, 7.2.8, and 7.2.9, respectively.

c. Compliance with Condition 7.2.6(b) is addressed by the control, inspection, and recordkeeping required by Conditions 7.2.6(a), 7.2.8, and 7.2.9, respectively.

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

7.3 Coal Processing Equipment

7.3.1 Description

The Permittee prepares or processes coal for use as fuel in its boilers with crushers that reduce the size of the coal. Associated particulate matter (PM) emissions are controlled by various control measures including moisture content of the coal, application of dust suppressant to the coal, water sprays, enclosures and covers, and dust collection devices.

7.3.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
Coal Breaker Building	Coal Processing	Enclosures and Covers, Dust Suppressant Application, water sprays, and Dust Collection Devices

7.3.3 Applicability Provisions

a. An "affected process" for the purpose of these unit-specific conditions, is an individual process emission unit that prepares coal for use as a fuel by crushing the coal as described in Conditions 7.3.1 and 7.3.2.

b. The Permittee is authorized to continue operation of an affected process in violation of the applicable requirements of Condition 7.3.4(b) and Condition 7.3.4(d) in the event of a malfunction or breakdown of an affected process subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262 as the Permittee has submitted "… proof that continued operation is required to provide essential service, prevent risk of injury to personnel or severe damage to equipment." This authorization supersedes the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

   i. This authorization only allows such continued operation as necessary to provide essential service, prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee. As provided by 35 IAC 201.265, this authorization does not shield the Permittee from enforcement for any such violation and shall only constitute a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all associated terms and conditions.

   ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as

soon as practicable repair the affected process or remove the affected process from service so that excess emissions cease. Unless the Permittee obtains an extension from the Illinois EPA, this shall be accomplished within 24 hours* or noon of the Illinois EPA's next business day*, whichever is later. The Permittee may obtain an extension for up to a total of 72 hours* from the Illinois EPA, Air Regional Office. The Illinois EPA, Air Compliance Section, in Springfield, may grant a longer extension if the Permittee demonstrates that extraordinary circumstances exist and the affected process can not reasonably be repaired or removed from service within the allowed time, the affected process can not be repaired or removed from service as soon as practicable; and the Permittee is taking all reasonable steps to minimize excess emissions, based on the actions that have been and will be taken.

* For this purpose and other related provisions, time shall be measured from the start of a particular incident. The absence of excess emissions for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the affected process out of service.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.3.9(h) and 7.3.10(b).

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

7.3.4 Applicable Emission Standards

a. The affected processes shall comply with the standard in Condition 5.2.2(a), which addresses visible emissions of fugitive particulate matter, as defined by 35 IAC 211.2490, from the affected processes, pursuant to 35 IAC 212.301.

b. The affected processes shall comply with the standard in Condition 5.2.2(b), which addresses the opacity of the emission of smoke or other particulate matter from the affected processes, pursuant to 35 IAC 212.123.

c. i. The affected processes shall comply with the applicable standards in Condition 5.2.3, which

also address particulate matter emissions from the processes.

ii. As an affected process emits fugitive particulate matter, the affected process shall be addressed by the Permittee in its fugitive particulate matter operating program, as required by Condition 5.2.3, and operated in accordance with such program.

d. The affected processes shall comply with 35 IAC 212.322(a), which provides that:

No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any process emission unit for which construction or modification commenced prior to April 14, 1972, which, either alone or in combination with the emission of particulate matter from all other similar process emission at a source or premises, exceeds the allowable emission rates specified in 35 IAC 212.322(c). (See also Attachment 2) [35 IAC 212.322(a)].

7.3.5 Non-Applicability of Regulations of Concern

None

7.3.6 Work Practices, Operational and Production Limits, and Emission Limitations

a. i. The Permittee shall implement and maintain control measures for the affected processes, such as enclosure, natural surface moisture, application of dust suppressant, and use of dust collection devices, that minimize visible emissions of particulate matter and provide assurance of compliance with the applicable emission control requirements in Conditions 7.3.4 and 7.3.6(b), pursuant to Section 39.5(7)(a) of the Act.

ii. The Permittee shall operate and maintain each affected process with the control measures identified in Condition 7.3.9(b)(i).

b. i. PM emissions from each of the breaker building baghouses (Permits 73030969, and 99020105) shall not exceed 0.93 tons per year. [T1]

ii. PM emissions from the breaker building baghouse (Permit 96090013) shall not exceed 2.31 tons per year. [T1]

iii. Compliance with annual limits shall be determined on a monthly basis from the sum of the data for

the current month plus the preceding 11 months (running 12 month total) [T1].

Note: The above limitations were established in Construction Permits 73030969, 96090013, and 99020105.

7.3.7 Testing Requirements

a. i. The Permittee shall have the opacity of the exhaust from the affected processes during representative weather and operating conditions determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(b) of the Act.

A. For each affected process, testing shall be conducted at least annually. For this purpose, testing shall first be conducted within three months of the issuance of this permit.

B. Upon written request by the Illinois EPA, such testing shall be conducted for specific affected process(es) within 45 calendar days of the request or on the date agreed upon by the Illinois EPA, whichever is later.

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

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

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

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

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

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation condition, including recent weather.

E. Description of the operating conditions of the affected processes.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

b. i. The Permittee shall have the particulate matter emissions at the stacks or vents of affected process(es) during representative operating conditions measured by a qualified testing service within 90 days of a written request from the Illinois EPA, as specified by such request, pursuant to Section 39.5(7)(b) of the Act.

ii. Testing shall be conducted using USEPA Test Method 5, following timely submittal of a test protocol and notification of the date and time of testing to the Illinois EPA.

iii. A complete report for the test shall be promptly submitted to the Illinois EPA following testing.

7.3.8 Inspection Requirements

a. The Permittee shall perform inspections of each affected process on at least a weekly basis, including associated control measures, to confirm compliance with the requirements of Condition 7.3.6(a). These inspections shall be performed with personnel not directly involved in the day-to day operation of the affected processes.

b. The Permittee shall perform detailed inspections of the dust collection equipment for affected processes at least every nine months while the processes are out of service, with an initial inspection performed before any maintenance and repair activities are conducted during the period the process is out of service and a follow-up inspection performed after any such activities are completed [Section 39.5(7)(a) of the Act].

