217/782-2113

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

PERMITTEE

City of Springfield (CWLP)
Attn: S. David Farris, Environmental Health and Safety Manager
CWLP, Municipal Center Complex
7th and Monroe Streets
Springfield, Illinois 62757

Application No.: 01040052 I.D. No.: 167120AGQ
Applicant's Designation: T1 Date Received: April 19, 2001
Operation of: Factory Gas Turbine (Power Generation)
Date Issued: January 28, 2003 Expiration Date[2]: January 28, 2008
Source Location: City Water, Light and Power (CWLP), Factory and Griffith Streets, Springfield, Sangamon County
Responsible Official: S. David Farris, Environmental Health and Safety Manager

This permit is hereby granted to the above-designated Permittee to OPERATE a peaking power turbine, pursuant to the above referenced permit application. This permit is subject to the conditions contained herein.

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

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

DES:YB:jar

cc: Illinois EPA, FOS, Region 2

[1] While not present at this time, in the future this permit may contain terms and conditions which address the applicability, and compliance if determined applicable, of Title I of the CAA and regulations promulgated thereunder, including 40 CFR 52.21 – federal PSD. Any such terms and conditions would be identified within this permit.

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

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1.0 SOURCE IDENTIFICATION

1.1 Source

City Water, Light and Power, City of Springfield
Factory and Griffith Streets
Springfield, Illinois 62702
217/757-8610

I.D. No.: 167120AGQ
SIC: 4911, Electric Generating Operations

1.2 Owner/Parent Company

City of Springfield
CWLP, Municipal Center Complex
7th and Monroe Streets
Springfield, Illinois 62757

1.3 Operator

City of Springfield
CWLP, Municipal Center Complex
7th and Monroe Streets
Springfield, Illinois 62757

1.4 General Source Description

The City of Springfield, City Water, Light and Power (CWLP) has a combustion turbine at Factory and Griffith Streets. The turbine operates as a peaking unit, generating electric power when sufficient electric power is not available from other sources, due to planned repair and maintenance, unexpected breakdowns, or high levels of electricity demand. The source is managed by personnel from CWLP’s main plant at 3100 Stevenson Drive.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

Act	Environmental Protection Act [415 ILCS 5/1 et seq.]
AP-42	Compilation of Air Pollutant Emission Factors, Volume 1, Stationary Point and Other Sources, USEPA, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711
Btu	British thermal unit
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
CO	carbon monoxide
HAP	hazardous air pollutant
Ft^3	cubic feet
gal	gallon
hr	hour
IAC	Illinois Administrative Code
I.D. No.	Identification Number of Source, assigned by Illinois EPA
Illinois EPA	Illinois Environmental Protection Agency
lb	pound
mmBtu	Million British thermal units
mo	month
MWe	megawatts of electricity
N/A	Not Applicable
NO_X	nitrogen oxides
NSPS	New Source Performance Standards
NSSA	New Source Set-Aside
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
ppmv	parts per million volume
PSD	Prevention of Significant Deterioration (40 CFR 52.21)
RMP	Risk Management Plan
scf	standard cubic feet
SIC	Standard Industrial Code
SO_2	Sulfur Dioxide
USEPA	United States Environmental Protection Agency
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
VOM	volatile organic material

3.0 INSIGNIFICANT ACTIVITIES

3.1 Identification of Insignificant Activities

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

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

None

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

Natural Gas Regulator and Dryer
Access Road

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:

Oil/Water Separator
Distillate Fuel Oil Storage Tanks
Lube Oil Storage Tanks

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

3.2 Compliance with Applicable Requirements

Insignificant activities are subject to applicable requirements notwithstanding status as insignificant activities. In particular, in addition to regulations of general applicability, such as 35 IAC 212.301 and 212.123 (Condition 5.2.2), the Permittee shall comply with the following requirements, as applicable:

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

3.2.2 For each particulate matter process emission unit that is subject to 35 IAC 212.321 or 212.322, the Permittee shall comply with the applicable particulate matter emission limit based on the unit’s process weight rate. For example, the particulate matter emissions from a process emission unit shall not exceed 0.55 pounds per hour if the emission unit’s process weight rate is 100 pounds per hour or less, pursuant to 35 IAC 266.110.

