



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
(800) 451-6027  
www.IN.gov/idem

TO: Interested Parties / Applicant

DATE: November 18, 2005

RE: IPL Georgetown Substation Generating Plant / 097-18380-00352

FROM: Paul Dubenetzky  
Chief, Permits Branch  
Office of Air Quality

### **Notice of Decision: Approval – Effective Immediately**

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to IC 13-17-3-4 and 326 IAC 2, this permit modification is effective immediately, unless a petition for stay of effectiveness is filed and granted, and may be revoked or modified in accordance with the provisions of IC 13-15-7-1.

If you wish to challenge this decision, IC 4-21.5-3-7 and IC 13-15-7-3 require that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) days of the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

Pursuant to 326 IAC 2-7-18(d), any person may petition the U.S. EPA to object to the issuance of a Title V operating permit or modification within sixty (60) days of the end of the forty-five (45) day EPA review period. Such an objection must be based only on issues that were raised with reasonable specificity during the public comment period, unless the petitioner demonstrates that it was impracticable to raise such issues, or if the grounds for such objection arose after the comment period.

To petition the U.S. EPA to object to the issuance of a Title V operating permit, contact:

U.S. Environmental Protection Agency  
401 M Street  
Washington, D.C. 20406

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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November 18, 2005

Mr. Vincent Zehnle  
IPL Georgetown Substation Generating Plant  
8198 Georgetown Road  
Indianapolis, IN 46268

Re: 097-18380  
First Significant Permit Modification to  
Part 70 No.: T 097-13705-00352

Dear Mr. Zehnle:

IPL was issued a permit on December 10, 2003 for a stationary electric utility generating station. A petition for administrative review was received on January 8, 2003. In order to resolve the appealed permit terms and conditions, pursuant to the provisions of 326 IAC 2-7-12, a significant permit modification to this permit is hereby approved as described in the attached Technical Support Document.

The modification consists of changes to appealed permit conditions. On April 1, 2004, IPL requested that the Emission Statement condition be revised. A NO<sub>x</sub> Budget Permit application was also received on August 18, 2003. This permit modification incorporates the changes to the Emission Statement and the NO<sub>x</sub> Budget Permit terms and conditions. In addition, a Credible Evidence condition has been added, as required by EPA.

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this modification and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Madhurima Moulik OAQ, 100 North Senate Avenue, Indianapolis, Indiana, 46204 or call at (800) 451-6027, ask for extension 3-0868, or dial (317) 233-0868.

Sincerely,  
Origin signed by

Paul Dubenetzky, Chief  
Permits Branch  
Office of Air Quality

#### Attachments

MDM

cc: File - Marion County  
U.S. EPA, Region V  
Indianapolis Office of Environmental Services  
Marion County Health Department  
Air Compliance Section Inspector – Jennifer Schick  
Compliance Data Section



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Administrative and Development  
Office of Legal Counsel – Jacquelyn Moore



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 Commissioner

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**PART 70 OPERATING PERMIT**

**INDIANA DEPARTMENT OF ENVIRONMENTAL  
 MANAGEMENT  
 OFFICE OF AIR QUALITY  
 and  
 INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

**Georgetown Substation Generating Plant  
 8198 Georgetown Road  
 Indianapolis, Indiana 46268**

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15, IC 13-17 and the Code of Indianapolis and Marion County, Chapter 511.

Operation Permit No.: T097-13705-00352	
Issued by: Janet G. McCabe, Assistant Commissioner IDEM Office of Air Quality  John B. Chavez Administrator, Indianapolis Office of Environmental Services	Issuance Date: December 10, 2003  Expiration Date: December 9, 2008
First Significant Permit Modification No.: T097-18380	Conditions Affected: A.1, C.15, D.1.6, D.1.9, D.1.11, and D.1.12; New B.25 and Section F
Issued by: Origin signed by  Paul Dubenetzky, Branch Chief IDEM Office of Air Quality	Issuance Date: November 18, 2005

## TABLE OF CONTENTS

<b>A</b>	<b>SOURCE SUMMARY</b> .....	4
A.1	General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]	
A.2	Part 70 Source Definition [326 IAC 2-7-1(22)]	
A.3	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]	
A.4	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]	
A.5	Part 70 Permit Applicability [326 IAC 2-7-2]	
<b>B</b>	<b>GENERAL CONDITIONS</b> .....	5
B.1	Definitions [326 IAC 2-7-1]	
B.2	Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]	
B.3	Enforceability [326 IAC 2-7-7]	
B.4	Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]	
B.5	Severability [326 IAC 2-7-5(5)]	
B.6	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]	
B.7	Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]	
B.8	Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]	
B.9	Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]	
B.10	Annual Compliance Certification [326 IAC 2-7-6(5)]	
B.11	Preventive Maintenance Plan [326 IAC 2-7-5(1),(3)and (13)][326 IAC 2-7-6(1)and(6)]	
B.12	Emergency Provisions [326 IAC 2-7-16]	
B.13	Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]	
B.14	Prior Permits Superseded [326 IAC 2-1.1-9.5]	
B.15	Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]	
B.16	Permit Modification, Reopening, Revocation and Reissuance, or Termination	
B.17	Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]	
B.18	Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]	
B.19	Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [40 CFR 72]	
B.20	Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]	
B.21	Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]	
B.22	Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2]	
B.23	Transfer of Ownership or Operation [326 IAC 2-7-11]	
B.24	Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-7-12(c)(7)]	
B.25	Credible Evidence [326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]	
<b>C</b>	<b>SOURCE OPERATION CONDITIONS</b> .....	16
	<b>Emission Limitations and Standards [326 IAC 2-7-5(1)]</b>	
C.1	Opacity [326 IAC 5-1]	
C.2	Open Burning [326 IAC 4-1] [IC 13-17-9]	
C.3	Incineration [326 IAC 4-2][326 IAC 9-1-2]	
C.4	Fugitive Dust Emissions [326 IAC 6-4]	
C.5	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]	
	<b>Testing Requirements [326 IAC 2-7-6(1)]</b>	
C.6	Performance Testing [326 IAC 3-6]	
	<b>Compliance Requirements [326 IAC 2-1.1-11]</b>	
C.7	Compliance Requirements [326 IAC 2-1.1-11]	
	<b>Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]</b>	
C.8	Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]	
C.9	Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)]	
C.10	Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]	
	<b>Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]</b>	
C.11	Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]	
C.12	Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]	

- C.13 Compliance Response Plan - Preparation, Implementation, Records, and Reports
- C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

- C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
- C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]
- C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]

**Stratospheric Ozone Protection**

- C.18 Compliance with 40 CFR 82 and 326 IAC 22-1

**D.1 FACILITY OPERATION CONDITIONS - Natural Gas Turbines .....22**

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

- D.1.1 General Provisions Relating to NSPS [326 IAC 12] [40 CFR Part 60, Subpart A]
- D.1.2 New Source Performance Standard (NSPS) [326 IAC 12] [40 CFR 60, Subpart GG]
- D.1.3 PSD Minor Source Limit [326 2-2]
- D.1.4 Particulate Matter Limitation (PM) [326 IAC 6-1-2]
- D.1.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

**Compliance Determination Requirements**

- D.1.6 Continuous Emission Monitoring [326 IAC 3-5] [326 IAC 2-7-5(3)] [326 IAC 3-5-1(d)]
- D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]
- D.1.8 Sulfur and Nitrogen content [40 CFR 60.334]

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

- D.1.9 Record Keeping Requirements
- D.1.10 Reporting Requirements

**E TITLE IV CONDITIONS .....26**

- E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]
- E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

**F NITROGEN OXIDES BUDGET TRADING PROGRAM - NOX Budget Permit .....27**

- F.1 Automatic Incorporation of Definitions [326 IAC 10-4-7(e)]
- F.2 Standard Permit Requirements [326 IAC 10-4-4(a)]
- F.3 Monitoring Requirements [326 IAC 10-4-4(b)]
- F.4 Nitrogen Oxides Requirements [326 IAC 10-4-4(c)]
- F.5 Excess Emissions Requirements [326 IAC 10-4-4(d)]
- F.6 Record Keeping Requirements [326 IAC 10-4-4(e)] [326 IAC 2-7-5(3)]
- F.7 Reporting Requirements [326 IAC 10-4-4(e)]
- F.8 Liability [326 IAC 10-4-4(f)]
- F.9 Effect on Other Authorities [326 IAC 10-4-4(g)]
- F.10 Nitrogen Oxides Budget Program Allocation Requests [326 IAC 10-4-9(e)(2)]

**Certification .....31**  
**Emergency Occurrence Report .....32**  
**Quarterly Report.....34**  
**Quarterly Deviation and Compliance Monitoring Report .....35**  
**Appendix A: Phase II Acid Rain Permit.....39**

**SECTION A**

**SOURCE SUMMARY**

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) and Indianapolis Office of Environmental Services (OES). The information describing the source contained in conditions A.1 and A.2 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

**A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]**

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The Permittee owns and operates a stationary electric utility generating station.

Responsible Official: Gas Turbine Team Leader  
Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
Mailing Address (operator): Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis, Indiana 46217  
Owner: Indianapolis Power and Light Company (GT1), Indiana Municipal Power Agency (GT2, GT3), DTE Georgetown, LP (GT4)  
Mailing Address (owner): P.O. Box 8614, 425 S. Main Street, Suite 201, Ann Arbor, MI 48107  
Source Telephone: (317) 261-3600  
SIC Code: 4911  
County Location: Marion  
Source Location Status: Nonattainment for ozone under the 8-hour standard  
Nonattainment for PM2.5  
Attainment for all other criteria pollutants  
Source Status: Part 70 Permit Program  
Minor Source under PSD Rules; one of 28 Source Categories  
Minor Source, Section 112 of the Clean Air Act

**A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]**

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This stationary source consists of the following emission units and pollution control devices:

Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

**A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]**

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This stationary source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1(21) that have applicable requirements.

**A.4 Part 70 Permit Applicability [326 IAC 2-7-2]**

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This stationary source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability); and
- (c) It is an affected source under Title IV (Acid Deposition Control) of the Clean Air Act, as defined in 326 IAC 2-7-1(3).

**SECTION B**

**GENERAL CONDITIONS**

**B.1** Definitions [326 IAC 2-7-1]

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Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, the applicable definitions found in the statutes or regulations (IC 13-11, 326 IAC 1-2 and 326 IAC 2-7) shall prevail.