7.3.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for the affected processes, pursuant to Section 39.5(7)(b) of the Act:

a. The Permittee shall keep a record, which shall be kept up to date, of the following:

   i. Information related to the dust collection equipment associated with the affected processes, including the design control efficiency or performance specifications and maximum design particulate matter emissions, gr/dscf, with supporting documentation.

   ii. The maximum operating capacity of each affected process, (ton/hour), with supporting documentation.

b. i. The Permittee shall maintain a record, which shall be kept up to date, of the control measures of the affected processes currently being implemented pursuant to Condition 7.3.6(a). These control measures are referred to as the "established control measures" in this subsection of this permit.

   ii. Accompanying this record, the Permittee shall maintain a demonstration that confirms that the above established practices are sufficient to assure compliance with Condition 7.3.4(d) at the maximum process weight rate at which each affected process can be operated (tons coal/hour), with supporting emission calculations and documentation for the emission factors and the efficiency of the control measures being relied upon by the Permittee. Except as addressed by Condition 7.3.9(a)(i) or testing of an affected process is conducted in accordance with Condition 7.3.7(b), this demonstration shall developed using emission factors for uncontrolled PM emissions, efficiency of control measures, and controlled PM emissions published by USEPA.

   iii. Copies of these records shall be submitted to the Illinois EPA in accordance with Condition 5.6.2(d).

c. The Permittee shall maintain the amount of coal and other solid fuels processed by the affected processes (tons/month and tons/year).

d. The Permittee shall maintain records of the following for the inspections required by Condition 7.3.8:

   i. For the inspections required by Condition 7.3.8(a) for each affected process:

      A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the control measures for each affected process, including the presence of any visible emissions or visible accumulations of coal fines in the vicinity of the process.

C. A description of any maintenance or repair associated with established control measures that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

D. A summary of compliance compared to the established control measures.

ii. For the inspections required by Condition 7.3.8(b) for the dust collection equipment for affected processes:

A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the equipment.

C. A summary of the maintenance and repair that is to be or was conducted on the equipment.

D. A description of any maintenance or repair that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

E. A summary of the observed condition of the equipment as related to its ability to reliably and effectively control emissions.

ii. For the inspections required by Condition 7.3.8(b) for the dust collection equipment for affected processes:

A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the equipment.

C. A summary of the maintenance and repair that is to be or was conducted on the equipment.

D. A description of any maintenance or repair that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

E. A summary of the observed condition of the equipment as related to its ability to reliably and effectively control emissions.

e. The Permittee shall maintain records of the following for each incident when any affected process operated without the established control measures:

i. The date of the incident and identification of the affected process(es) that were involved.

ii. A description of the incident, including the established control measures that were not present or implemented; the established control measures that were present, if any; other control measures or mitigation measures that were implemented, if any; and the magnitude of the PM emissions during the incident.

iii. The time at and means by which the incident was identified, e.g., scheduled inspection or observation by operating personnel.

iv. The length of time after the incident was identified that the affected process(es) continued to operate before established control measures were in place or the operations were shutdown (to resume operation only after established control measures were in place) and, if this time was more than one hour, an explanation why this time was not shorter, including a description of any mitigation measures that were implemented during the incident.

v. The estimated total duration of the incident, i.e., the total length of time that the affected process(es) ran without established control measures and the estimated amount of coal processed during the incident.

vi. A discussion of the probable cause of the incident and any preventative measures taken.

vii. A discussion whether Condition 7.3.4 or the PM emission limits in Condition 7.3.6(b) may have been violated during the incident, with an estimate of the amount of any additional or excess PM emissions (lb) from the incident, with supporting explanation as needed.

f. The Permittee shall keep a maintenance and repair log for each item of air pollution control equipment, i.e., each dust suppressant application system and each dust collection device, associated with affected process(es). This log shall list the date and nature of maintenance and repair activities performed on the item of equipment. (See also Condition 9.6.1, Control Equipment Maintenance Records.)

g. To demonstrate compliance with Condition 7.3.6(b), the Permittee shall keep records for PM emissions of the affected processes (tons/month and tons/year) based on the above records, with supporting calculations.

h. Records for Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263 and Section 39.5(7)(b) of the Act, the Permittee shall maintain records, related to malfunction and breakdown for an affected process that as a minimum, shall include:

i. A maintenance and repair log for each affected process and associated equipment, listing activities performed with date.

ii. Records for each incident when operation of an affected process continued during malfunction or breakdown with excess emissions, as provided by Condition 7.3.3(b), including the following information:

A. Date and duration of malfunction or breakdown.

B. A description of the malfunction or breakdown.

C. The corrective actions used to reduce the quantity of emissions and the duration of the incident.

D. Confirmation of fulfillment of the requirements of Condition 7.3.10(b), as applicable, including copies of follow-up reports submitted pursuant to Condition 7.3.10(b)(ii).

E. If excess emissions occurred for two or more hours:

I. A detailed explanation why continued operation of the affected operation was necessary.

II. A detailed explanation of the preventative measures planned or taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.

III. An estimate of the magnitude of excess emissions occurring during the incident.

i. Records for Opacity Measurements

Records for all opacity measurements made in accordance with USEPA Method 9 for the affected processes that the Permittee conducts or that are conducted on its behest by individuals who are qualified to make such observations. For each occasion on which such measurements are made, these records shall include the formal report for the measurements if conducted pursuant to Condition 7.3.7, or otherwise the identity of the observer, a description of the measurements that were made, the operating condition of the affected process, the observed opacity, and copies of the raw data sheets for the measurements.

7.3.10 Reporting Requirements

a. Reporting of Deviations

For the affected processes, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

i. Notification within 30 days for operation of an affected processes that was not in compliance with applicable requirements in Conditions 7.3.6(a) that continued for more than 12 operating hours from the time that it was identified. Such notifications shall be accompanied by a copy of the records for the incident required by Condition 7.3.9(e).

ii. Notification with the quarterly reports required by Condition 7.1.10-2(a) for other deviations, including deviations from applicable emission

standards, inspection requirements and recordkeeping requirements.

b. Reporting of Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263, the Permittee shall provide the following notifications and reports to the Illinois EPA, Compliance Section and Regional Office, concerning incidents when operation of an affected process continued during malfunction or breakdown with excess emissions as addressed by Condition 7.3.3(b).

i. The Permittee shall notify the Illinois EPA's Regional Office, by telephone (voice, facsimile or electronic) as soon as possible during normal working hours for each incident in which the opacity from an affected process exceeds or may have exceeded 30 percent for more than five consecutive 6-minute averaging periods. (Otherwise, if opacity during a malfunction or breakdown incident only exceeds or may have exceeded 30 percent for less than five consecutive 6-minute averaging periods in a row, the Permittee need only report the incident in the quarterly report, in accordance with Condition 7.1.10-2(a).

ii. Upon conclusion of each incident that is two hours or more in duration, the Permittee shall submit a written follow-up notice to the Illinois EPA, Compliance Section and Regional Office, within 15 days providing a detailed explanation of the event, an explanation why continued operation of an affected process was necessary, the length of time during which operation continued under such conditions, the measures taken by the Permittee to minimize and correct deficiencies with chronology, and when the repairs were completed or when the affected process was taken out of service.

7.3.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to the affected processes without prior notification to the Illinois EPA or revision of this permit, pursuant to Section 35.5(7)(a) of the Act. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or 35 IAC 203.207, as applicable, or for an activity for which a permit is required pursuant to 35 IAC 201.142.

a. Handling of solid fuels other than coal.

b. Operation of additional dust suppressant systems.

c. Operation of additional dust collection equipment.

d. Operation of replacement dust suppression systems or dust collection equipment that is of equal or greater effectiveness in controlling PM emissions than the device(s) being replaced, as recognized in a Construction Permit for such system or equipment.