3.2.3 For each organic material emission unit that uses organic material, e.g., a mixer or printing line, the Permittee shall comply with the applicable VOM emission limit of 35 IAC 215.301, which requires that organic material emissions not exceed 8.0 pounds per hour or do not qualify as photochemically reactive material as defined in 35 IAC 211.4690.

3.3 Addition of Insignificant Activities

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

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

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

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Group	Description	Unit Designation (Model No.)	Rated Load (MWe)	Date Constructed	Emission Control Equipment
Group 1	Combustion Turbine	Unit #2 (General Electric PG5341)	25.5	1972	None

5.0 OVERALL SOURCE CONDITIONS

5.1 Source Description

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

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

5.2 Applicable Regulations

5.2.1 Specific emission units at this source are subject to particular regulations and/or requirements 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 emissions of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer looking generally overhead at a point beyond the property line of the source unless the wind speed is greater than 40.2 kilometers per hour (25 miles per hour), pursuant to 35 IAC 212.301 and 212.314.

b. No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent into the atmosphere from any emission unit, pursuant to 35 IAC 212.123(a), except as allowed by 35 IAC 201.162, 212.123(b) and 212.124.

c. No person shall cause or allow the emissions of sulfur dioxide into the atmosphere from any process emission unit to exceed 2,000 ppmv pursuant to 35 IAC 214.301.

5.2.3 Ozone Depleting Substances

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

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

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

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

5.2.4 Future Emission Standards

Should this source become subject to a regulation under 40 CFR Part 63, after the date issued of this permit, then the Permittee shall, in accordance with the applicable regulation(s), comply with the applicable requirements by the date(s) specified and shall certify compliance with the applicable requirements of such regulation(s) as part of the annual compliance certification, as required by Condition 9.8.

5.2.5 Episode Action Plan

a. If the source is required to have an episode action plan pursuant to 35 IAC 244.142, the Permittee shall maintain at the source and have on file with the Illinois EPA a written episode action plan (plan) for reducing the levels of emissions during yellow alerts, red alerts, and emergencies, consistent with safe operating procedures. The plan shall contain the information specified in 35 IAC 244.144.

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

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

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

5.3 Non-Applicable Regulations

None

5.4 Source-Wide Operational and Production Limits and Work Practices

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

None

5.5 Source-Wide Emission Limitations

5.5.1 Permitted Emissions for Fees

The annual emissions from the source, not considering insignificant activities as addressed by Section 3.0 of this permit, shall not exceed the following limitations. The overall source emissions shall be determined by adding all emission unit emissions. Compliance with these limits shall be determined on a calendar year basis. These limitations (Condition 5.5.1) are set for the purpose of establishing fees and are not federally enforceable.

Permitted Emissions of Regulated Pollutants

Pollutant	Tons/Year
Volatile Organic Material (VOM)	0.1
Sulfur Dioxide (SO_2)	14.0
Particulate Matter (PM)	3.05
Nitrogen Oxides (NO_x)	249.0
HAP, Not Included in VOM or Particulate Matter	-----
Total	266.15

5.5.2 Emissions of Hazardous Air Pollutants (HAPs)

The emissions of HAPs as listed in Section 112(b) of the Clean Air Act shall not equal or exceed 10 tons/year of a single HAP or 25 tons per year of any combination of such HAPs, or such lesser quantity as USEPA may establish by regulation so that this source is considered a minor source for HAPs.

5.5.3 Other Source-Wide Emission Limitations

Other source-wide emission limitations are not set for this source pursuant to the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21, applicable state rules in Title 35, Subtitle B of the Illinois Administrative Code, or Section 502(b)(10) of the CAA.

5.6 General Recordkeeping Requirements

5.6.1 Fuel Records

a. The Permittee shall maintain records of the amount of distillate fuel oil (in gallons), and sulfur content for each shipment of fuel received.

b. The Permittee shall maintain records of the sulfur content of the fuel oil supply to the turbine, based on one of the following methods:

i. Calculate the weighted average sulfur content of the fuel oil in the storage tank after each delivery of fuel oil or,

ii. Perform actual analysis of fuel oil supply sample for each operating day or,

iii. Sulfur content of the fuel oil supply shall be assumed to be the highest sulfur content in any shipment in the tank for the past two years.

c. The Permittee shall maintain monthly records of the following items so as to demonstrate compliance with the limits in Condition 5.5:

Total usage of fuel oil for the turbine, gallons/month.