**B.2** Permit Term [326 IAC 2-7-5(2)] [326 IAC 2-1.1-9.5]

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This permit is issued for a fixed term of five (5) years from the original date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3. Subsequent revisions, modifications, or amendments of this permit do not affect the expiration date of this permit or of permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

**B.3** Enforceability [326 IAC 2-7-7]

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Unless otherwise stated, all terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM, OES, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

**B.4** Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

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The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

**B.5** Severability [326 IAC 2-7-5(5)]

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The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

**B.6** Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

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

**B.7** Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]  
[326 IAC 2-7-6(6)]

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(a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The Permittee shall furnish to IDEM, OAQ, and OES within a reasonable time, any information that IDEM, OAQ, and OES 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. The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). Upon request, the Permittee shall also furnish to IDEM, OAQ, and OES 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 the U. S. EPA along with a claim of confidentiality. [326 IAC 2-7-5(6)(E)]

(c) The Permittee may include a claim of confidentiality in accordance with 326 IAC 17.1. When furnishing

copies of requested records directly to U. S. EPA, the Permittee may assert a claim of confidentiality in accordance with 40 CFR 2, Subpart B.

B.8 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for:
  - (1) Enforcement action;
  - (2) Permit termination, revocation and reissuance, or modification; or
  - (3) Denial of a permit renewal application.
- (b) Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act.
- (c) 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.
- (d) An emergency does constitute an affirmative defense in an enforcement action provided the Permittee complies with the applicable requirements set forth in Section B, Emergency Provisions.

B.9 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted shall contain certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, using the attached Certification Form, with each submittal requiring certification. One (1) certification can cover multiple forms in one (1) submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.10 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The initial certification shall cover the time period from the date of final permit issuance through December 31 of the same year. All subsequent certifications shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than April 15 of each year to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
  - (1) The appropriate identification of each term or condition of this permit that is the basis of the certification;
  - (2) The compliance status;
  - (3) Whether compliance was continuous or intermittent; and
  - (4) The methods used for determining the compliance status of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3).

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.11 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]  
[326 IAC 1-6-3]

- 
- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMPs) within ninety (90) days after issuance of this permit, including the following information on each facility:
    - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
    - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions; and
    - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If, due to circumstances beyond the Permittee's control, the PMPs cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221.

The PMP and the PMP extension notification do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall implement the PMPs as necessary to ensure that failure to implement a PMP does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) A copy of the PMPs shall be submitted to IDEM, OAQ, and OES upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ and OES. IDEM, OAQ, and OES, may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or contributes to any violation. The submittal of the PMPs does not require the certification by the

“responsible official” as defined by 326 IAC 2-7-1(34).

- (d) Records of preventive maintenance shall be retained for a period of at least five (5) years. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the OES Administrator makes a request for records to the Permittee, the Permittee shall furnish the records to the Administrator within a reasonable time.

B.12 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:
  - (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
  - (2) The permitted facility was at the time being properly operated;
  - (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
  - (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES within four (4) daytime business hours after: (a) the beginning of the emergency, or (b) after the emergency was discovered or reasonably should have been discovered;

IDEM: Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance Section), or  
Telephone Number: 317-233-5674 (ask for Compliance Section)  
Facsimile Number: 317-233-5967,

and

OES: Telephone Number: 317-327-2234  
Facsimile Number: 317-327-2274

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted the attached Emergency Occurrence Report Form or its equivalent, either by mail or facsimile to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfils the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and

(C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions). This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAQ, and OES may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(9) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ, and OES by telephone or facsimile of an emergency lasting more than one (1) hour in accordance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.

B.13 Permit Shield [326 IAC 2-7-15] [326 IAC 2-7-20] [326 IAC 2-7-12]

- (a) Pursuant to 326 IAC 2-7-15, the Permittee has been granted a permit shield. The permit shield provides that compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that either the applicable requirements are included and specifically identified in this permit or the permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable. The Indiana statutes from IC 13 and rules from 326 IAC, referenced in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7 or for applicable requirements for which a permit shield has been granted.
- This permit shield does not extend to applicable requirements which are promulgated after the date of issuance of this permit unless this permit has been modified to reflect such new requirements.
- (b) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, IDEM, OAQ, or OES shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (c) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (d) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
  - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;

- (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act; and
- (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (e) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (f) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAQ, and OES has issued the modifications. [326 IAC 2-7-12(c)(7)].
- (g) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAQ, and OES has issued the modification. [326 IAC 2-7-12(b)(8)].

**B.14** Prior Permits Superseded [326 IAC 2-1.1-9.5]

- (a) All terms and conditions of previous permits issued pursuant to permitting programs approved into the state implementation plan have been either
  - (1) incorporated as originally stated,
  - (2) revised, or
  - (3) deletedby this permit.
- (b) All previous registrations and permits are superseded by this permit, except for permits issued pursuant to Title IV of the Clean Air Act and 326 IAC 21 (Acid Deposition Control).

**B.15** Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive measures taken shall be reported to:  
  
Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204  
  
and  
  
Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221,  
  
using the attached Quarterly Deviation and Compliance Monitoring Report, or its equivalent. A deviation required to be reported pursuant to an applicable requirement that exists independent of this permit, shall be reported according to the schedule stated in the applicable requirement and does not need to be included in this report.  
  
The Quarterly Deviation and Compliance Monitoring Report does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (c) Emergencies shall be included in the Quarterly Deviation and Compliance Monitoring Report.

B.16 Permit Modification, Reopening, Revocation and Reissuance, or Termination  
[326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

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- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)] The notification by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ, and OES determines any of the following:
  - (1) That this permit contains a material mistake.
  - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
  - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAQ, and OES to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]
- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAQ and OES at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ, and OES may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.17 Permit Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]

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- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ, and OES, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40). The renewal application does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
  - (1) A timely renewal application is one that is:
    - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
    - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES, on or before the date it is due.

- (2) If IDEM, OAQ, and OES, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3] [326 IAC 2-7-4]  
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAQ, and OES take final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by a reasonable deadline specified in writing by IDEM, OAQ, and OES any additional information identified as being needed to process the application. [326 IAC 2-7-4(a)(2)(D) and (E)]
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]  
If IDEM, OAQ, and OES fail to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

B.18 Source Modification [326 IAC 1-2-42] [326 IAC 2-7-10.5]

- (a) The Permittee shall obtain approval as required by 326 IAC 2-7-10.5 from the OAQ prior to making any modification to the source. Pursuant to 326 IAC 1-2-42, "Modification" means one (1) or more of the following activities at an existing source:
  - (1) A physical change or change in the method of operation of any existing emissions unit that increases the potential to emit any regulated pollutant that could be emitted from the emissions unit, or that results in emissions of any regulated pollutant not previously emitted.
  - (2) Construction of one (1) or more new emissions units that have the potential to emit regulated air pollutants.
  - (3) Reconstruction of one (1) or more existing emission units that increases the potential to emit of any regulated air pollutant.
- (b) Any application requesting a source modification shall be submitted to:  
  
Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204  
  
and  
  
Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221  
  
Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) The Permittee shall also comply with the applicable provisions of 326 IAC 2-7-11 (Administrative Permit Amendments) or 326 IAC 2-7-12 (Permit Modification) prior to operating the approved modification.

B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12] [40 CFR 72]

- (a) Permit amendments and modifications are governed by the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.
- (b) Pursuant to 326 IAC 2-7-11(b) and 326 IAC 2-7-12(a), administrative Part 70 permit amendments and permit modifications for purposes of the acid rain portion of a Part 70 permit shall be governed by

regulations promulgated under Title IV of the Clean Air Act. [40 CFR 72]

- (c) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

Any such application shall be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (d) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

**B.20 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)]**  
[326 IAC 2-7-12 (b)(2)]

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- (a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.
- (b) Notwithstanding 326 IAC 2-7-12(b)(1)(D)(i) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

**B.21 Operational Flexibility [326 IAC 2-7-20] [326 IAC 2-7-10.5]**

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- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:
- (1) The changes are not modifications under any provision of Title I of the Clean Air Act;
  - (2) Any preconstruction approval required by 326 IAC 2-7-10.5 has been obtained;
  - (3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);
  - (4) The Permittee notifies the:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

and

United States Environmental Protection Agency, Region V  
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20(b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAQ, and OES, in the notices specified in 326 IAC 2-7-20(b), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a). For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:

- (1) A brief description of the change within the source;
- (2) The date on which the change will occur;
- (3) Any change in emissions; and
- (4) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted is not considered an application form, report or compliance certification. Therefore, the notification by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]  
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).

#### B.22 Inspection and Entry [326 IAC 2-7-6] [IC 13-14-2-2]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAQ, OES, and U.S. EPA or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy any records that must be kept under the conditions of this permit;
- (c) Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

#### B.23 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to

change the ownership or operational control of the source and no other change in the permit is necessary.

- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

The application which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.24 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)][326 IAC 2-1.1-7]

- (a) The Permittee shall pay annual fees to IDEM, OAQ, and OES within thirty (30) calendar days of receipt of a billing. Pursuant to 326 IAC 2-7-19(b), if the Permittee does not receive a bill from IDEM, OAQ, and OES, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-4230 (ask for OAQ, I/M & Billing Section), to determine the appropriate permit fee.

B.25 Credible Evidence[326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any emission limitation, standard, or rule in this title, nothing in this title shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with the emission limitation, standard, or rule, if the appropriate performance or compliance test or procedure had been performed.

**SECTION C**

**SOURCE OPERATION CONDITIONS**

Entire Source

**Emission Limitations and Standards [326 IAC 2-7-5(1)]**

**C.1 Opacity [326 IAC 5-1]**

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Alternative Opacity Limitations), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period.

**C.2 Open Burning [326 IAC 4-1] [IC 13-17-9]**

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

**C.3 Incineration [326 IAC 4-2][326 IAC 9-1-2]**

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. 326 IAC 9-1-2 is not federally enforceable.

**C.4 Fugitive Dust Emissions [326 IAC 6-4]**

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

**C.5 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61, Subpart M]**

The Permittee shall comply with the applicable requirements of 326 IAC 14-10, 326 IAC 18, and 40 CFR 61.140.

**Testing Requirements [326 IAC 2-7-6(1)]**

**C.6 Performance Testing [326 IAC 3-6]**

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAQ.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (b) The Permittee shall notify IDEM, OAQ of the actual test date at least fourteen (14) days prior to the actual test date. The notification submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ, and OES not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ, and OES, if the source submits to IDEM, OAQ, and OES a reasonable written explanation not later than five (5) days prior to the end of the initial forty-five (45) day period.

**Compliance Requirements [326 IAC 2-1.1-11]**

**C.7 Compliance Requirements [326 IAC 2-1.1-11]**

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The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements. Any monitoring or testing shall be performed in accordance with 326 IAC 3 or other methods approved by the commissioner or the U. S. EPA.

**Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]**

**C.8 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]**

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Unless otherwise specified in this permit, all monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. If required by Section D, the Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units or emission units added through a source modification shall be implemented when operation begins.

**C.9 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 2-7-5(3)(A)]**

---

- (a) When required by Section D of this Permit, the Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment. In addition, prompt corrective action shall be initiated whenever indicated.
- (b) All continuous emission monitoring systems shall meet all applicable performance specifications of 40 CFR 60 or any other performance specification, and are subject to monitor system certification requirements pursuant to 326 IAC 3-5-3.
- (c) In the event that a breakdown of a continuous emission monitoring system occurs, a record shall be made of the times and reasons of the breakdown and efforts made to correct the problem.
- (d) When required to operate the CEMS, the Permittee shall comply with the requirements to operate a continuous emission monitoring system pursuant to 326 IAC 3-5.

C.10 Monitoring Methods [326 IAC 3] [40 CFR 60] [40 CFR 63]

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Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60 Appendix A, 40 CFR 60 Appendix B, 40 CFR 63, or other approved methods as specified in this permit.

**Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]**

C.11 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

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Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on July 7, 2000.
- (b) If the ERP is disapproved by IDEM, OAQ, and OES, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (c) Upon direct notification by IDEM, OAQ, and OES, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.12 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68]

---

- (a) If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement.
- (b) The Permittee shall verify that a Risk Management Plan or a revised plan was prepared as required by 40 CFR 68 and submitted to IDEM, OAQ, and OES.

All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

C.13 Compliance Response Plan - Preparation, Implementation, Records, and Reports  
[326 IAC 2-7-5] [326 IAC 2-7-6]

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- (a) The Permittee is required to prepare a Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. If a Permittee is required to have an Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan under 40 CFR 63, such plans shall be deemed to satisfy the requirements for a CRP for those compliance monitoring conditions. A CRP shall be submitted to IDEM, OAQ and OES upon request. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee, supplemented from time to time by the Permittee, maintained on site, and comprised of:
  - (1) Reasonable response steps that may be implemented in the event that a response step is needed pursuant to the requirements of Section D of this permit; and an expected timeframe for taking reasonable response steps.
  - (2) If, at any time, the Permittee takes reasonable response steps that are not set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan and the Permittee documents such response in accordance with subsection (e) below, the Permittee shall amend its Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan to include such response steps taken.

The OMM Plan or Parametric Monitoring and SSM Plan shall be submitted within the time frames specified by the applicable 40 CFR 63 requirement.

- (b) For each compliance monitoring condition of this permit, reasonable response steps shall be taken when indicated by the provisions of that compliance monitoring condition as follows:

- (1) Reasonable response steps shall be taken as set forth in the Permittee's current Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan; or
  - (2) If none of the reasonable response steps listed in the Compliance Response Plan or Operation, Maintenance and Monitoring (OMM) Plan or Parametric Monitoring Plan and Start-up, Shutdown, and Malfunction (SSM) Plan is applicable or responsive to the excursion, the Permittee shall devise and implement additional response steps as expeditiously as practical. Taking such additional response steps shall not be considered a deviation from this permit so long as the Permittee documents such response steps in accordance with this condition.
  - (3) If the Permittee determines that additional response steps would necessitate that the emissions unit or control device be shut down, and it will be 10 days or more until the unit or device will be shut down, then the permittee shall promptly notify the IDEM, OAQ of the expected date of the shut down. The notification shall also include the status of the applicable compliance monitoring parameter with respect to normal, and the results of the response actions taken up to the time of notification.
  - (4) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (c) The Permittee is not required to take any further response steps for any of the following reasons:
- (1) A false reading occurs due to the malfunction of the monitoring equipment and prompt action was taken to correct the monitoring equipment.
  - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for a minor permit modification to the permit, and such request has not been denied.
  - (3) An automatic measurement was taken when the process was not operating.
  - (4) The process has already returned or is returning to operating within "normal" parameters and no response steps are required.
- (d) When implementing reasonable steps in response to a compliance monitoring condition, if the Permittee determines that an exceedance of an emission limitation has occurred, the Permittee shall report such deviations pursuant to Section B-Deviations from Permit Requirements and Conditions.
- (e) The Permittee shall record all instances when response steps are taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- (f) Except as otherwise provided by a rule or provided specifically in Section D, all monitoring as required in Section D shall be performed when the emission unit is operating, except for time necessary to perform quality assurance and maintenance activities.

C.14 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]  
[326 IAC 2-7-6]

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- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate response actions. The Permittee shall submit a description of these response actions to IDEM, OAQ, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize excess emissions from the affected facility while the response actions are being implemented.
- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAQ that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAQ may extend the retesting deadline.
- (c) IDEM, OAQ reserves the authority to take any actions allowed under law in response to noncompliant stack tests.

The documents submitted pursuant to this condition do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]**

(a) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1(32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(b) The emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

**C.16 General Record Keeping Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-6]**

- (a) Records of all required data, reports and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner or the OES Administrator makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner or the OES Administrator within a reasonable time.
- (b) Unless otherwise specified in this permit, all record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

**C.17 General Reporting Requirements [326 IAC 2-7-5(3)(C)] [326 IAC 2-1.1-11]**

- (a) The source shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported. This report shall be submitted within thirty (30) days of the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management  
Compliance Data Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46221

- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.
- (d) Unless otherwise specified in this permit, all reports required in Section D of this permit shall be submitted within thirty (30) days of the end of the reporting period. All reports do require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period. Reporting periods are based on calendar years.

### **Stratospheric Ozone Protection**

#### **C.18 Compliance with 40 CFR 82 and 326 IAC 22-1**

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Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (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.

## SECTION D.1 FACILITY OPERATION CONDITIONS

### Facility Description [326 IAC 2-7-5(15)]

Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

### Emission Limitations and Standards [326 IAC 2-7-5(1)]

#### D.1.1. General Provisions Relating to NSPS [326 IAC 12] [40 CFR Part 60, Subpart A]

The provisions of 40 CFR Part 60, Subpart A - General Provisions, which are incorporated by reference in 326 IAC 12-1, apply to the facility described in this section except when otherwise specified in 40 CFR 50, Subpart GG (Standards of Performance for Stationary Gas Turbines).

#### D.1.2 New Source Performance Standard (NSPS) [326 IAC 12] [40 CFR 60, Subpart GG]

Pursuant to 326 IAC 12 and 40 CFR 60, Subpart GG (Standards of Performance for Stationary Gas Turbines), the Permittee shall:

- (a) limit nitrogen oxides emissions, as required by 40 CFR 60.332, to:

$$\text{STD} = 0.0075 \frac{(14.4)}{Y} + F,$$

where STD = allowable NO<sub>x</sub> emissions (percent by volume at 15 percent oxygen on a dry basis).

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO<sub>x</sub> emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332.

- (b) limit sulfur dioxide emissions, as required by 40 CFR 60.333, to 0.015 percent by volume at 15 percent oxygen on a dry basis, or use natural gas fuel with a sulfur content less than or equal to 0.8 percent by weight;
- (c) report periods of excess emissions, as required by 40 CFR 60.334(c).

#### D.1.3 PSD Minor Source Limit

- (a) Potential to emit of Nitrogen Oxides (NO<sub>x</sub>), Carbon Oxide (CO), Sulfur Dioxide (SO<sub>2</sub>), VOC, and Particulate Matter (PM and PM<sub>10</sub>) shall be limited to less than 250 tons per year, including periods of turbines startup and shutdown, with compliance determined at the end of each month. Compliance with these limits makes 326 IAC 2-2 (Prevention of Significant Deterioration) and 40 CFR 52.21 not applicable.
- (b) The Permittee shall burn only pipeline natural gas, as defined in the 40 CFR 72.2, in the turbines EU GT1, GT2, GT3, and GT4.

D.1.4 Particulate Matter

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Pursuant to 326 IAC 6-1-2(a), particulate matter (PM) emissions from the turbines EU Turbines GT1, GT2, GT3, and GT4 shall be limited to 0.03 grain/dry standard cubic foot.

D.1.5 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

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A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for this facility and any emission control devices.

**Compliance Determination Requirements**

D.1.6 NO<sub>x</sub> Monitoring [40 CFR 75.12(d)] [326 IAC 2-7-5(3)] [326 IAC 3-5-1(d)]

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- (a) Pursuant to 40 CFR 72.9 and 40 CFR 75.12, the Permittee has elected to monitor NO<sub>x</sub> emissions from the four (4) combustion turbines pursuant to 40 CFR 75, Appendix E, which is used for peaking units. Appendix E includes, but is not limited to, the following requirements:
- (1) Pursuant to 40 CFR 75, Appendix E, The Permittee shall record the time (hour and minute, load (megawatt), natural gas flow rate and heat input rate (using the procedures in Section 2.1.4 of Appendix E) for each hour during which the unit combusts fuel. The Permitted shall calculate the total hourly heat input using equation E-1 of Appendix E and record the Heat input rate for natural gas to the nearest 0.1 million British Thermal units per hour. During partial unit operating hours, heat input must be represented as an hourly rate in million British thermal units per hour, as if the fuel were combusted for the entire hour at that rate in order to ensure proper correlation with the NO<sub>x</sub> emission rate graph.
  - (2) The Permittee shall use the graph of the baseline correlation results to determine the NO<sub>x</sub> emission rate (pounds per million British thermal units) corresponding to the heat input rate (million British thermal units per hour) and input this correlation into the data acquisition and handling system for the turbines. The data shall be linearly interpolated to 0.1 million British thermal units per hour heat input rate and 0.01 pounds per million British thermal units.
- (b) To qualify for the mass NO<sub>x</sub> emissions estimation procedures in accordance with 40 CFR Part 75 Appendix E for peaking units, the Permittee shall annually certify to the OES, IDEM, and U.S. EPA the "peaking units" status for the turbines GT1 - GT4, in accordance with 40 CFR 72.2, as units having an average capacity factor of no more than 10% during the previous three calendar years and no more than 20% in each of those calendar years.
- (c) Pursuant to 326 IAC 21 and 40 CFR 75.12(d)(2), if a combustion turbine's operation exceeds a capacity factor of twenty percent (20%) in any calendar year, or exceeds a capacity factor of ten percent (10.0%) averaged over three (3) years, then the Permittee shall install, certify, and operate a NO<sub>x</sub> Continuous Emissions Monitoring Systems (CEMS) on the respective combustion turbine, GT1, GT2, GT3, or GT4, by December 31 of the following calendar year. The NO<sub>x</sub> CEMS shall meet the minimum requirements of 40 CFR Part 75 and 326 IAC 3-5. If the required CEMS has not been installed and certified by that date, the Permittee shall report the maximum potential NO<sub>x</sub> emission rate (MER) (as defined in 40 CFR 72.2) for each unit operating hour, starting with the first unit operating hour after the deadline and continuing until the CEMS has been provisionally certified.
- (d) When required to operate the NO<sub>x</sub> CEMS, in instances of NO<sub>x</sub> CEMS downtime, the Permittee shall report the NO<sub>x</sub> mass emissions in accordance with the procedures regulated by 40 CFR Part 75, Appendix D (Optional SO<sub>2</sub> Emissions Data Protocol) for fuel meters requirements, 40 CFR Part 75, Appendix E (Optional NO<sub>x</sub> Emissions Estimation Protocol) for emission rate curve establishment, and Appendix G (Determination of CO<sub>2</sub> Emissions). NO<sub>x</sub> mass emissions reported shall be based on the fuel-and-unit-specific NO<sub>x</sub> emission rates ("load curve") established during the latest stack test.