7.3.12 Compliance Procedures

a. Compliance with Conditions 7.3.4 is addressed by the control, testing, inspection, and recordkeeping required by Conditions 7.3.6(a), 7.3.7, 7.3.8, and 7.3.9, respectively.

b. Compliance with Conditions 7.3.6(a) is addressed by the testing, inspection, and recordkeeping required by Conditions 7.3.7, 7.3.8, and 7.3.9, respectively.

c. Compliance with Condition 7.3.6(b) is addressed by the control, testing, inspection, and recordkeeping required by Conditions 7.3.6(a), 7.3.7, 7.3.8, and 7.3.9, respectively.

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

7.4 Fly Ash Equipment

7.4.1 Description

The Permittee operates a fly ash removal system that handles flyash collected at the coal-fired boilers. Associated particulate matter (PM) emissions are controlled by various control measures including enclosures and covers, and dust collection devices.

7.4.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
Silo 1, 2, 3 and 4 Unit 1, 2, 3 and 4	Fly Ash Conveyor, Silo, and Loadout	Baghouses BH8, BH9, and BH10

7.4.3 Applicability Provisions

a. An "affected process" for the purpose of these unit-specific conditions, is an individual process emission unit as described in Conditions 7.4.1 and 7.4.2.

b. The Permittee is authorized to continue operation of an affected process in violation of the applicable requirements of Condition 7.4.4(b) (35 IAC 212.123) and Condition 7.4.4(d) (35 IAC 212.321(a)) in the event of a malfunction or breakdown of an affected process subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262 as the Permittee has submitted "… proof that continued operation is required to provide essential service, prevent risk of injury to personnel or severe damage to equipment." This authorization supersedes the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

i. This authorization only allows such continued operation as necessary to provide essential service, prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee. As provided by 35 IAC 201.265, this authorization does not shield the Permittee from enforcement for any such violation and shall only constitute a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all associated terms and conditions.

ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as soon as practicable repair the affected process or remove the affected process from service so that excess emissions cease. Unless the

Permittee obtains an extension from the Illinois EPA, this shall be accomplished within 24 hours* or noon of the Illinois EPA's next business day*, whichever is later. The Permittee may obtain an extension for up to a total of 72 hours* from the Illinois EPA, Air Regional Office. The Illinois EPA, Air Compliance Section, in Springfield, may grant a longer extension if the Permittee demonstrates that extraordinary circumstances exist and the affected process can not reasonably be repaired or removed from service within the allowed time, the affected process can not be repaired or removed from service as soon as practicable; and the Permittee is taking all reasonable steps to minimize excess emissions, based on the actions that have been and will be taken.

* For this purpose and other related provisions, time shall be measured from the start of a particular incident. The absence of excess emissions for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the affected process out of service.

iii. The Permittee shall maintain a contingency plan for handling of flyash that includes alternative operating procedures and a storage facility so that flyash can be temporarily stockpiled at the source with minimal particulate matter emissions if an affected process must be taken out of service due to a malfunction or breakdown and associated repairs.

iv. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.4.9(h) and 7.4.10(b).

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

7.4.4 Applicable Emission Standards

a. The affected processes shall comply with the standard in Condition 5.2.2(a), which addresses visible emissions of fugitive particulate matter, as defined by 35 IAC 211.2490, from the affected processes, pursuant to 35 IAC 212.301.

b. The affected processes shall comply with the standard in Condition 5.2.2(b), which addresses the opacity of the emission of smoke or other particulate matter from the affected processes, pursuant to 35 IAC 212.123.

c. i. The affected processes shall comply with the applicable standards in Condition 5.2.3, which also address particulate matter emissions from the processes.

ii. As an affected process emits fugitive particulate matter, the affected process shall be addressed by the Permittee in its fugitive particulate matter operating program, as required by Condition 5.2.3, and operated in accordance with such program.

d. The affected processes shall comply with 35 IAC 212.321(a), which provides that:

No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates specified in 35 IAC 212.321(c). (See also Attachment 1.) [35 IAC 212.321(a)].

7.4.5 Non-Applicability of Regulations of Concern

None

7.4.6 Work Practices, Operational and Production Limits, and Emission Limitations

a. The Permittee shall implement and maintain control measures for the affected processes, including enclosure and filtration-type dust collection devices, that minimize visible emissions of particulate matter and provide assurance of compliance with the applicable emission standards in Condition 7.4.4, pursuant to Section 39.5(7)(a) of the Act.

7.4.7 Testing Requirements

a. i. The Permittee shall have the opacity of the exhaust from the affected processes during representative weather and operating conditions determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(b) of the Act.

A. For each affected process, testing shall be conducted at least annually. For this purpose, testing shall first be conducted within three months of the issuance of this permit.

B. Upon written request by the Illinois EPA, such testing shall be conducted for specific affected process(es) within 45 calendar days of the request or on the date agreed upon by the Illinois EPA, whichever is later.

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

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

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

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

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

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation condition, including recent weather.

E. Description of the operating conditions of the affected processes.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

b. i. The Permittee shall have the particulate matter emissions at the stacks or vents of affected process(es) during representative operating conditions measured by a qualified testing service within 90 days of a written request from the Illinois EPA, as specified by such request, pursuant to Section 39.5(7)(b) of the Act.

ii. Testing shall be conducted using USEPA Test Method 5, following timely submittal of a test protocol and notification of the date and time of testing to the Illinois EPA.

iii. A complete report for the test shall be promptly submitted to the Illinois EPA following testing.

7.4.8 Inspection Requirements

a. The Permittee shall perform inspections of the affected processes on at least a weekly basis, including associated control measures, while the affected processes are in use, to confirm compliance with the requirements of Condition 7.4.6(a). These inspections shall be performed by personnel who are not directly involved in the day-to day operation of the affected processes [Section 39.5(7)(a) of the Act].

b. The Permittee shall perform detailed inspections of the dust collection equipment for affected processes at least every nine months while the processes are out of service, with an initial inspection performed before any maintenance and repair activities are conducted during the period the process is out of service and a follow-up inspection performed after any such activities are completed [Section 39.5(7)(a) of the Act].

7.4.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items, pursuant to Section 39.5(7)(b) of the Act:

a. The Permittee shall keep a record, which shall be kept up to date, of the following:

i. Information related to the dust collection equipment associated with the affected processes, including the performance specifications for filter material and maximum design particulate matter emissions, gr/dscf, with supporting documentation.

ii. The maximum operating capacity of each affected process, (ton/hour), with supporting documentation.

b. i. The Permittee shall maintain a record, which shall be kept up to date, of the control measures for the affected processes currently being implemented pursuant to Condition 7.4.6(a). These control measures are referred to as the "established control measures" in this subsection of this permit.

ii. Accompanying this record, the Permittee shall maintain a demonstration that confirms that the above established practices are sufficient to assure compliance with Condition 7.4.4(d) at the maximum process weight rate at which each affected process can be operated (tons/hour), with supporting emission calculations and documentation for the emission factors and the efficiency of the control measures being relied upon by the Permittee. Except as addressed by Condition 7.4.9(a)(i) or testing of an affected process is conducted in accordance with Condition 7.4.7(b), this demonstration shall developed using emission factors for uncontrolled PM emissions, efficiency of control measures, and controlled PM emissions published by USEPA.

iii. Copies of these records shall be submitted to the Illinois EPA in accordance with Condition 5.6.2(d).

c. The Permittee shall maintain records of the following for the inspections required by Condition 7.4.8:

i. For the inspections required by Condition 7.4.8(a) for each affected process:

A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the control measures for each affected process, including the presence of any visible emissions or visible accumulations of coal fines in the vicinity of the process.