5.6.2 Emissions Records

The Permittee shall maintain records of the following items for the source to demonstrate compliance with Condition 5.5, pursuant to Section 39.5(7)(b) of the Act:

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

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

5.6.3 General Records for Operating Scenarios

None

5.6.4 Retention and Availability of Records

a. All records and logs required by this permit shall be retained for at least five years from the date of entry (unless a longer retention period is specified by the particular recordkeeping provision), and shall be kept at a location at the source or other office of the Permittee in Springfield, such as City Water Light and Power’s Environmental Health and Safety Office, that is readily accessible to the Illinois EPA and USEPA, and shall be made available for inspection and copying by the Illinois EPA and USEPA upon request.

b. Any records retained in an electronic format (e.g., computer) shall be capable of being retrieved and printed on paper during normal source office hours so as to be able to respond to an Illinois EPA or USEPA request for records during the course of a source inspection.

5.7 General Reporting Requirements

5.7.1 General Source-Wide Reporting Requirements

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

5.7.2 Annual Emissions Report

The annual emissions report required pursuant to Condition 9.7 shall contain emissions information for the previous calendar year, including information on emissions of hazardous air pollutants as specified by 35 IAC Part 254.

5.8 General Operational Flexibility/Anticipated Operating Scenarios

None

5.9 General Compliance Procedures

5.9.1 General Procedures for Calculating Emissions

Compliance with the source-wide emission limits specified in Condition 5.5 shall be based on the Recordkeeping and Compliance Procedures in Section 5 and 7 (Unit Specific Conditions) of this permit.

5.9.2 General Procedures for Fugitive PM Emissions

Compliance procedures are not set in this permit for Condition 5.2.2(a) as compliance is presumed to be assured by the inherent nature of operations at this source, as demonstrated by historical operation.

6.0 NO_x TRADING PROGRAM

6.1 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, as required by Section 126 of the CAA. 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 NO_x 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 NO_x 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 form 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.

6.2 Applicability

a. The following emission unit at this source is a 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, this emission unit is Unit #2 addressed as a budget EGU.

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

6.3 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 owner and operator of such 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).

6.4 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 tons of total NO_x emissions for the preceeding 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 NO_x allowances held as provided above, shall surrender allowances as required for deduction under 40 CFR 96.54(d)(1), pursuant to 35 IAC 201.756(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 NO_x 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.

6.5 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 6.4(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).

For this purpose, as an alternative to installation and operation of continuous emissions monitoring systems, the Permittee may be eligible to use the Optimal Procedures for Low-Mass Emission Units pursuant to 40 CFR 75.19 and 96.71(b) and (c) or, as currently planned by the Permittee, the Optimal Emission Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units, pursuant to 40 CFR 75.12(a) and 96.71(b) and 40 CFR Part 75, Appendix E. (See also Condition 7.1.10(a))

Note: Pursuant to 40 CFR 96.70(b), existing budget EGU are 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.

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).

6.6 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 217.752(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).

6.7 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 provision in 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 Unit.

6.8 Allocation of NO_x Allowances to Budget EGU

a. As the budget EGU identified in Condition 6.2(a) is an "existing" EGU listed in 35 IAC Part 217, Appendix F, this EGU is entitled to NO_x allowances as follows. (The portion of Appendix F that applies to the Permittee is provided in Condition 6.12.) 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 in 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 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 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 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 6.2(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 its 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).

6.9 Eligibility for NO_x Allowances from the New Source Set-Aside (NSSA)

The Permittee is not eligible to obtain NO_x allowances for the budget EGU identified in Condition 6.2(a) from the NSSA, as provided by 35 IAC 217.768, because the budget EGU is an “existing” budget EGU.

6.10 Eligibility for Early Reduction Credits (ERC)

The Permittee is not eligible to request NO_x allowances for the budget EGU identified in Condition 6.2(a) for any early reductions in NO_x emissions, as provided by 35 IAC 217.770, because the budget EGU is not equipped with a continuous emission monitoring system for NO_x.