D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)] [326 IAC 2-1.1-11]

- (a) When monitoring NO<sub>x</sub> emissions in accordance with 40 CFR 75 Appendix E for peaking units, compliance with the NO<sub>x</sub> and CO emissions limitation in Conditions D.1.2 and D.1.3 shall be determined by a performance stack test conducted utilizing Methods as approved by the IDEM Commissioner and OES Administrator. This test on each of the turbines EU GT1, GT2, GT3, and GT4 shall be conducted prior to the earlier of 3,000 unit operating hours or every 5 years from this Part 70 Permit issuance date and following renewals. The stack tests should be conducted in accordance with Section C - Performance Testing, of this permit and 40 CFR 75 Appendix E ("load curve" NO<sub>x</sub> emission rates), and to demonstrate compliance with NO<sub>x</sub> and CO emissions limitations in Conditions D.1.2 and D.1.3.
- (b) When monitoring NO<sub>x</sub> emissions using CEMS in accordance with Condition D.1.6(c), a performance stack test on each of the turbines EU GT1, GT2, GT3, and GT4 shall be conducted prior to the earlier of 3,000 unit operating hours or every 5 years from this Part 70 Permit issuance date and following renewals. The stack tests shall be conducted in accordance with Section C - Performance Testing of this permit, to demonstrate compliance with CO emissions limitation pursuant to Condition D.1.3, utilizing methods as approved by the IDEM Commissioner and OES Administrator.

D.1.8 Sulfur and Nitrogen content [40 CFR 60.334]

- (a) Pursuant to 40 CFR 60, Subpart GG, 60.334(b), the Permittee shall monitor the sulfur content and nitrogen content of the fuel being fired in Emission Units ID GT1, GT2, GT3, and GT4 daily, in accordance with 40 CFR 60.335 (d).
- (b) Alternatively, the Permittee may use the following custom schedule for pipeline natural gas firing allowed by 40 CFR 60.334(b), as approved by the U.S. EPA on March 18, 2003:
  - (1) Monitoring of fuel Nitrogen Content will not be required since pipeline natural gas is the only fuel fired in the turbine;
  - (2) Measurement of Sulfur Content of the pipeline natural gas will be conducted by manual sampling followed by analysis. Sulfur Content will be determined via any of the following ASTM methods: ASTM D1072-90, ASTM D4084-94, ASTM D4468-85, ASTM D5504-94, or ASTM D3246-81, or any other ASTM methods approved in 40 CFR 60.334. The Applicable ranges of some ASTM methods are not adequate to measure the levels of Sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the EPA Administrator.
  - (3) Initial samples must be collected and analyzed twice a month for six months. If six months of bi-monthly sampling and analysis indicate that Sulfur concentrations are well below the applicable standard with low variability, the sampling frequency will be reduced to quarterly monitoring.
  - (4) If six quarters of quarterly sampling and analysis indicated Sulfur concentrations are well below the applicable standard with low variability, the sampling frequency will be reduced to semi-annual monitoring.
  - (5) If any analyses indicate noncompliance with the applicable Sulfur limit of 0.8 weight percent in 40 C.F.R. 60.333 (b), samples must be collected and analyzed on a weekly basis while the custom fuel monitoring schedule is re-examined. Georgetown plant should notify IDEM, OAQ, OES, and the U.S. EPA of the exceedance in accordance with 40 C.F.R. 60.7(c).
  - (6) If there is a substantial change in fuel quality, samples must be collected and analyzed on a weekly basis while the custom fuel monitoring schedule is re-examined.
  - (7) Records of sample analyses and fuel supply information related to Sulfur content of the fuel will be retained for at least three years and shall be available for inspection upon request.

**Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]**

**D.1.9 Record Keeping Requirements**

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- (a) To document compliance with Conditions D.1.2, D.1.3, D.1.6, D.1.7, and D.1.8, the Permittee shall maintain records in accordance with (1) through (6) below. Records shall be complete and sufficient to establish compliance with the limits established in Conditions D.1.2 and D.1.3:
  - (1) amount of natural gas combusted per unit (turbine) during each month;
  - (2) all fuel nitrogen content and sulfur content monitoring data;
  - (3) data and results from the most recent stack test;
  - (4) the time (hour and minute), load (megawatt), natural gas flow rate, heat input rate, and NO<sub>x</sub> emission rate (pounds per million Btu basis) for each hour during which the unit combusts fuel;
  - (5) when required to operate the NO<sub>x</sub> CEMS, all continuous emissions monitoring data; and
  - (6) records of source-wide NO<sub>x</sub> emissions in a tons per year basis by combining information in paragraph (4) and (5) above (as applicable).
- (b) All preventive maintenance measures taken.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

**D.1.10 Reporting Requirements**

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- (a) A quarterly summary of the information to document compliance with Conditions D.1.2, D.1.3, and D.1.8 shall be submitted to the addresses listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. The report submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34). A customized reporting form may be used for alternative Nitrogen and Sulfur fuel content monitoring schedule, allowed by the U.S. EPA and described in Condition D.1.8(b).
- (b) Periods of excess emissions shall be reported in accordance with requirements of 40 CFR 60.334(c).

**SECTION E**

**TITLE IV CONDITIONS**

Facility Description [326 IAC 2-7-5(15)]:

Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

**Acid Rain Program**

E.1 Acid Rain Permit [326 IAC 2-7-5(1)(C)] [326 IAC 21] [40 CFR 72 through 40 CFR 78]

- (a) Pursuant to 326 IAC 21 (Acid Deposition Control), the Permittee shall comply with all provisions of the Acid Rain permits issued for this source, and any other applicable requirements contained in 40 CFR 72 through 40 CFR 78. The Acid Rain permit for this source is attached to this permit as Appendix A, and is incorporated by reference.
- (b) The Permittee shall burn only pipeline natural gas, as defined in the 40 CFR 72.2, in the turbines EU GT1, GT2, GT3, and GT4.

E.2 Title IV Emissions Allowances [326 IAC 2-7-5(4)] [326 IAC 21]

Emissions exceeding any allowances that the Permittee lawfully holds under the Title IV Acid Rain Program of the Clean Air Act are prohibited, subject to the following limitations:

- (a) No revision of this permit shall be required for increases in emissions that are authorized by allowances acquired under the Title IV Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.
- (b) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.
- (c) Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.

**SECTION F Nitrogen Oxides Budget Trading Program - NO<sub>x</sub> Budget Permit for NO<sub>x</sub> Budget Units Under 326 IAC 10-4-1(a)**

ORIS Code: 7759

NO<sub>x</sub> Budget Source [326 IAC 2-7-5(15)]

Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

F.1 Automatic Incorporation of Definitions [326 IAC 10-4-7(e)]

This NO<sub>x</sub> budget permit is deemed to incorporate automatically the definitions of terms under 326 IAC 10-4-2.

F.2 Standard Permit Requirements [326 IAC 10-4-4(a)]

- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall operate each unit in compliance with this NO<sub>x</sub> budget permit.
- (b) The NO<sub>x</sub> budget units subject to this NO<sub>x</sub> budget permit are GT1, GT2, GT3, and GT4.

F.3 Monitoring Requirements [326 IAC 10-4-4(b)]

- (a) The owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NO<sub>x</sub> budget emissions limitation under 326 IAC 10-4-4(c) and Condition F.4, Nitrogen Oxides Requirements.

F.4 Nitrogen Oxides Requirements [326 IAC 10-4-4(c)]

- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NO<sub>x</sub> allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NO<sub>x</sub> emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or
  - (3) To account for withdrawal from the NO<sub>x</sub> budget trading program or a change in regulatory status of a NO<sub>x</sub> budget opt-in unit.
- (b) Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
- (c) NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.

- (d) A NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under (a) above and 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.
- (e) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program is a limited authorization to emit one (1) ton of NO<sub>x</sub> in accordance with the NO<sub>x</sub> budget trading program. No provision of the NO<sub>x</sub> budget trading program, the NO<sub>x</sub> budget permit application, the NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.
- (f) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NO<sub>x</sub> allowance to or from each NO<sub>x</sub> budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, this NO<sub>x</sub> budget permit of the NO<sub>x</sub> budget unit by operation of law without any further review.

F.5 Excess Emissions Requirements [326 IAC 10-4-4(d)]

The owners and operators of each NO<sub>x</sub> budget unit that has excess emissions in any ozone control period shall do the following:

- (a) Surrender the NO<sub>x</sub> allowances required for deduction under 326 IAC 10-4-10(k)(5).
- (b) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).

F.6 Record Keeping Requirements [326 IAC 10-4-4(e)] [326 IAC 2-7-5(3)]

Unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall keep, either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:

- (a) The account certificate of representation for the NO<sub>x</sub> authorized account representative for the source and each NO<sub>x</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NO<sub>x</sub> authorized account representative.
- (b) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.
- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO<sub>x</sub> budget trading program.
- (d) Copies of all documents used to complete a NO<sub>x</sub> budget permit application and any other submission under the NO<sub>x</sub> budget trading program or to demonstrate compliance with the requirements of the NO<sub>x</sub> budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to IDEM, OAQ or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

F.7 Reporting Requirements [326 IAC 10-4-4(e)]

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- (a) The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall submit the reports and compliance certifications required under the NO<sub>x</sub> budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.
- (b) Pursuant to 326 IAC 10-4-4(e) and 326 IAC 10-4-6(e)(1), each submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget 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."
- (c) Where 326 IAC 10-4 requires a submission to IDEM, OAQ, the NO<sub>x</sub> authorized account representative shall submit required information to:

Indiana Department of Environmental Management  
Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

And

City of Indianapolis, Office of Environmental Services  
2700 South Belmont Avenue  
Indianapolis, IN 46221
- (d) Where 326 IAC 10-4 requires a submission to U.S. EPA, the NO<sub>x</sub> authorized account representative shall submit required information to:

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

F.8 Liability [326 IAC 10-4-4(f)]

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The owners and operators of each NO<sub>x</sub> budget source shall be liable as follows:

- (a) Any person who knowingly violates any requirement or prohibition of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be subject to enforcement pursuant to applicable state or federal law.
- (b) Any person who knowingly makes a false material statement in any record, submission, or report under the NO<sub>x</sub> budget trading program shall be subject to criminal enforcement pursuant to the applicable state or federal law.
- (c) No permit revision shall excuse any violation of the requirements of the NO<sub>x</sub> budget trading program that occurs prior to the date that the revision takes effect.
- (d) Each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall meet the requirements of the NO<sub>x</sub> budget trading program.
- (e) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget source, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source, shall also apply to the owners and operators of the source and of the NO<sub>x</sub> budget units at the source.