C. A description of any maintenance or repair associated with established control measures that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

D. A summary of compliance compared to the established control measures.

ii. For the inspections required by Condition 7.4.8(b) for the dust collection equipment for affected processes:

A. Date and time the inspection was performed and name(s) of inspection personnel.

B. The observed condition of the equipment.

C. A summary of the maintenance and repair that is to be or was conducted on the equipment.

D. A description of any maintenance or repair that is recommended as a result of the inspection and a review of outstanding recommendations for maintenance or repair from previous inspection(s), i.e., whether recommended action has been taken, is yet to be performed or no longer appears to be required.

E. A summary of the observed condition of the equipment as related to its ability to reliably and effectively control emissions.

d. The Permittee shall maintain records of the following for each incident when any affected process operated without the established control measures:

i. The date of the incident and identification of the affected process(es) that were involved.

ii. A description of the incident, including the established control measures that were not present or implemented; the established control measures that were present, if any; other control measures or mitigation measures that were implemented, if any; and the magnitude of the PM emissions during the incident.

iii. The time at and means by which the incident was identified, e.g., scheduled inspection or observation by operating personnel.

iv. The length of time after the incident was identified that the affected process(es) continued to operate before established control measures were in place or the operations were shutdown (to resume operation only after established control measures were in place) and, if this time was more than one hour, an explanation why this time was not shorter,

including a description of any mitigation measures that were implemented during the incident.

v. The estimated total duration of the incident, i.e., the total length of time that the affected process(es) ran without established control measures and the estimated amount of material processed during the incident.

vi. A discussion of the probable cause of the incident and any preventative measures taken.

vii. A discussion whether Condition 7.4.4(b) may have been violated during the incident, with supporting explanation as needed.

e. The Permittee shall keep a maintenance and repair log for each item of air pollution control equipment, i.e., each dust suppressant application system and each dust collection device, associated with affected process(es). This log shall list the date and nature of maintenance and repair activities performed on the item of equipment. (See also Condition 9.6.1, Control Equipment Maintenance Records.)

f. Records for Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263 and Section 39.5(7)(a) of the Act, the Permittee shall maintain records, related to malfunction and breakdown for an affected process that as a minimum, shall include:

i. A maintenance and repair log for each affected process and associated control equipment, listing activities performed with date.

ii. Records for each incident when operation of an affected process continued during malfunction or breakdown with excess emissions, as provided by Condition 7.4.3(b), including the following information:

A. Date and duration of malfunction or breakdown.

B. A description of the malfunction or breakdown.

C. The corrective actions used to reduce the quantity of emissions and the duration of the incident.

D. Confirmation of fulfillment of the requirements of Condition 7.4.10(b), as applicable, including copies of follow-up

reports submitted pursuant to Condition 7.4.10(b)(ii).

E. If excess emissions occurred for one hour (60 minutes) or more:

I. A detailed explanation why continued operation of the affected operation was necessary.

II. A detailed explanation of the preventative measures planned or taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.

III. An estimate of the magnitude of excess emissions occurring during the incident.

g. Records for Opacity Measurements

Records for all opacity measurements made in accordance with USEPA Method 9 for the affected processes that the Permittee conducts or that are conducted on its behest by individuals who are qualified to make such observations. For each occasion on which such measurements are made, these records shall include the formal report for the measurements if conducted pursuant to Condition 7.4.7, or otherwise the identity of the observer, a description of the measurements that were made, the operating condition of the affected process, the observed opacity, and copies of the raw data sheets for the measurements.

7.4.10 Reporting Requirements

a. Reporting of Deviations

For the affected processes, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

i. Notification within 30 days for operation of an affected processes that was not in compliance with applicable requirements in Conditions 7.3.6(a) that continued for more than 12 operating hours from the time that it was identified. Such notifications shall be accompanied by a copy of the records for the incident required by Condition 7.3.9(d).

ii. Notification with the quarterly reports required by Condition 7.1.10-2(a) for other deviations, including deviations from applicable emission standards, inspection requirements and recordkeeping requirements.

b. Reporting of Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263 and Section 39.5(7)(a) of the Act, the Permittee shall provide the following notifications and reports to the Illinois EPA, Compliance Section and Regional Office, concerning incidents when operation of an affected process continued during malfunction or breakdown with excess emissions as addressed by Condition 7.4.3(b).

i. The Permittee shall notify the Illinois EPA's Regional Office, by telephone (voice, facsimile or electronic) as soon as possible during normal working hours for each incident in which the opacity from an affected process exceeds or may have exceeded 30 percent for more than three consecutive 6-minute averaging periods. (Otherwise, if opacity during a malfunction or breakdown incident only exceeds or may have exceeded 30 percent for no more than three 6-minute averaging periods, the Permittee need only report the incident in the quarterly report, in accordance with Condition 7.1.10-2(a).)

ii. Upon conclusion of each such incident, the Permittee shall submit a follow-up report to the Illinois EPA, Compliance Section and Regional Office, within 15 days providing a detailed explanation of the event, an explanation why continued operation of an affected process was necessary, the length of time during which operation continued under such conditions, the measures taken by the Permittee to minimize and correct deficiencies with chronology, and when the repairs were completed or when the affected process was taken out of service.

7.4.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to the affected processes without prior notification to the Illinois EPA or revision of this permit, pursuant to Section 35.5(7)(a) of the Act. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or 35 IAC 203.207, as applicable, or for an activity for which a permit is required pursuant to 35 IAC 201.142.

a. Operation of additional dust suppressant systems.

b. Operation of additional dust collection equipment.

c. Operation of replacement dust suppression systems or dust collection equipment that is of equal or greater effectiveness in controlling PM emissions than the device(s) being replaced, as recognized in a Construction Permit for such system or equipment.

7.4.12 Compliance Procedures

a. Compliance with Conditions 7.4.4 is addressed by the control, testing, inspection, and recordkeeping required by Conditions 7.4.6(a), 7.4.7(a), 7.4.8, and 7.4.9, respectively.

b. Compliance with Condition 7.4.6(a) is addressed by the testing, inspection, and recordkeeping required by Conditions 7.4.7, 7.4.8, and 7.4.9, respectively.

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

7.5 Storage Tank

7.5.1 Description

The Permittee stores gasoline used for plant vehicles.