6.11 Budge Permit Required by the NO_x Trading Program

a. For this source, this Section of the CAAPP Permit, i.e., Section 6, 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 revision 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).

6.12 References

35 IAC Part 217 Appendix F								
(Provisions Applicable to the Source)								
			A L L O W A N C E S					
Company/ I.D. No.	Generating Unit	EGU	NO_x Budget	80% of NO_x Budget	50% of NO_x Budget	2004, 2005, 2006	2007, 2008	2009, 2010
1	2	3	4	5	6	7	8	9
Company Totals			NO NSSA	No NSSA	No NSSA	5% NSSA	2% NSSA	2% NSSA
167120AGQ	G Turbine #2	G Turbine #2	91	73	46	86	71	45

7.0 UNIT SPECIFIC CONDITIONS

7.1 Combustion Turbine

7.1.1 Description

The Permittee operates a combustion turbine for electric generation. The turbine was installed in 1972 and is fired with distillate fuel oil.

The turbine is used for peak electric generation or emergency electric generation. The turbine is started with a small diesel engine (less than 1,000 horsepower) connected to the turbine. In addition to actual operation to generate electricity, the turbine and starting engine must be periodically “exercised” to confirm that the turbine will operate when needed to generate electricity.

7.1.2 List of Emission Equipment and Pollution Control Equipment

Turbine No.	Description	Rated Load (MWe)	Emission Control Equipment
Unit #2	Combustion Turbine	25.5	None

7.1.3 Applicable Provisions

a. An “affected turbine” for the purpose of these unit-specific conditions is the turbine identified in Condition 7.1.2.

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

c. Startup Provisions

The Permittee is authorized to operate an affected turbine in violation of the applicable limit of condition 5.2.2(b), (i.e. 35 IAC 212.123) during startup pursuant to 35 IAC 201.262, as the Permittee has affirmatively demonstrated that all reasonable efforts have been made to minimize startup emissions, duration of individual starts, and frequency of startups. This authorization is subject to the following:

i. This authorization only extends for a period of up to 30 minutes following initial firing of fuel during each startup event.

ii. The Permittee shall take the following measures to minimize startup emissions, the duration of startups and minimize the frequency of startups:

A. Implementation of established startup procedures, including preheating of the turbine prior to startup when sufficient time is available; and

B. Operating the turbine as peaking unit.

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

7.1.4 Non-Applicability of Regulations of Concern

a. This permit is issued based on the affected turbine is not being subject to the NSPS for Gas Turbine, 40 CFR 60, Subpart GG, because the affected turbine was constructed prior to the applicability date of these standards.

b. This permit is issued based on the affected turbine not being an affected unit under the federal Acid Rain program because it is a simple cycle combustion turbine that commenced operation before November 15, 1990 [40 CFR 72.6(b)(1)].

c. This permit is issued based on affected turbine not being subject to the requirements of 35 IAC 212.321 or 212.322 because of the nature of turbines, a process weight rate cannot be set, therefore such rules cannot reasonably be applied.

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

e. This permit is issued based on the affected turbine not being subject to 40 CFR Part 64, Compliance Assurance Monitoring for Major Stationary Sources, because the affected turbine does not use an add-on control device to achieve compliance with an emission limitation or standard.

7.1.5 Operational and Production Limits and Work Practices

a. At all times, the Permittee shall maintain and operate the affected turbine in a manner consistent with good air pollution control practice for minimizing emissions.

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

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

iii. The Permittee shall also conduct observations of operation and opacity of the affected turbine upon written request of the Illinois EPA (See Condition 7.1.7). With the agreement of the Illinois EPA, the Permittee may schedule these observations to take place during normal operation of the affected turbine.

7.1.6 Emission Limitations

Other than the source wide emission limitations in Condition 5.5, the affected turbine is not subject to any specific emission limitations.