- (f) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget unit, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget unit, shall also apply to the owners and operators of the unit. Except with regard to the requirements applicable to units with a common stack under 40 CFR 75 and 326 IAC 10-4-12, the owners and operators and the NO<sub>x</sub> authorized account representative of one (1) NO<sub>x</sub> budget unit shall not be liable for any violation by any other NO<sub>x</sub> budget unit of which they are not owners or operators or the NO<sub>x</sub> authorized account representative and that is located at a source of which they are not owners or operators or the NO<sub>x</sub> authorized account representative.

F.9 Effect on Other Authorities [326 IAC 10-4-4(g)]

No provision of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit application, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source or NO<sub>x</sub> budget unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the CAA.

F.10 Nitrogen Oxides Budget Program Allocation Requests [326 IAC 10-4-9(e)(2)]

For NO<sub>x</sub> budget units GT1, GT2, GT3, and GT4 that commenced operation on or after May 1, 2000, the NO<sub>x</sub> authorized account representative shall submit a request for NO<sub>x</sub> allowances in accordance with 326 IAC 10-4-9(e) by September 1 of the calendar year that is one (1) year in advance of the first ozone control period for which the NO<sub>x</sub> allowance allocation is requested. The NO<sub>x</sub> authorized account representative shall submit a request each year that the units will require allowances from the new unit set aside until the units are allocated allowances from the existing source pool. These requests shall be submitted by the NO<sub>x</sub> authorized account representative to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
and  
Indianapolis Office of Environmental Services**

**PART 70 OPERATING PERMIT  
CERTIFICATION**

Source Name: Georgetown Substation Generating Plant  
Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
Mailing Address: Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis,  
Indiana 46217  
Part 70 Permit No.: T097-13705-00352

**This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.**

Please check what document is being certified:

- Annual Compliance Certification Letter
- Test Result (specify)
- Report (specify)
- Notification (specify)
- Affidavit (specify)
- Other (specify)

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Telephone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE BRANCH  
100 North Senate Avenue  
Indianapolis, Indiana 46204  
Phone: 317-233-5674  
Fax: 317-233-5967**

and  
**Indianapolis Office of Environmental Services**

**PART 70 OPERATING PERMIT  
EMERGENCY OCCURRENCE REPORT**

Source Name: Georgetown Substation Generating Plant  
Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
Mailing Address: Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis,  
Indiana 46217  
Part 70 Permit No.: T097-13705-00352

**This form consists of 2 pages**

**Page 1 of 2**

- 9** This is an emergency as defined in 326 IAC 2-7-1(12)
- C The Permittee must notify the Office of Air Quality (OAQ), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and
  - C The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16.

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:

Control Equipment:

Permit Condition or Operation Limitation in Permit:

Description of the Emergency:

Describe the cause of the Emergency:

If any of the following are not applicable, mark N/A

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency?    Y    N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO <sub>2</sub> , VOC, NO <sub>x</sub> , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by:

Title / Position:

Date:

Telephone:

A certification is not required for this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION**

*and*

**INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

**Part 70 Quarterly Report**

Source Name: Georgetown Substation Generating Plant  
 Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
 Mailing Address: Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis, Indiana 46217  
 Part 70 Permit No.: T097-13705-00352

Facility: Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

Parameter: NO<sub>x</sub> Emissions (tons per month).  
 Limits: NO<sub>x</sub> emissions less than 250 tons per 12 months rolling monthly.

YEAR: \_\_\_\_\_ Quarter: \_\_\_\_\_

**NO<sub>x</sub> Emissions (ton):**

Month	Column 1	Column 2	Column 1 + Column 2
	This Month	Previous 11 Months	12 Month Total
Month 1			
Month 2			
Month 3			

- 9 No deviation occurred in this quarter.
- 9 Deviation/s occurred in this quarter.  
 Deviation has been reported on:

Submitted by: \_\_\_\_\_

Title / Position: \_\_\_\_\_ Telephone: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR QUALITY  
COMPLIANCE DATA SECTION**

*and*

**INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

**Part 70 Quarterly Report**

Source Name: Georgetown Substation Generating Plant  
Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
Mailing Address: Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis, Indiana 46217  
Part 70 Permit No.: T097-13705-00352

Facility: Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

Parameter: Sulfur Content, Nitrogen Content in natural gas.  
Limits: Sulfur Content less than or equal to 0.8 percent by weight.  
Nitrogen - no more than allowable, calculated according to 40 CFR 60.332.

Date	Sulfur (S) Content			Nitrogen (N) Content		
	Month 1	Month 2	Month 3	Month 1	Month 2	Month 3
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						

15						
16						
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19						
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21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						

Submitted by:

Title / Position: \_\_\_\_\_ Telephone:

Signature: \_\_\_\_\_ Date:

Attach a signed certification to complete this report.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
 OFFICE OF AIR QUALITY  
 COMPLIANCE DATA SECTION**

*and*

**INDIANAPOLIS OFFICE OF ENVIRONMENTAL SERVICES**

**Quarterly Deviation and Compliance Monitoring Report**

Source Name: Georgetown Substation Generating Plant  
 Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
 Mailing Address: Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis, Indiana 46217  
 Part 70 Permit No.: T097-13705-00352

Months: \_\_\_\_\_ to \_\_\_\_\_ Year: \_\_\_\_\_

<p>This report shall be submitted quarterly based on a calendar year. Any deviation from the requirements, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. Deviations that are required to be reported by an applicable requirement shall be reported according to the schedule stated in the applicable requirement and do not need to be included in this report. Additional pages may be attached if necessary. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".</p>	
<p><input checked="" type="radio"/> NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.</p>	
<p><input checked="" type="radio"/> THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD</p>	
<p><b>Permit Requirement</b> (specify permit condition #)</p>	
<p><b>Date of Deviation:</b></p>	<p><b>Duration of Deviation:</b></p>
<p><b>Number of Deviations:</b></p>	
<p><b>Probable Cause of Deviation:</b></p>	
<p><b>Response Steps Taken:</b></p>	
<p><b>Permit Requirement</b> (specify permit condition #)</p>	
<p><b>Date of Deviation:</b></p>	<p><b>Duration of Deviation:</b></p>
<p><b>Number of Deviations:</b></p>	
<p><b>Probable Cause of Deviation:</b></p>	
<p><b>Response Steps Taken:</b></p>	

<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	
<b>Permit Requirement</b> (specify permit condition #)	
<b>Date of Deviation:</b>	<b>Duration of Deviation:</b>
<b>Number of Deviations:</b>	
<b>Probable Cause of Deviation:</b>	
<b>Response Steps Taken:</b>	

Form Completed By:

Title/Position:

Date:

Telephone:

Attach a signed certification to complete this report.

# **APPENDIX A**

## **Phase II**

### **Acid Rain Permit**



*Mitchell E. Daniels, Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
(800) 451-6027  
[www.IN.gov/idem](http://www.IN.gov/idem)

**Phase II  
ACID RAIN PERMIT RENEWAL  
OFFICE OF AIR QUALITY**

**Georgetown Substation Generating Plant  
8198 Georgetown Road  
Indianapolis, Indiana, 46268  
ORIS: 7759**

The owners and operators (hereinafter collectively known as the Permittee) of the above source are issued this permit under the provisions of 326 Indiana Administrative Code (IAC) 21 with conditions listed on the attached pages.

Permit No.: AR 097-19339-00352	
Issued by:  Paul Dubenetzky, Chief Permits Branch Office of Air Quality	Issuance Date: August 9, 2005  Expiration Date: August 9, 2010

## Title IV Operating Conditions

### Title IV Source Description:

Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NOx) emissions are controlled by dry low NOx combustors.

(The information contained in this box is descriptive information and does not constitute enforceable conditions.)

### 1. Statutory and Regulatory Authorities

In accordance with IC 13-17-3-4 and IC 13-17-3-11 as well as Titles IV and V of the Clean Air Act, the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ) issues this permit pursuant to 326 IAC 2 and 326 IAC 21 (incorporates by reference 40 Code of Federal Regulations (CFR) 72 through 78).

### 2. Standard Permit Requirements [326 IAC 21]

- (a) The designated representative has submitted a complete acid rain permit application in accordance with the deadlines in 40 CFR 72.30.
- (b) The Permittee shall operate GT1, GT2, GT3 and GT4 in compliance with this permit.

### 3. Monitoring Requirements [326 IAC 21]

- (a) The Permittee and, to the extent applicable, the designated representative of GT1, GT2, GT3 and GT4 shall comply with the monitoring requirements as provided in 40 CFR 75.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 shall be used to determine compliance by GT1, GT2, GT3 and GT4 with the acid rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (c) The requirements of 40 CFR 75 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants or other emissions characteristics at GT1, GT2, GT3 and GT4 under other applicable requirements of the Clean Air Act and other provisions of the operating permit of this source.