7.5.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
Tank TK19	Gasoline Storage Tank 1,500 Gallon	Submerged Loading Pipe

7.5.3 Applicability Provisions

The "affected storage tank" for the purpose of these unit-specific conditions is the storage tank described in Conditions 7.5.1 and 7.5.2.

7.5.4 Applicable Emission Standards

a. The affected storage tank is subject to 35 IAC 218.122(b) and 218.583(a)(1), which provide that:

i. No person shall cause or allow the loading of any organic material into any stationary tank having a storage capacity of greater than 946 l (250 gal), unless such tank is equipped with a permanent submerged loading pipe, submerged fill, or an equivalent device approved by the Illinois EPA according to the provisions of 35 IAC 201 or unless such tank is a pressure tank as described in 35 IAC 218.121(a) or is fitted with a recovery system as described in 35 IAC 218.121(b)(2) [35 IAC 218.122(b)].

Note: The exception to this standard at 35 IAC 218.122(c) is not applicable because the vapor pressure of gasoline is greater than 17.24 kPa (2.5 psia) at 294.3°K (70°F).

ii. No person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing operation unless the tank is equipped with a submerged loading pipe [35 IAC 218.583(a)(1)].

b. No person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing facility unless the vapors displaced from the storage tank during filling are processed by a vapor control system that meets the requirements of 35 IAC 218.583(d)(4) or 35 IAC 218.583(a)(2)(B) and (C) [35 IAC 218.583(a)(2)].

c. All tank vent pipes shall be equipped with pressure/vacuum relief valves with the pressure/vacuum

relief valve set to resist a pressure of at least 3.5 inches water column and to resist a vacuum of no less than 6.0 inches water column [35 IAC 218.583(a)(3)].

d. The affected storage tank is subject to 35 IAC 218.585, which provides that no person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations as follow, during the regulatory control periods, which shall be May 1 to September 15 for retail outlets, wholesale purchaser-consumer, operations, and all other operations [35 IAC 218.585(a)].

   i. The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 9.0 psi (62.07 kPa) [35 IAC 218.585(b)].

   ii. The Reid vapor pressure of ethanol blend gasolines shall not exceed the limitation for gasoline, as set forth above, by more than 1.0 psi (6.9 kPa) [35 IAC 218.585(c)].

7.5.5 Non-Applicability of Regulations of Concern

a. This permit is issued based on the affected storage tank not being subject to the New Source Performance Standards (NSPS) for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels), 40 CFR Part 60, Subpart Kb, because the capacity of the tank is less than 40 cubic meters (10,566 gallons).

b. The affected storage tanks are not subject to the limitations of 35 IAC 218.120, Control Requirements for Storage Containers of VOL, pursuant to 35 IAC 218.119, because the affected storage tanks are used to store a petroleum liquid and the capacity is less than 151 cubic meters (40,000 gallons).

c. The affected storage tank is not subject to the requirements of 35 IAC 218.121, Storage Containers of VPL, pursuant to 35 IAC 218.123(a)(2), which exempts storage tanks with a capacity less than 151.42 cubic meters (40,000 gallons).

d. The affected storage tank is not subject to the requirements of 35 IAC 218.586, Gasoline Dispensing Operations - Motor Vehicle Fueling Operations, pursuant to 35 IAC 218.586(b), which exempts any gasoline dispensing operation which dispenses an average monthly volume of less than 10,000 gallons of motor vehicle fuel per month, based on the monthly average for the most recent twelve calendar months, including only those months when the operation was operating.

7.5.6 Work Practices, Operational and Production Limits, and Emission Limitations

a. The affected storage tank shall be equipped and operated with a submerged loading pipe or an equivalent device approved by the Illinois EPA, pursuant to 35 IAC 218.122(b) and 218.583(a). (The Illinois EPA has not approved use of other equivalent equipment in lieu of a submerged loading pipe.)

b. The affected storage tank shall be equipped and operated with a vapor control system.

c. The affected storage tank shall be equipped and operated with pressure/vacuum relief valves on tank vent pipes.

7.5.7 Testing Requirements

None

7.5.8 Inspection Requirements

None

7.5.9 Recordkeeping Requirements

The Permittee shall maintain records of the following items for the affected storage tank, pursuant to Section 39.5(7)(b) and (p)(i) of the Act:

a. i. Design information for the capacity of the tank and the presence of a permanent submerged loading pipe.

ii. Information for the presence of a vapor control system.

iii. Information for the presence of pressure/vacuum relief valves on tank vent pipes.

b. Maintenance and repair records for the affected storage tank, as related to the repair or replacement of the loading pipe.

c. Records for each shipment of material loaded into the affected storage tank, including type of material, amount and, for each shipment of gasoline received during the regulatory control period, the Reid vapor pressure, psi.

d. Reid vapor pressure of each material stored in the affected storage tank during regulatory control period, psi.

e. Throughput of material, gal/mo and gal/yr, by type of material.

7.5.10 Reporting Requirements

For the affected storage tank, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

a. Notification within 30 days for any filling of an affected storage tank that was not in compliance with the requirements of Conditions 7.5.4 or 7.5.6, i.e., that was conducted without a submerged loading pipe.

b. Notification with the quarterly reports required by Condition 7.1.10-2(a) for other deviations, including deviations from applicable recordkeeping requirements.

7.5.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to the affected storage tank without prior notification to the Illinois EPA or revision of this permit, pursuant to Section 39.5(7)(a) of the Act. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or 35 IAC 203.207, as applicable, or for an activity constituting construction or modification as defined in 35 IAC 201.102.

a. Changes to components related to the submerged loading pipe, including addition of new components and repair and replacement of components.

b. Changes in the material stored in the affected storage tank.

7.5.12 Compliance Procedures

a. Compliance with Conditions 7.5.4(a) is addressed by the use of a submerged loading pipe as required in Condition 7.5.6(a) and by the recordkeeping requirements of Condition 7.5.9.

b. Compliance with Conditions 7.5.4(b) is addressed by the use of a vapor control system as required in Condition 7.5.6(b) and by the recordkeeping requirements of Condition 7.5.9.

c. Compliance with Conditions 7.5.4(c) is addressed by the use of pressure/vacuum relief valves on tank vents as required in Condition 7.5.6(c) and by the recordkeeping requirements of Condition 7.5.9.

d. Compliance with Conditions 7.5.4(d) is addressed by the recordkeeping requirements of Condition 7.7.9(d).

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

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 July 1, 2003 (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 as specified in Section 6.3. To the extent that the federal regulations promulgated under Title IV of the CAA, are inconsistent with the requirements of this permit, the federal regulations promulgated under Title IV of the CAA 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].