7.1.7 Testing Requirements

a. Upon written request by the Illinois EPA, the Permittee shall have the opacity of an affected turbine determined by a certified observer in accordance with USEPA Test Method 9 during representative operating conditions of the turbine as specified by the Illinois EPA. The Illinois EPA may require such observations if, based on its observations, the turbine opacity does not comply with 35 IAC 212.123 or the affected turbine is poorly maintained or operated so as to make compliance with 35 IAC 212.123 uncertain. Such testing shall be conducted within 45 calendar days of written request, or on the date the affected turbine next operates, or on the date agreed upon by the Illinois EPA, whichever is later.

b. i. The Permittee shall notify the Illinois EPA at least 15 days in advance of the date and time of observations, in order to allow the Illinois EPA to witness the observations. This notification shall include the name and employer of the certified observer(s) and identify any concerns for successful completion of observations, i.e., lack of suitable point for proper observation or inability to conduct observations under specified conditions;

ii. The Permittee shall promptly notify the Illinois EPA of any changes in the date and time of observation; and

iii. The Permittee shall provide a copy of its observers readings to the Illinois EPA at the time of observations, if Illinois EPA personnel are present at the conclusion of observations.

c. The Permittee shall submit a written report for these observations within 15 days of the date of observation. This report shall include:

i. Date, place, and time of observations;

ii. Name and employer of certified observer;

iii. Copy of current certification;

iv. Description of observation conditions;

v. Description of turbine operating conditions;

vi. Raw data;

vii. Opacity determination; and

viii. Conclusion.

7.1.8 Monitoring Requirements

None, unless the Permittee elects to perform continuous emissions monitoring for purposes of the NO_x Trading Program. (See Condition 6.5(a)).

Note: If emission monitoring is not performed, excess emission monitoring reports need not be submitted pursuant to Condition 8.6.1.

7.1.9 Recordkeeping Requirements

a. In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for the affected turbine to demonstrate compliance with Conditions 5.2.2 and 5.5.1 pursuant to Section 39.5(7)(b) of the Act:

i. The maximum sulfur content of fuel oil that may be burned in the turbine and comply with Condition 5.2.2(c), with supporting calculations;

ii. Operation of the turbine with a fuel oil in excess of this sulfur content (as recorded pursuant to Condition 7.1.9(a)), as determined from the records required by Condition 5.6.1, with date duration, sulfur content of fuel oil, and explanation; and

iii. Operation of the turbine following the end of startup or two hours of operation, whichever occurs first, with opacity above normal, with explanation, whether opacity may have exceeded the limits of Condition 5.2.2(b), and duration of operation until achievement of normal opacity or shutdown.

b. Records for Startup and Excess Opacity

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

i. The following information for each startup of an affected turbine:

A. Date, time, and type of startup, i.e. whether startup is “remote” (initiated by off-site personnel using automated procedures);

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

C. Whether operating personnel for the turbine or any environmental staff are on site during startup, even if startup is remote;

D. Opacity in percentage during the startup and at the conclusion of startup, if a certified observer is on site.

ii. The following information for the affected turbine when above normal opacity has been observed by source personnel as identified in (i)(C) above:

A. Name of observer, position, and reason for being at site;

B. Date and duration of above normal opacity, including start time and time when normal operation was achieved;

C. If normal operation was not achieved within 30 minutes, an explanation why startup could not be achieved in 30 minutes;

D. A detailed description of the startup, including reason for operation and whether preheat or reduced loading was performed;

E. An explanation why established startup procedures could not be performed, if not performed;

F. The nature of opacity following the end of startup until achievement of normal operation or shutdown; and

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

c. Records of Maintenance Activities

An inspection maintenance and repair log for the affected turbine, listing each activity performed with date, pursuant to Section 39.5(7)(b) of the Act.

7.1.10 Reporting Requirements

a. Notifications for Emission Determination Procedures for NO_x

i. The Permittee shall notify the Illinois EPA if it elects to initially use a NO_x emission determination method other than 40 CFR Part 75, Appendix E, for purposes of 35 IAC Part 217 Subpart W (the NO_x Trading Program).

ii. The Permittee shall notify the Illinois EPA at least 90 days in advance of a change in the NO_x emission determination that is being implemented for the NO_x Trading Program.

b. Reporting for Turbine

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

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

ii. The estimated duration of excess opacity during startup, minutes/year.