### 4. Sulfur Dioxide Requirements [326 IAC 21]

- (a) The Permittee shall:
  - (1) Hold allowances, as of the allowance transfer deadline (as defined in 40 CFR 72.2), in the compliance subaccount of GT1, GT2, GT3 and GT4, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from GT1, GT2, GT3 and GT4; and,
  - (2) Comply with the applicable acid rain emissions limitations for sulfur dioxide.
- (b) Each ton of sulfur dioxide emitted in excess of the acid rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Clean Air Act.
- (c) GT1, GT2, GT3 and GT4 shall be subject to the requirements under paragraph 4(a) of the sulfur dioxide requirements as follows:
  - (1) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or,

- (2) Starting on the latter of January 1, 2000, or the deadline for monitor certification under 40 CFR 75, an affected unit under 40 CFR 72.6(a)(3).
- (d) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (e) An allowance shall not be deducted in order to comply with the requirements under paragraph 4(a) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (f) GT1, GT2, GT3 and GT4 were not allocated allowances by United States Environmental Protection Agency (U.S. EPA) under 40 CFR part 73.10. However, GT1, GT2, GT3 and GT4 must still comply with the requirement to hold allowances to account for sulfur dioxide emissions under paragraph 4(a) and 326 IAC 21.
- (g) An allowance allocated by the U.S. EPA 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, the acid rain portion of an operating permit, or the written exemption under 40 CFR 72.7 and 72.8 and 326 IAC 21, and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (h) An allowance allocated by U.S. EPA under the Acid Rain Program does not constitute a property right.
- (i) GT1, GT2, GT3 and GT4 have no sulfur dioxide (SO<sub>2</sub>) allowance allocations from U.S. EPA. The allowances shall be obtained from other units to account for the SO<sub>2</sub> emissions from these units as required by 40 CFR 72.9(c).
- (j) No permit revision may be required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program, provided that the increases do not require a permit revision under any other applicable requirement. [326 IAC 2-7-5(4)(A)]
- (k) No limit shall be placed on the number of allowances held by the Permittee. The Permittee may not, however, use allowances as a defense to noncompliance with any applicable requirement other than the requirements of the Acid Rain Program. [326 IAC 2-7-5(4)(B)]

5. Nitrogen Oxides Requirements [326 IAC 21]

Pursuant to 40 CFR 76, Acid Rain Nitrogen Oxides Emission Reduction Program, GT1, GT2, GT3 and GT4 are not subject to the nitrogen oxide limitations set out in 40 CFR 76.

6. Excess Emissions Requirements [40 CFR 77] [326 IAC 21]

- (a) If GT1, GT2, GT3 or GT4 has excess emissions of sulfur dioxide in any calendar year, the designated representative shall submit a proposed offset plan to U.S. EPA and IDEM, OAQ as required under 40 CFR 77 and 326 IAC 21.
- (b) The designated representative shall submit required information to:

Indiana Department of Environmental Management  
Air Compliance Section I, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis Office of Environmental Services  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

and

Ms. Cecilia Mijares  
Air and Radiation Division  
U.S. Environmental Protection Agency, Region V  
77 West Jackson Boulevard  
Chicago, IL 60604-3590

and

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code (6204N)  
Washington, DC 20460

- (c) If GT1, GT2, GT3 or GT4 has excess emissions, as defined in 40 CFR 72.2, in any calendar year the Permittee shall:
- (1) Pay to U.S. EPA without demand the penalty required, and pay to U.S. EPA upon demand the interest on that penalty, as required by 40 CFR 77 and 326 IAC 21; and,
  - (2) Comply with the terms of an approved sulfur dioxide offset plan, as required by 40 CFR 77 and 326 IAC 21.

7. Record Keeping and Reporting Requirements [326 IAC 21]

- (a) Unless otherwise provided, the Permittee shall keep on site each of the following documents for a period of 5 years, as required by 40 CFR 72.9(f), from the date the document is created. This period may be extended for cause, at any time prior to the end of the 5 years, in writing by U.S. EPA or IDEM, OAQ:
- (1) The certificate of representation for the designated representative for GT1, GT2, GT3 and GT4 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;
  - (2) All emissions monitoring information collected in accordance with 40 CFR 75 shall be retained on site for 3 years;
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (4) 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.
- (b) The designated representative of GT1, GT2, GT3 and GT4 shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR 72.90 subpart I, 40 CFR 75, and 326 IAC 21. The required information is to be submitted to the appropriate authority(ies) as specified in 40 CFR 72.90 subpart I and 40 CFR 75.

8. Submissions [326 IAC 21]

- (a) The designated representative of GT1, GT2, GT3 and GT4 shall submit a certificate of representation, and any superseding certificate of representation, to U.S. EPA and IDEM, OAQ in accordance with 40 CFR 72 and 326 IAC 21.

- (b) The designated representative shall submit required information to:

Indiana Department of Environmental Management  
Permit Administration Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis Office of Environmental Services  
2700 South Belmont Avenue  
Indianapolis, Indiana 46221

and

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code (6204N)  
Washington, DC 20460

- (c) Each such submission under the Acid Rain Program shall be submitted, signed and certified by the designated representative for all sources on behalf of which the submission is made.
- (d) In each submission under the Acid Rain Program, the designated representative shall certify, by his or her signature, the following statements which shall be included verbatim in the submission:
- (1) "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."; and,
  - (2) "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."
- (e) The designated representative of GT1, GT2, GT3 and GT4 shall notify the Permittee:
- (1) By the date of submission, of any Acid Rain Program submissions by the designated representative;
  - (2) Within 10 business days of receipt of any written determination by U.S. EPA or IDEM, OAQ; and,
  - (3) Provided that the submission or determination covers GT1, GT2, GT3 or GT4.
- (f) The designated representative of GT1, GT2, GT3 and GT4 shall provide the Permittee a copy of any submission or determination under condition 8(e) of this section, unless the Permittee expressly waives the right to receive a copy.

9. Severability [326 IAC 21]

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Invalidation of the acid rain portion of an operating permit does not affect the continuing validity of the rest of the operating permit, nor shall invalidation of any other portion of the operating permit affect the continuing validity of the acid rain portion of the permit. [40 CFR 72.72(b), 326 IAC 21, and 326 IAC 2-7-5(5)]

10. Liability [326 IAC 21]

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- (a) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, an acid rain permit, an acid rain portion of an operation 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 by U.S. EPA pursuant to Section 113(c) of the Clean Air Act and shall be subject to enforcement by IDEM pursuant to 326 IAC 21 and IC 13-30-3.
- (b) 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 Clean Air Act, 18 U.S.C. 1001 and IDEM pursuant to 326 IAC 21 and IC 13-30-6-2.
- (c) 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.
- (d) GT1, GT2, GT3 and GT4 shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to GT1, GT2, GT3 or GT4, including a provision applicable to the designated representative of GT1, GT2, GT3 or GT4, shall also apply to the Permittee.
- (f) Any provision of the Acid Rain Program that applies to GT1, GT2, GT3 or GT4, including a provision applicable to the designated representative, shall also apply to the Permittee. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NOx averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR 75, including 40 CFR 75.16, 75.17, and 75.18, the Permittee 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.
- (g) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by GT1, GT2, GT3 or GT4, or by the Permittee or designated representative, shall be a separate violation of the Clean Air Act.

11. Effect on Other Authorities [326 IAC 21]

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No provision of the Acid Rain Program, an acid rain permit application, an acid rain permit, an acid rain portion of an operation permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (a) Except as expressly provided in Title IV of the Clean Air Act (42 USC 7651 to 7651(o)), exempting or excluding the Permittee and, to the extent applicable, the designated representative of GT1, GT2, GT3 or GT4 from compliance with any other provision of the Clean Air Act, including the provisions of Title I of the Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (b) 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 Clean Air Act;
- (c) 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;
- (d) Modifying the Federal Power Act (16 USC 791(a) et seq.) or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

- (e) Interfering with or impairing any program for competitive bidding for power supply in a state in which such a program is established.

# Indiana Department of Environmental Management Office of Air Quality

## Addendum to the Technical Support Document for a Significant Permit Modification to a Part 70 Operating Permit

Source Name:	Georgetown Substation Generating Plant
Source Location:	8198 Georgetown Road, Indianapolis, Indiana 46268
County:	Marion
SIC Code:	4911
Operation Permit No.:	T097-13705-00352
Operation Permit Issuance Date:	December 10, 2003
Modification No.:	SPM097-18380-00352
Permit Reviewer:	Madhurima D. Moulik

On August 22, 2005, the Office of Air Quality (OAQ) had a notice published in the Indianapolis Star and News, Indianapolis, Indiana, stating that Indiana Power and Light Company (IPL) had applied for a significant permit modification to Part 70 Operating Permit No. 097-13705-00352 for the Georgetown Substation Generating Plant, to resolve a petition for administrative review that was received on January 8, 2003. The notice also stated that OAQ proposed to issue the significant permit modification and provided information on how the public could review the proposed permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this permit should be issued as proposed.

Based on comments received from the representatives of the Permittee, and upon further review, the OAQ has decided to make the following revisions to the permit (bolded language has been added, the language with a line through it has been deleted).

### Comment 1:

Permittee requested that references to "IPALCO" be changed to either "IPL" or "Indianapolis Power & Light Company".

Response: The change has been made as requested.

### Comment 2:

Permittee requested that the name of the permittee should be revised to the "Georgetown Substation Generating Plant" since the owners of this plant are not the same as those at IPL.

Response: The change has been made as requested.

### Comment 3:

Permittee requested that all conditions concerning Preventive Maintenance Plan (PMP) requirements should be deleted in Conditions B.11, D.1.5, and D.1.9(b), since these are intended to apply to facilities with pollution control devices.

### Response:

The Preventive Maintenance Plan requirement must be included in every applicable Title V permit pursuant to 326 IAC 2-7-5(13). This rule refers back to the Preventive Maintenance Plan requirement as described in 326 IAC 1-6-3. This Preventive Maintenance Plan rule sets out the requirements for:

- (1) Identification of the individuals responsible for inspecting, maintaining and repairing the emission control equipment (326 IAC 1-6-3(a)(1)),
- (2) The description of the items or conditions in the facility that will be inspected and the inspection schedule for said items or conditions (326 IAC 1-6-3(a)(2)), and
- (3) The identification and quantification of the replacement parts which will be maintained in inventory for quick replacement. (326 IAC 1-6-3(a)(2)).

It is clear from the structure of the wording in 326 IAC 1-6-3 that the PMP requirement affects the entirety of the applicable facilities. Only 326 IAC 1-6-3(a)(1) is limited, in that it requires identification of the personnel in charge of only the emission control equipment, and not any other facility equipment. 326 IAC 1-6-3(b) provides that "...as deemed necessary by the commissioner, any person operating a facility shall comply with the requirements of subsection (a) of this section."

Many types of facilities require maintenance in order to prevent excess emissions. Therefore, no change has been made as a result of this comment.

Comment 4:

The Permittee requested that Condition B.12(b)(4) be revised as follows for clarification:

- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAQ, and OES within four (4) daytime business hours after: **(a)** the beginning of the emergency, or **(b)** after the emergency was discovered or reasonably should have been discovered;

Response: Condition B.12(b)(4) has been changed as requested.

Other Changes:

The Acid Rain Permit No. AR 097-19339-00352, that was proposed to EPA at the time that SPM No. 097-18380-00352 went on public notice, was issued on August 9, 2005. The final issued acid rain permit no. AR 097-19339-00352 has been incorporated into this Significant Permit Modification.