8.4 Operational Flexibility/Anticipated Operating Scenarios

8.4.1 Changes Specifically Addressed by Permit

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

8.4.2 Changes Requiring Prior Notification

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

a. The changes do not violate applicable requirements;

b. The changes do not contravene federally enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements;

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

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

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

i. Describe the physical or operational change;

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

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

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

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

8.5 Testing Procedures

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

8.6 Reporting Requirements

8.6.1 Monitoring Reports

Reports summarizing required monitoring as specified in the conditions of this permit shall be submitted to the Illinois EPA every six months as follows, unless more frequent submittal of such reports is required in Section 7 of this permit [Section 39.5(7)(f) of the Act]:

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

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

8.6.2 Test Notifications

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

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

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

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

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

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

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

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

8.6.3 Test Reports

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

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

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

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

c. The date any analyses were performed;

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

e. The test and analytical methodologies used;

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

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

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

8.6.4 Reporting Addresses

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

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

i. Illinois EPA - Air Compliance Section

Illinois Environmental Protection Agency (MC 40)
Bureau of Air
Compliance & Enforcement Section (MC 40)
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

ii. Illinois EPA - Air Regional Field Office

Illinois Environmental Protection Agency
Division of Air Pollution Control
9511 West Harrison
Des Plaines, Illinois 60016

iii. USEPA Region 5 - Air Branch

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

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

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section (MC 11)
1021 North Grand Avenue East
P.O. Box 19506
Springfield, Illinois 62794-9506

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 into this permit pursuant to both Section 39.5 and Title I provisions. 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, pursuant to Section 39.5(7)(j) and (p) of the Act, any person (including the Permittee) may also use other credible evidence to establish compliance or noncompliance with applicable requirements.

9.2 General Obligations of Permittee

9.2.1 Duty to Comply

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

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

9.2.2 Duty to Maintain Equipment

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

9.2.3 Duty to Cease Operation

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

9.2.4 Disposal Operations

The source shall be operated in such a manner that the disposal of air contaminants collected by the equipment operations, or activities shall not cause a violation of the Act or regulations promulgated 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 [Sections 4 and 39.5(7)(a) and (p)(ii) of the Act]:

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

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

c. Inspect during hours of operation any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

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

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

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

9.7 Annual Emissions Report

The Permittee shall submit an annual emissions report to the Illinois EPA, 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.

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

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

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

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

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

b. This provision is in addition to any emergency or upset provision contained in any applicable requirement. This provision does not relieve a Permittee of any reporting obligations under existing federal or state laws or regulations.

9.11 Permanent Shutdown

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

9.12 Reopening and Reissuing Permit for Cause

9.12.1 Permit Actions

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

9.12.2 Reopening and Revision

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

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

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

c. The Illinois EPA or USEPA determines that this permit contains a material mistake or that inaccurate statement were made in establishing the emission

standards or limitations, or other terms or conditions of this permit; and

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

9.12.3 Inaccurate Application

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

9.12.4 Duty to Provide Information

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

9.13 Severability Clause

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

9.14 Permit Expiration and Renewal

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

Note: Pursuant to Sections 39.5(5)(h) and (n) of the Act, upon submittal of a timely and complete renewal application, the permitted source may continue to operate during until final action is taken by the Illinois EPA on the renewal application, provided,

however, that this protection shall cease if the applicant fails to submit any additional information necessary to evaluate or take final action on the renewal application as requested by the Illinois EPA in writing. For a renewal application to be timely, it must be submitted no later than 9 months prior to the date of permit expiration.

9.15 General Authority for the Terms and Conditions of this Permit

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

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

10.0 ATTACHMENTS

10.1 Attachment 1 Emissions of Particulate Matter from New Process Emission Units

35 IAC 212.321 - Process Emission Units for Which Construction or Modification Commenced On or After April 14, 1972

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

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

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

where:

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

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

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

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

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

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

Metric		English	
P	E	P	E
Mg/hr	kg/hr	T/hr	lb/hr
0.05	0.25	0.05	0.55
0.1	0.29	0.10	0.77

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

10.2 Attachment 2 Emissions of Particulate Matter from Existing Process Emission Units

35 IAC 212.322 - Process Emission Units for Which Construction or Modification Commenced Prior to April 14, 1972

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

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

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

where:

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

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

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

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

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

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

Metric		English	
P	E	P	E
Mg/hr	kg/hr	T/hr	lb/hr
0.05	0.27	0.05	0.55
0.1	0.42	0.10	0.87
0.2	0.68	0.2	1.40
0.3	0.89	0.30	1.83
0.4	1.07	0.40	2.22

0.5	1.25	0.50	2.58
0.7	1.56	0.75	3.38
0.9	1.85	1.00	4.10
1.8	2.9	2.00	6.52
2.7	3.9	3.00	8.56
3.6	4.7	4.00	10.40
4.5	5.4	5.00	12.00
9.0	8.7	10.00	19.20
13.0	11.1	15.00	25.20
18.0	13.8	20.00	30.50
23.0	16.2	25.00	35.40
27.2	18.15	30.00	40.00
32.0	18.8	35.00	41.30
36.0	19.3	40.00	42.50
41.0	19.8	45.00	43.60
45.0	20.2	50.00	44.60
90.0	23.2	100.00	51.20
140.0	25.3	150.00	55.40
180.0	26.5	200.00	58.60
230.0	27.7	250.00	61.00
270.0	28.5	300.00	63.10
320.0	29.4	350.00	64.90
360.0	30.0	400.00	66.20
400.0	30.6	450.00	67.70
454.0	31.3	500.00	69.00

10.3 Attachment 3 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: _____

10.4 Attachment 4 Guidance

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

Guidance On Revising A CAAPP Permit:

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

Guidance On Renewing A CAAPP Permit:

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

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

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

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

Application For A Construction Permit Form (CAAPP Form-199):

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

217-782-2113

ACID RAIN PROGRAM
PHASE II PERMIT - REVISED

Midwest Generation EME, LLC.
Attn: Mr. John T. Long, Designated Representative
440 South LaSalle, Suite 3500
Chicago, Illinois 60605

Oris No.: 884
IEPA I.D. No.: 197810AAK
Source/Unit: Will County 1 - 4
Location: 529 East 135th Street, Romeoville
Date Received: July 2, 2001
Date Issued: July 5, 2002
Effective Date: January 1, 2000
Expiration Date: December 31, 2004

STATEMENT OF BASIS:

In accordance with Section 39.5(17), of the Illinois Environmental Protection Act [415 ILCS 5/1 et Seq.] and Titles IV and V of the Clean Air Act, the Illinois Environmental Protection Agency has issued this revised Acid Rain Program Phase II permit for the Midwest Generation EME, LLC. Will County plant.

SULFUR DIOXIDE (SO_2) ALLOCATIONS AND NITROGEN OXIDES (NO_x) REQUIREMENTS FOR EACH AFFECTED UNIT:

		2001	2002	2003	2004
UNIT 1	SO_2 Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	5,321	5,321	5,321	5,321

UNIT 1	NO_x Limit	2001 Pursuant to 40 CFR 76.11, the Illinois EPA approves a NO_x emissions averaging plan for this unit for calendar year 2001. Under this pla except as provide below, this unit's NO_x emissions shall not exceed t annual average alternative contemporaneous emission limitation of 0. lb/mmBtu Under the plan, the actual Btu-weighted annual average NO_x emission rate for the units in the plan shall be less than or equal to the Bt weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance wi the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7 except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior senten (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for tha year with its alternative contemporaneous annual emission limitation and annual heat input limit. 2002-2004 Pursuant to 40 CFR Part 76, the Illinois EPA approves a NO_x standard emission limitation compliance plan for Unit #1. The compliance pla

		is effective for calendar year 2002 through calendar year 2004. Und the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitations, under 40 CFR 76.6(a)(2), of 0.86 lb/mmBtu for cyclone boilers.