iii. If continuous emissions monitoring is not performed for emissions of NO_x, information demonstrating that the operation of the turbine still qualifies for the NO_x emission determination method that is being implemented for purposes of 35 IAC Part 217 Subpart V and Subpart W (the NO_x Trading Program)

c. Notifications of Deviations

The Permittee shall promptly notify the Illinois EPA of any deviations of the affected turbine from the requirements in this permit as follows, pursuant to Section 39.5(7)(f)(ii) of the Act:

i. Notification within 60 days of operation that may not have been in compliance with the opacity limitations in Condition 5.2.2(b), other than during startup as addressed by Condition 7.1.3(c), as determined from the records required by Condition 7.1.9(b), with a copy of such record for each incident; and

ii. Notification within 30 days of any operation that is not in compliance with the SO_2 emission limitations in Conditions 5.2.2(c), as determined from the records required by Condition 5.6.1 and 7.1.9(a) and (b), with a copy of such records for each incident.

d. Reporting for Changes Made in Accordance with Operation Flexibility

The Permittee shall notify the Illinois EPA, Compliance Section within 30 days of any change in the type of fuel combusted in the turbine as allowed in accordance with the operational flexibility provisions of Condition 7.1.11.

7.1.11 Operational Flexibility/ Anticipated Operating Scenarios

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

Conversion to gaseous fuel.

7.1.12 Compliance Procedures

a. The work practices, testing and recordkeeping required by Conditions 7.1.5, 7.1.7 and 7.1.9 shall be used to demonstrate compliance with the requirements of Condition 7.1.3.

b. i. Compliance with the emission limits in Condition 5.5.1 shall be based on fuel consumption, fuel heat and sulfur content and appropriate emission factors. If site-specific emission factors are not developed for the turbine, standard emission factors from USEPA emissions estimating guidance, i.e., AP-42, Table 3.1-1 and 3.1-2a, as follows, shall be used to address normal operation of the affected turbine.

Pollutant	Factor (Lb/mmBtu_
NO_x	0.88
CO	0.0033
SO_2	1.01S*
VOM	0.00041
PM	0.012

* Where S represents the percent sulfur in the fuel oil, i.e., S = 0.05.

ii. Not withstanding the above, for emissions of NO_x, the applicable emission methodology under the NO_x Trading Program shall be used to determine compliance when such methodology is implemented.

7.1.13 Applicable Requirements of 35 IAC Part 217, Subpart V.

a. Beginning in 2003, during each ozone control period, either:

i. The NO_x emissions from the affected turbine shall not exceed 0.25 lbs/mmBtu of actual heat input, as averaged for the ozone control period [35 IAC 217.706], or

ii. The NO_x emissions of the affected turbine and other eligible EGU that are participating in a NO_x averaging demonstration with the affected EGU as provided for by 35 IAC 217.708 shall not exceed 0.25 lbs/mmBtu of actual heat input, as averaged for the ozone control period for these EGU [35 IAC 217.708(a) and (b)].

b. If the Permittee elects to have the affected turbine comply by participation in a NO_x averaging demonstration as provided for and authorized above:

i. The affected turbine shall be included in only one NO_x averaging demonstration during each ozone control period [35 IAC 217.708(d)],

ii. 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 [35 IAC 217.708(c) and (g)],

iii. The effect of failure of the NO_x averaging demonstration to show compliance shall be that the compliance status of the affected turbine shall be determined pursuant to Condition 7.4(a)(i) as if the NO_x emission rates of the affected turbine were not averaged with other EGU [35 IAC 217.708(g)].

c. For the purpose of determining compliance with the NO_x emission standards in Condition 7.1.13(a), the Permittee shall determine the heat input and NO_x emissions of the affected turbine in accordance with 35 IAC 217.710(c).