**Indiana Department of Environmental Management  
Office of Air Quality  
and  
Indianapolis Office of Environmental Services**

Technical Support Document (TSD) for a Significant Permit Modification to a Part 70  
Operating Permit

**Source Background and Description**

<b>Source Name:</b>	Georgetown Substation Generating Plant
<b>Source Location:</b>	8198 Georgetown Road, Indianapolis, Indiana 46268
<b>County:</b>	Marion
<b>SIC Code:</b>	4911
<b>Operation Permit No.:</b>	T097-13705-00352
<b>Operation Permit Issuance Date:</b>	December 10, 2003
<b>Modification No.:</b>	SPM097-18380-00352
<b>Permit Reviewer:</b>	Madhurima D. Moulik

The Office of Air Quality (OAQ) has reviewed a petition for administrative review of a Part 70 permit from Indianapolis Power and Light Company (IPL) relating to the operation of the Georgetown Substation Generating Plant.

In addition, OAQ and the Indianapolis Office of Environmental Services (OES) have reviewed an administrative amendment application from Georgetown Substation Generating Plant relating to the recent revisions to 326 IAC 2-6, Emission Reporting.

Finally, OAQ and OES have reviewed a Nitrogen Oxides (NO<sub>x</sub>) Budget Permit Application from Georgetown Substation Generating Plant submitted pursuant to the requirements of 326 IAC 10-4-7.

**History**

IPL was issued a Part 70 Operating Permit on December 10, 2003, for the Georgetown Substation Generating Plant. A petition for administrative review was received by the OAQ on January 8, 2004. The petition for administrative review was filed with the Office of Environmental Adjudication (OEA) under Cause Number 04-A-J-3268. The issues of the petition for administrative review and the responses are described below in the "Modifications for Resolution of the Petition for Administrative Review" section.

The permittee submitted an application to the OAQ and OES, on April 1, 2004, requesting to revise the emission statement condition in the Part 70 permit due to the revisions to the state rule 326 IAC 2-6, Emission Reporting. This request to revise emission reporting requirement in the permit is considered administrative amendment under 326 IAC 2-7-11. Since the Significant Permit Modification No. SPM 097-18380-00352 was being drafted at the time of submittal of the application for the administrative amendment, the OAQ and OES incorporated the administrative amendment into the draft significant permit modification. IDEM, OAQ and Indianapolis OES have revised the permit Condition C.15.

Pursuant to 326 IAC 10-4-7, the permittee submitted a complete NO<sub>x</sub> Budget Permit Application for this NO<sub>x</sub> budget source, received on August 18, 2003. The NO<sub>x</sub> Budget Permit was not incorporated into the Part 70 permit prior to the public comment period for the Georgetown Substation Generating Plant Part 70 Permit No. 097-13705-00352. Since the Significant Permit Modification No. SPM 097-18380-00352 was being drafted at the same time as the NO<sub>x</sub> Budget Permit was being drafted and the NO<sub>x</sub> Budget Permit must be added through a significant permit modification, the OAQ and OES incorporated NO<sub>x</sub> Budget Permit into this significant permit modification. IDEM, OAQ and Indianapolis OES have drafted a new Section F containing the NO<sub>x</sub> Budget Permit.

During this review, OAQ and OES have also included a new condition B.25 - Credible Evidence, required for all Part 70 permits, and updated the attainment status information for Marion County. Explanation of these changes are provided in the section below, "Additional Changes to the Permit."

### **Modifications for Resolution of the Petition for Administrative Review**

#### **Comment 1:**

The permittee objected to the language of Condition D.1.6(c) that requires the Permittee to install NO<sub>x</sub> continuous emission monitoring systems (CEMS) on all combustion turbines if any one combustion turbine exceeds a capacity factor of 16 percent in any given year or exceeds an average capacity factor of 10 percent for the previous three years. The permittee objected on the basis that no rule or regulation authorizes the requirement. First, the permittee objected to the 16 percent trigger for installing CEMS when the Acid Rain requirements in 326 IAC 21, Acid Deposition Control (i.e., Acid Rain requirements), do not require a CEMS until a 20 percent capacity factor is exceeded. Second, the permittee objected to the requirement that CEMS be installed on all combustion turbines if only one turbine exceeds one of the capacity factors specified. Finally, the permittee presented argument that the existing, approved monitoring system provides the necessary information to determine compliance with the NO<sub>x</sub> limit in the permit at capacity factors of 20 percent or less. As an additional submittal, the permittee provided copies of stack tests completed for the combustion turbines to demonstrate that the emission factor used in calculating the turbines' potential to emit NO<sub>x</sub> for the Part 70 permit was higher than the worst-case values demonstrated by site-specific stack tests. The permittee requested that Condition D.1.6(c) be removed.

#### **Response to Comment 1:**

Based on review of the information in the petition, and discussions among IDEM, Indianapolis OES, and the permittee, the changes below to Condition D.1.6(c) have been agreed to as a resolution to this issue. The intent of the condition D.1.6(c) was to provide assurances that the Permittee complies with the emission limit to make the requirements of Prevention of Significant Deterioration (PSD) for NO<sub>x</sub> not applicable. Based on the original estimate of potential to emit of NO<sub>x</sub> using the manufacturer's guarantee, the potential to emit NO<sub>x</sub> at the 20 percent capacity factor was above the 250 tons per year threshold for applicability of PSD. Since the current monitoring method does not measure start-up and shutdown emissions and is a correlation based on stack test data versus actual real-time measured data that CEMS provide, OAQ and OES were concerned that the PSD minor threshold could have been inadvertently exceeded, even if the current monitoring method does not indicate that it has been exceeded. Therefore, IDEM, OAQ and OES required CEMS to be installed as the emissions approached the PSD minor threshold limit. OAQ and OES did not intend to require the installation of CEMS on all combustion turbines if one turbine exceeded a 16 percent capacity factor in any one year or if one turbine exceeded an average capacity factor of 10 percent for the previous three years.

Based on additional information submitted by Georgetown Substation Generating Plant, the potential to emit was re-evaluated with the most conservative, site-specific data. A summary of

the data is provided in Appendix A to this Technical Support Document. The evaluation demonstrated that if the worst-case, peak load was maintained by all four turbines for 20 percent of the year, the estimated emissions would be well below the PSD major source threshold of 250 tons per year. Therefore, IDEM, OAQ and Indianapolis OES have agreed to revise the permit such that CEMS are required to be installed if the capacity factors pursuant to the Acid Rain requirements are triggered, rather than the lower capacity factor that was based on information that was not site-specific. In addition, IDEM, OAQ and Indianapolis OES have clarified that each combustion turbine triggers the capacity factor threshold for CEMS on an individual basis as required under the Acid Rain requirements at 40 CFR Part 75, Continuous Emissions Monitoring.

Pursuant to the provisions of 326 IAC 2-7-12(d), the permit is being revised with a significant permit modification because it involves a significant change to an existing requirement. All deleted language is indicated with ~~strikeout~~ and new language is indicated with bold type (**bold type**).

#### D.1.6 NO<sub>x</sub> Monitoring [40 CFR 75.12(d)] [326 IAC 2-7-5(3)] [326 IAC 3-5-1(d)]

- (a) Pursuant to 40 CFR 72.9 and 40 CFR 75.12, the Permittee has elected to monitor NO<sub>x</sub> emissions from the four (4) combustion turbines pursuant to 40 CFR 75, Appendix E, which is used for peaking units. Appendix E includes, but is not limited to, the following requirements:
- (1) Pursuant to 40 CFR 75, Appendix E, The Permittee shall record the time (hour and minute, load (megawatt), natural gas flow rate and heat input rate (using the procedures in Section 2.1.4 of Appendix E) for each hour during which the unit combusts fuel. The Permitted shall calculate the total hourly heat input using equation E-1 of Appendix E and record the Heat input rate for natural gas to the nearest 0.1 million British Thermal units per hour. During partial unit operating hours, heat input must be represented as an hourly rate in million British thermal units per hour, as if the fuel were combusted for the entire hour at that rate in order to ensure proper correlation with the NO<sub>x</sub> emission rate graph.
  - (2) The Permittee shall use the graph of the baseline correlation results to determine the NO<sub>x</sub> emission rate (pounds per million British thermal units) corresponding to the heat input rate (million British thermal units per hour) and input this correlation into the data acquisition and handling system for the turbines. The data shall be linearly interpolated to 0.1 million British thermal units per hour heat input rate and 0.01 pounds per million British thermal units.
- (b) To qualify for the mass NO<sub>x</sub> emissions estimation procedures in accordance with 40 CFR Part 75 Appendix E for peaking units, the Permittee shall annually certify to the OES, IDEM, and U.S. EPA the "peaking units" status for the turbines GT1 - GT4, in accordance with 40 CFR 72.2, as units having an average capacity factor of no more than 10% during the previous three calendar years and no more than 20% in each of those calendar years.
- (c) **Pursuant to 326 IAC 21 and 40 CFR 75.12(d)(2), if any a combustion turbine's operation exceeds a capacity factor of sixteen ~~ten~~ **twenty** percent (16 ~~10~~ **20**%) in any given calendar year, or exceeds an ~~average~~ **average** a capacity factor of ten percent (10.0%) for the previous averaged over three (3) years, then the Permittee shall install, certify, and operate a NO<sub>x</sub> Continuous Emissions Monitoring Systems (CEMS) on the respective combustion turbines, GT1, GT2, GT3, ~~and~~ **or** GT4, by December 31 of the following calendar year. The NO<sub>x</sub> CEMS shall meet the minimum requirements of 40 CFR Part 75 and 326 IAC 3-5. If the required CEMS ~~have~~ **has** not been installed and certified by that date, the Permittee shall report the maximum potential NO<sub>x</sub> emission rate (MER) (as defined in 40 CFR 72.2) for each unit operating hour, starting with the first unit operating**

hour after the deadline and continuing until the CEMS ~~have~~ **has** been provisionally certified.

- (d) When required to operate the NO<sub>x</sub> CEMS, in instances of NO<sub>x</sub> CEMS downtime, the Permittee shall report the NO<sub>x</sub> mass emissions in accordance with the procedures regulated by 40 CFR Part 75, Appendix D (Optional SO<sub>2</sub> Emissions Data Protocol) for fuel meters requirements, 40 CFR Part 75, Appendix E (Optional NO<sub>x</sub> Emissions Estimation Protocol) for emission rate curve establishment, and Appendix G (Determination of CO<sub>2</sub> Emissions). NO<sub>x</sub> mass emissions reported shall be based on the fuel-and-unit-specific NO<sub>x</sub> emission rates ("load curve") established during the latest stack test.