		General In addition to the described NO_X compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_X compliance plan and requirements covering excess emissions.

		2001	2002	2003	2004
UNIT 2	SO_2 Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	4,849	4,849	4,849	4,849

UNIT 2	NO_x Limit	2001 Pursuant to 40 CFR 76.11, the Illinois EPA approves a NO_x emissions averaging plan for this unit effective for calendar year 2001. Under this plan, except as provided below, this unit's NO_x emissions shall n exceed the annual average alternative contemporaneous emission limitation of 0.86 lb/mmBtu Under the plan, the actual Btu-weighted annual average NO_x emission ra for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance wit the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentenc (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under t plan, then this unit shall be deemed to be in compliance for that yea with its alternative contemporaneous annual emission limitation and annual heat input limit. 2002-2004 Pursuant to 40 CFR Part 76, the Illinois EPA approves a NO_x standard emission limitation compliance plan for Unit #2. The compliance plan is effective for calendar year 2002 through calendar year 2004. Unde the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitations, under 40 CFR 76.6(a)(2), 0.86 lb/mmBtu for cyclone boilers. General In addition to the described NO_X compliance plan, this unit shall comp with all other applicable requirements of 40 CFR part 76, including t duty to reapply for a NO_X compliance plan and requirements covering excess emissions.

		2001	2002	2003	2004
UNIT 3	SO_2 Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	6,993	6,993	6,993	6,993

UNIT 3	NO_x Limit	2001 Pursuant to 40 CFR 76.11, the Illinois EPA approves a NO_x emissions averaging plan for this unit effective for calendar year 2001. Under this plan, except as provided below, this unit's NO_x emissions shall n exceed the annual average alternative contemporaneous emission limitation of 0.20 lb/mmBtu and this unit shall have an annual heat input less than 13,000,000 mmBtu.
		Under the plan, the actual Btu-weighted annual average NO_x emission ra for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance wit the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentenc (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under t plan, then this unit shall be deemed to be in compliance for that yea with its alternative contemporaneous annual emission limitation and annual heat input limit. Notwithstanding the averaging plan described above, if this unit exceeds its applicable NO_x emission limitation under 40 CFR 76.8 (earl election) of 0.45 lb/mmBtu for tangentially fired boilers, the earl election plan for this unit shall be terminated in accordance with 40 CFR 76.8(e)(3) and the unit shall meet, beginning on the effective da of the termination, the applicable NO_x emission limitation under 40 CI 76.7, i.e., 0.40 lb/mmBtu. Such termination shall not terminate the averaging plan described above. 2002 - 2007 Pursuant to 40 CFR 76.8(d)(2), the Illinois EPA approves a NO_x early election compliance plan for this unit effective for calendar year 20 through year 2007. Under the compliance plan, this unit's annual average NO_x emission rate for each year, determined in accordance wit 40 CFR Part 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(1) of 0.45 lb/mmBtu for tangentially fired boile boilers. If the unit is in compliance with its applicable emission limitation for each year of the plan, then the unit shall not be subject to the applicable emission limitation, under 40 CFR 76.7(a)(1 of 0.40 lb/mmBtu until calendar year 2008. General In addition to the described NO_X compliance plan, this unit shall comp with all other applicable requirements of 40 CFR part 76, including t duty to reapply for a NO_X compliance plan and requirements covering excess emissions.

		2001	2002	2003	2004
UNIT 4	SO_2 Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	13,801	13,801	13,801	13,801

UNIT 4	NO_x Limit	Pursuant to 40 CFR 76, the Illinois EPA approves a NO_x standard emissions limitation compliance plan for Unit 4. The NO_x compliance plan is effective beginning 2002 through year 2007. Under the NO_x

		compliance plan, this unit's annual average NO_x emission rate for eac year, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(2) of 0.40 lb/mmBtu for tangentially fired boilers. <u>General</u> In addition to the described NO_X compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_X compliance plan and requirements covering excess emissions.

COMMENTS, NOTES AND JUSTIFICATIONS: This revised permit addresses a revised NO_X compliance plan for Unit 1, 2, and 3 in which an alternate compliance emission limitation is chosen that is effective for calendar year 2001. If a NO_x averaging plan is not submitted for 2002 or a subsequent year, in such year the Permittee must comply with applicable requirements of the Acid Rain for nitrogen oxides (NO_x) on a unit-by-unit basis without reliance on NO_x averaging pursuant to 40 CFR 76.6.

PERMIT APPLICATION: The NO_x compliance plan is attached and incorporated as part of this permit. The owners and operators of this source must comply with the standard requirements and special provisions set forth in the application.

If you have any questions regarding this permit, please contact Mohamed Anane at 217/782-2113.

(ORIGINAL SIGNED BY DONALD E. SUTTON)

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

DES:MA:jar

cc: Cecilia Mijares, USEPA Region V
IEPA Region 1

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258
Expires 1-31-98

Phase II Permit Application

Page 1

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: [X] New [ ] Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Plant Name	State	ORIS Code
Will County Generating Station	IL	000884

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

a	b	c	d	e
	Compliance Plan			
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
1	Yes	No		
2	Yes	No		
3	Yes	No		
4	Yes	No		
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

[ ] For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

EPA Form 7610-16 (rev. 12-94; previous versions obsolete)

Will County Generating Station
Plant Name (from Step 1)

STEP 4
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

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

Monitoring Requirements.

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR parts 74, 75, and 76.
(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR parts 74 and 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

(1) The owners and operators of each source and each affected unit at the source shall:
(i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
(ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
(i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
(ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

(1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
(2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
(i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
(ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
(i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
(ii) All emissions monitoring information, in accordance with 40 CFR part 75;
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Will County Generating Station

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO$_x$ averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
(2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

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

Name Mary F. O'Toole	
Signature Mary F. O'Toole	Date 11/20/95

STEP 5 (optional)
Enter the source AIRS and FINDS identification numbers, if known

AIRS
FINDS

EPA Form 7610-16 (rev. 12-94; previous versions obsolete)

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258

EPA

Phase II NO_x Averaging Plan

For more information, see instructions and refer to 40 CFR 76.11

Page 1

This submission is: [X] New [ ] Revised

Page [1] of [5]

Midwest Generation

STEP 1

Identify the units participating in this averaging plan by plant name, State, and boiler ID# from NADB. In column (a), fill in each unit's applicable emission limitation from 40 CFR 76.5, 76.6, or 76.7. In column (b), assign an alternative contemporaneous annual emissions limitation (ACEL) in lb/mmBtu to each unit. In column (c), assign an annual heat input limitation in mmBtu to each unit. Continue to page 3 if necessary.