Note: Given the emission determination method specified by 35 IAC 217.710(c), the emissions of NO_x calculated for purpose of this rule will be different than the emissions of NO_x determined for purposes of the Federal Acid Rain Program and the NO_x Trading Program. The determination of NO_x emissions would be consistent with that for the Federal Acid Rain Program, as is generally used for purposes of 35 IAC Part 217, Subpart V, if the Permittee had elected to use the emission determination methodology of 35 IAC 217.710(a) or (b).

d. Beginning in 2003, the Permittee must comply with the recordkeeping and reporting requirements of 35 IAC 217.712(b) related to the heat input and NO_x emissions of the affected turbine.

e. Beginning in 2003, by November 30 of each year, the Permittee shall submit a report to the Illinois EPA that demonstrates that the affected turbine has complied with Condition 7.1.13(a). 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). [35 IAC 217.712(c), (d) and (e)]

i. If the Permittee is demonstrating compliance on a unit-specific basis with Condition 7.1.13(a)(i), this report shall contain the information specified by 35 IAC 217.712(d) including the heat input and NO_x emissions of the unit for the ozone control period.

ii. If the Permittee is demonstrating compliance by means of "NO_x averaging" as authorized by Condition 7.1.13(a)(ii), this report shall contain the information specified by 35 IAC 217.712(e) and other related information as follows:

A. In all cases, for the affected turbine

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 7.1.13(e)(ii)(B), below.

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 [35 IAC 217.708(c) and (g)].

The average NO_x 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 NO_x emissions of the unit for the ozone control period.

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 NO_x averaging demonstration:

Copies of the information submitted by other parties for the EGU participating in the demonstration, which include all material required by Condition 7.1.13(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).

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

A statement whether the demonstration shows compliance.

f. Beginning in 2003, the Permittee must keep and maintain for a period of at least 5 years all records and data necessary to demonstrate compliance with the applicable requirements of 35 IAC Part 217 Subpart V and upon request make such records and data available to Illinois EPA and USEPA representatives for inspection and copying during working hours. The Permittee shall submit copies of any such records and data to the Illinois EPA within 30 days after receipt of a written request from the Illinois EPA [35 IAC 217.712(f) and (g)].

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 as of the date the proposed permit for this source was issued. This shield is granted based on the Illinois EPA's review of the permit application for this source and its determination that all applicable requirements are specifically identified in this permit. If the Illinois EPA, in acting on this permit application, has determined that other requirements specifically identified are not applicable to the source, the Illinois EPA's written determination (or a concise summary thereof) is included in this permit.

This permit shield does not extend to applicable requirements which are promulgated after October 24, 2002 (the date of issuance of the draft permit) unless the permit has been modified to reflect such new requirements.

8.2 Applicability of Title IV Requirements (Acid Deposition Control)

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

8.3 Emissions Trading Programs

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

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

8.4 Operational Flexibility/Anticipated Operating Scenarios

8.4.1 Changes Specifically Addressed by Permit

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

8.4.2 Changes Requiring Prior Notification

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

a. The changes do not violate applicable requirements;

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

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

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

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

i. Describe the physical or operational change;

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

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

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

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

8.5 Testing Procedures

Tests conducted to measure composition of materials, efficiency of pollution control devices, emissions from process or control equipment, or other process, emissions, or composition parameters shall be conducted using standard test methods. Documentation of the test date, conditions, methodologies, calculations, and test

results shall be retained pursuant to the recordkeeping procedures of this permit. Reports of any tests conducted as required by this permit or as the result of a request by the Illinois EPA shall be submitted as specified in Condition 8.6.

8.6 Reporting Requirements

8.6.1 Excess Emissions Monitoring Reports

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

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

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

8.6.2 Test Notifications

Unless otherwise specified elsewhere in the permit, a written test plan for any test required by this permit shall be submitted to the Illinois EPA for review at least 30 days prior the testing pursuant to Section 39.5(7)(a) of the Act. The notification shall include at a minimum:

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

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

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

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

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

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

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

8.6.3 Test Reports

Unless otherwise specified elsewhere in the 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:

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

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

c. The date any analyses were performed;

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

e. The test and analytical methodologies used;

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

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

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

8.6.4 Reporting Addresses

a. The following addresses should be utilized for the submittal of reports, notifications, and renewals:

i. IEPA - Air Compliance Unit

Illinois Environmental Protection Agency
Division of Air Pollution Control
Compliance Section (#40)
P.O. Box 19276
Springfield, Illinois 62794-9276

ii. IEPA - Air Regional Field Office

Illinois Environmental Protection Agency
Division of Air Pollution Control
5415 North University Avenue
Peoria, Illinois 61614

iii. Illinois EPA - Air Permit Section

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

iv. USEPA Region 5 - Air Branch

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

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

8.7 Obligation to comply with Title I requirements

Any term, condition, or requirement identified in this permit by T1, T1R, or T1N is established or revised pursuant to title I provisions and is included in this permit pursuant to both Section 39.5 of the Act and Title I provisions of the CAA. Notwithstanding the expiration date on the first page of this permit, the Title I conditions remain in effect pursuant to Title I provisions until the Illinois EPA deletes or revises them in accordance with Title I procedures.

9.0 STANDARD PERMIT CONDITIONS

9.1 Effect of Permit

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

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

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

9.2 General Obligations of Permittee

9.2.1 Duty to Comply

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

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

9.2.2 Duty to Maintain Equipment

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

9.2.3 Duty to Cease Operation

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

9.2.4 Disposal Operations

The source shall be operated in such a manner that the disposal of air contaminants collected by the equipment operations, or activities shall not cause a violation of the Environmental Protection 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)] The check should be payable to "Treasurer, State of Illinois" and sent to: Fiscal Services Section, Illinois Environmental Protection Agency, P.O. Box 19276, Springfield, Illinois 62794-9276.

9.3 Obligation to Allow Illinois EPA Surveillance

Upon presentation of proper credentials and other documents, the Permittee shall allow the Illinois EPA, or an authorized representative to perform the following [Section 39.5(7)(p)(ii) of 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 the permit;

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

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

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

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

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

e. Obtain and remove samples of any discharge or emission of pollutants; and

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

9.4 Obligation to Comply With Other Requirements

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

9.5 Liability

9.5.1 Title

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

9.5.2 Liability of Permittee

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

9.5.3 Structural Stability

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

9.5.4 Illinois EPA Liability

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

9.5.5 Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.

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.

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 the permit. [Section 39.5(7)(e)(ii) of the Act]

b. Other records required by this permit shall be retained for a period of at least 5 years from the date of entry unless a longer period is specified by a particular permit provision.

9.7 Annual Emissions Report

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

9.8 Requirements for Compliance Certification

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

a. The certification shall include the identification of each term or condition of this permit that is the basis of the certification; the compliance status; whether compliance was continuous or intermittent; the method(s) used for determining the compliance status of the source, both currently and over the reporting period consistent with the conditions of this permit.

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

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

9.9 Certification

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

9.10 Defense to Enforcement Actions

9.10.1 Need to Halt or Reduce Activity Not a Defense

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

9.10.2 Emergency Provision

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

i. An emergency occurred as provided in Section 39.5(7)(k) of the Act and the Permittee can identify the cause(s) of the emergency. Normally, an act of God such as lightning or flood is considered an emergency;

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

iii. The Permittee submitted notice of the emergency to the Illinois EPA within two working days of the time when emission

limitations were exceeded due to the emergency. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken; and

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

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

9.11 Permanent Shutdown

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

9.12 Reopening and Reissuing Permit for Cause

9.12.1 Permit Actions

This permit may be modified, reopened, and reissued, for cause pursuant to Section 39.5(15) of the Act. The filing of a request by the Permittee for a permit modification, revocation, and reissuance, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition [Section 39.5(7)(o)(iii) of the Act].

9.12.2 Reopening and Revision

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

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

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

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

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

9.12.3 Inaccurate Application

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

9.12.4 Duty to Provide Information

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

9.13 Severability Clause

The provisions of this permit are severable, and should any one or more be determined to be illegal or unenforceable, the validity of the other provisions shall not be affected. The rights and obligations of the Permittee shall be construed and enforced as if this permit did not contain the particular provisions held to be invalid and the applicable requirements underlying these provisions shall remain in force [Section 39.5(7)(i) of the Act].

9.14 Permit Expiration and Renewal

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

10.0 ATTACHMENTS

10.1 Attachment 1 - Example Certification by a Responsible Official

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

Signature: _____

Name: _____

Official Title: _____

Telephone No.: _____

Date Signed: _____

10.2 Attachment 2 – Guidance

The Illinois 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, which is available at: www.eps.state.il.us/air/caapp/199-caapp.pdf

YB:jar