Plant Name	State	ID#	(a) Emission Limitation	(b) ACEL	(c) Annual Heat Input Limit
Crawford	IL	7	0.40	0.20	9,000,000
Crawford	IL	8	0.40	0.20	18,000,000
Fisk	IL	19	0.40	0.37	16,000,000
Powerton	IL	51	0.86	0.80	25,000,000
Powerton	IL	52	0.86	0.80	25,000,000
Powerton	IL	61	0.86	0.80	25,000,000
Powerton	IL	62	0.86	0.80	25,000,000
Waukegan	IL	7	0.40	0.30	22,000,000
Will County	IL	1	0.86	0.86	9,000,000

STEP 2

Use the formula to enter the Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan and the Btu-weighted annual average emission rate for the same units if they are operated in compliance with 40 CFR 76.5, 76.6, or 76.7. The former must be less than or equal to the latter.

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan	Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7
0.592	0.677

$$\frac{\sum_{i=1}^{n} (R_{Li} \times HI_i)}{\sum_{i=1}^{n} HI_i} \quad \text{and} \quad \frac{\sum_{i=1}^{n} [R_{Ii} \times HI_i]}{\sum_{i=1}^{n} HI_i}$$

Where,

R_{Li} = Alternative contemporaneous annual emission limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;

R_{Ii} = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;

HI_i = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;

n = Number of units in the averaging plan

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Hubert Generation
Plant Name (from Step 1)

NO$_x$ Averaging - Page 2

STEP 3

Mark one of the two options and enter dates.

☒ This plan is effective for calendar year 2001 through calendar year 2001 unless notification to terminate the plan is given.

☐ Treat this plan as ☐ identical plans, each effective for one calendar year for the following calendar years: _____, _____, _____, _____ and _____ unless notification to terminate one or more of these plans is given.

STEP 4

Read the special provisions and certification, enter the name of the designated representative, and sign and date.

Special Provisions

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO$_x$ under the plan only if the following requirements are met:

(i) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
(a) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan,
(b) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan, or
(ii) If one or more of the units does not meet the requirements of (i), the designated representative shall demonstrate, in accordance with 40 CFR 76.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
(iii) If there is a successful group showing of compliance under 40 CFR 76.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (i).

Liability

The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

Certification

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

Name John T. Long	
Signature	Date 6/26/01

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Midwest Generation
Plant Name (from Step 1)

NO_x Averaging - Page 3

STEP 1

Continue the identification of units from Step 1, page 1, here.

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
Will County	IL	2	0.76	0.56	9,000,000
Will County	IL	3	0.40	0.20	13,000,000

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United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258

Phase II NO_X Compliance Plan

Page 1 of 2

For more information, see instructions and refer to 40 CFR 76.9

This submission is: ☐ New ☒ Revised

STEP 1
Indicate plant name, State, and ORIS code from NADB, if applicable

Plant Name	State	ORIS Code
Fisk	IL	000886

STEP 2

Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB. If applicable, indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.

	ID# 19	ID#	ID#	ID#	ID#	ID#
	Type T	Type	Type	Type	Type	Type
(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for Phase I dry bottom wall-fired boilers)	☐	☐	☐	☐	☐	☐
(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase I tangentially fired boilers)	☒	☐	☐	☐	☐	☐
(c) EPA-approved early election plan under 40 CFR 76.8 through 12/31/07 (also indicate above emission limit specified in plan)	☒	☐	☐	☐	☐	☐
(d) Standard annual average emission limitation of 0.46 lb/mmBtu (for Phase II dry bottom wall-fired boilers)	☐	☐	☐	☐	☐	☐
(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for Phase II tangentially fired boilers)	☒	☐	☐	☐	☐	☐
(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)	☐	☐	☐	☐	☐	☐
(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)	☐	☐	☐	☐	☐	☐
(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)	☐	☐	☐	☐	☐	☐
(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)	☐	☐	☐	☐	☐	☐
(j) NO_x Averaging Plan (include EPA Averaging form)	☒	☐	☐	☐	☐	☐
(k) Common stack pursuant to 40 CFR 75.17(a)(2)(iii)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)	☐	☐	☐	☐	☐	☐

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(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO_x Averaging (check the NO_x Averaging Plan box and include NO_x Averaging form)	☐	☐	☐	☐	☐	☐

Plant Name (from Step 1): Will County

STEP 2, cont'd.

ID#	ID#	ID#	ID#	ID#	ID#
Type	Type	Type	Type	Type	Type
(m) EPA-approved common stack apportionment method pursuant to 40 CFR 75.17 (a)(2)(ii)(C), (a)(2)(ii)(E), or (b)(4)	☐	☐	☐	☐	☐	☐
(n) AEL (include Phase II AEL Demonstration Period, Final AEL Petition, or AEL Renewal form as appropriate)	☐	☐	☐	☐	☐	☐
(o) Petition for AEL demonstration period or final AEL under review by U.S. EPA or demonstration period ongoing	☐	☐	☐	☐	☐	☐
(p) Repowering extension plan approved or under review	☐	☐	☐	☐	☐	☐

STEP 3
Read the standard requirements and certification, enter the name of the designated representative, sign &

Standard Requirements

General. This source is subject to the standard requirements in 40 CFR 72.9 (consistent with 40 CFR 76.8(e)(1)(i)). These requirements are listed in the source's Acid Rain Permit.

Special Provisions for Early Election Units

Nitrogen Oxides. A unit that is governed by an approved early election plan shall be subject to an emissions limitation for NO_x as provided under 40 CFR 76.5(e)(2) except as provided under 40 CFR 76.8(e)(3)(ii).
Liability. The owners and operators of a unit governed by an approved early election plan shall be liable for any violation of the plan or 40 CFR 76.8 at that unit. The owners and operators shall be liable, beginning January 1, 2000, for fulfilling the obligations specified in 40 CFR Part 77.
Termination. An approved early election plan shall be in effect only until the earlier of January 1, 2008 or January 1 of the calendar year for which a termination of the plan takes effect. If the designated representative of the unit under an approved early election plan fails to demonstrate compliance with the applicable emissions limitation under 40 CFR 76.5 for any year during the period beginning January 1 of the first year the early election takes effect and ending December 31, 2007, the permitting authority will terminate the plan. The termination will take effect beginning January 1 of the year after the year for which there is a failure to demonstrate compliance, and the designated representative may not submit a new early election plan. The designated representative of the unit under an approved early election plan may terminate the plan any year prior to 2008 but may not submit a new early election plan. In order to terminate the plan, the designated representative must submit a notice under 40 CFR 72.40(d) by January 1 of the year for which the termination is to take effect. If an early election plan is terminated any year prior to 2000, the unit shall meet, beginning January 1, 2000, the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under 40 CFR 76.7. If an early election plan is terminated on or after 2000, the unit shall meet, beginning on the effective date of the termination, the applicable emissions limitation for NO_x for Phase II units with Group 1 boilers under 40 CFR 76.7.

Certification

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

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Name John T. Long	
Signature	Date

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