**Comment 2:**

Condition D.1.9 specifies a compliance date that predates the effective date of the Permit. This Condition should only require compliance as of the date of the Permit.

**Response to Comment 2:**

IDEM, and Indianapolis OES agree that Condition D.1.9 can be deleted, and the NO<sub>x</sub> Budget Permit can be incorporated into a new Section F of the permit as a resolution to this issue. Since the May 31, 2004 compliance date for the full requirements of 326 IAC 10-4 has passed and the permittee has submitted a complete NO<sub>x</sub> Budget Permit Application, the monitoring requirements of 326 IAC 10-4-12 will be removed from the D section, and the full requirements of 326 IAC 10-4, NO<sub>x</sub> Budget Trading Program, will be incorporated into a new Section F. All deleted language is indicated with ~~strikeout~~ and new language is indicated with bold type (**bold type**). The numbers of the remaining Section D.1 conditions are also adjusted. In addition, Condition D.1.11 (Nitrogen Oxides Budget Program Allocation Requests) has been moved to Section F (NO<sub>x</sub> Budget Permit). Appendix B to this Technical Support Document includes a detailed description of the requirements of 326 IAC 10-4, NO<sub>x</sub> Budget Trading Program.

~~D.1.9 Nitrogen Oxides Monitoring Requirement [326 IAC 10-4-4(b)(1)] [326 IAC 10-4-12(b) and (c)] [40CFR 75]~~

~~For the turbines GT1, GT2, GT3, and GT4, the Permittee shall meet the monitoring requirements of 326 IAC 10-4-12(b)(1) through (b)(3) that are applicable to their monitoring systems for the NO<sub>x</sub> budget units on or before May 1, 2003. The Permittee shall record, report, and quality assure the data from the monitoring systems on and after May 1, 2003 in accordance with 326 IAC 10-4-12 and 40 CFR 75.~~

**SECTION F Nitrogen Oxides Budget Trading Program - NO<sub>x</sub> Budget Permit for NO<sub>x</sub> Budget Units Under 326 IAC 10-4-1(a)**

ORIS Code: 7759

**NO<sub>x</sub> Budget Source [326 IAC 2-7-5(15)]**

**Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.**

**(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)**

**F.1 Automatic Incorporation of Definitions [326 IAC 10-4-7(e)]**

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**This NO<sub>x</sub> budget permit is deemed to incorporate automatically the definitions of terms under 326 IAC 10-4-2.**

**F.2 Standard Permit Requirements [326 IAC 10-4-4(a)]**

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- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall operate each unit in compliance with this NO<sub>x</sub> budget permit.**
- (b) The NO<sub>x</sub> budget units subject to this NO<sub>x</sub> budget permit are GT1, GT2, GT3, and GT4.**

**F.3 Monitoring Requirements [326 IAC 10-4-4(b)]**

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- (a) The owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12.**
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NO<sub>x</sub> budget emissions limitation under 326 IAC 10-4-4(c) and Condition F.4, Nitrogen Oxides Requirements.**

**F.4 Nitrogen Oxides Requirements [326 IAC 10-4-4(c)]**

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- (a) The owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NO<sub>x</sub> allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NO<sub>x</sub> emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;**
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or**
  - (3) To account for withdrawal from the NO<sub>x</sub> budget trading program or a change in regulatory status of a NO<sub>x</sub> budget opt-in unit.****
- (b) Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.**
- (c) NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.**
- (d) A NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under (a) above and 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.**
- (e) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program is a limited authorization to emit one (1) ton of NO<sub>x</sub> in accordance with the NO<sub>x</sub> budget trading program. No provision of the NO<sub>x</sub> budget trading program, the NO<sub>x</sub> budget permit application, the NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.**

- (f) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program does not constitute a property right.
- (g) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NO<sub>x</sub> allowance to or from each NO<sub>x</sub> budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, this NO<sub>x</sub> budget permit of the NO<sub>x</sub> budget unit by operation of law without any further review.

**F.5 Excess Emissions Requirements [326 IAC 10-4-4(d)]**

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The owners and operators of each NO<sub>x</sub> budget unit that has excess emissions in any ozone control period shall do the following:

- (a) Surrender the NO<sub>x</sub> allowances required for deduction under 326 IAC 10-4-10(k)(5).
- (b) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).

**F.6 Record Keeping Requirements [326 IAC 10-4-4(e)] [326 IAC 2-7-5(3)]**

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Unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall keep, either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:

- (a) The account certificate of representation for the NO<sub>x</sub> authorized account representative for the source and each NO<sub>x</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NO<sub>x</sub> authorized account representative.
- (b) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.
- (c) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO<sub>x</sub> budget trading program.
- (d) Copies of all documents used to complete a NO<sub>x</sub> budget permit application and any other submission under the NO<sub>x</sub> budget trading program or to demonstrate compliance with the requirements of the NO<sub>x</sub> budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to IDEM, OAQ or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

**F.7 Reporting Requirements [326 IAC 10-4-4(e)]**

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- (a) The NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall submit the reports and compliance certifications required under the NO<sub>x</sub> budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.
- (b) Pursuant to 326 IAC 10-4-4(e) and 326 IAC 10-4-6(e)(1), each submission shall include the following certification statement by the NO<sub>x</sub> authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget 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."
- (c) Where 326 IAC 10-4 requires a submission to IDEM, OAQ, the NO<sub>x</sub> authorized account representative shall submit required information to:

Indiana Department of Environmental Management  
Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

And

City of Indianapolis, Office of Environmental Services  
8700 South Belmont Avenue  
Indianapolis, IN 46221

- (d) Where 326 IAC 10-4 requires a submission to U.S. EPA, the NO<sub>x</sub> authorized account representative shall submit required information to:

U.S. Environmental Protection Agency  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

**F.8 Liability [326 IAC 10-4-4(f)]**

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The owners and operators of each NO<sub>x</sub> budget source shall be liable as follows:

- (a) Any person who knowingly violates any requirement or prohibition of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be subject to enforcement pursuant to applicable state or federal law.
- (b) Any person who knowingly makes a false material statement in any record, submission, or report under the NO<sub>x</sub> budget trading program shall be subject to criminal enforcement pursuant to the applicable state or federal law.
- (c) No permit revision shall excuse any violation of the requirements of the NO<sub>x</sub> budget trading program that occurs prior to the date that the revision takes effect.

- (d) Each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit shall meet the requirements of the NO<sub>x</sub> budget trading program.
- (e) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget source, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source, shall also apply to the owners and operators of the source and of the NO<sub>x</sub> budget units at the source.
- (f) Any provision of the NO<sub>x</sub> budget trading program that applies to a NO<sub>x</sub> budget unit, including a provision applicable to the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget unit, shall also apply to the owners and operators of the unit. Except with regard to the requirements applicable to units with a common stack under 40 CFR 75 and 326 IAC 10-4-12, the owners and operators and the NO<sub>x</sub> authorized account representative of one (1) NO<sub>x</sub> budget unit shall not be liable for any violation by any other NO<sub>x</sub> budget unit of which they are not owners or operators or the NO<sub>x</sub> authorized account representative and that is located at a source of which they are not owners or operators or the NO<sub>x</sub> authorized account representative.

**F.9 Effect on Other Authorities [326 IAC 10-4-4(g)]**

No provision of the NO<sub>x</sub> budget trading program, a NO<sub>x</sub> budget permit application, a NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of a NO<sub>x</sub> budget source or NO<sub>x</sub> budget unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the CAA.

**Comment 3:**

Condition D.1.12(a) requires the NO<sub>x</sub> authorized account representative to submit a complete NO<sub>x</sub> budget permit application at least 270 days prior to May 31, 2004. That date has passed and therefore Condition D.1.12(a) should be deleted.

**Response to Comment 3:**

IDEM, OLC and OAQ, and Indianapolis OES agree that Condition D.1.12(a) can be deleted as a resolution to this issue. A complete NO<sub>x</sub> Budget Permit Application was submitted by Georgetown Substation Generating Plant on August 18, 2003, prior to the permit issuance date. This condition has also been moved to Section F.

~~D.1.12~~ **F.10 Nitrogen Oxides Budget Permit Application Submittal Requirement Program Allocation Requests [326 IAC 10-4-4(a)(1)] [326 IAC 10-4-9(e)(2)]**

- ~~(a)~~ For NO<sub>x</sub> budget units GT1, GT2, GT3, and GT4, the NO<sub>x</sub> authorized account representative shall submit a complete NO<sub>x</sub> budget permit application in accordance with 326 IAC 10-4-7 at least two hundred seventy (270) days prior to May 31, 2004. This application shall be submitted by the NO<sub>x</sub> authorized account representative to:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, P.O. Box 6015  
Indianapolis, Indiana 46206-6015

- ~~(b)~~ For NO<sub>x</sub> budget units GT1, GT2, GT3, and GT4 that commenced operation on or after May 1, 2000, the NO<sub>x</sub> authorized account representative shall submit a request for NO<sub>x</sub> allowances in accordance with 326 IAC 10-4-9(e) by September 1 of the calendar year that is one (1) year in advance of the first ozone control period for which the NO<sub>x</sub> allowance allocation is requested. The NO<sub>x</sub> authorized account representative shall submit a request each year that the units will require allowances from the new unit set

aside until the units are allocated allowances from the existing source pool. These requests shall be submitted by the NO<sub>x</sub> authorized account representative to:

Indiana Department of Environmental Management  
Compliance Branch, Office of Air Quality  
100 North Senate Avenue, ~~P.O. Box 6015~~  
Indianapolis, Indiana ~~46206-6015~~ **46204**

#### **Additional Changes to the Permit**

As requested by source, the following change has been made to Condition D.1.8(b)(2):

Measurement of Sulfur Content of the pipeline natural gas will be conducted by manual sampling followed by analysis. Sulfur Content will be determined via any of the following ASTM methods: ASTM D1072-90, ASTM D4084-94, ASTM D4468-85, ASTM D5504-94, or ASTM D3246-81, **or any other ASTM methods approved in 40 CFR 60.334**. The Applicable ranges of some ASTM methods are not adequate to measure the levels of Sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the EPA Administrator.

#### **Address Change:**

The address of Office of Air Quality has been changed throughout the permit as follows:

Indiana Department of Environmental Management  
Permits Branch, Office of Air Quality  
100 North Senate Avenue, ~~P.O. Box 6015~~  
Indianapolis, Indiana ~~46206-6015~~ **46204**

#### **Additional Change Identified During Review**

IDEM, OAQ and Indianapolis OES have identified a revision as a result of the review of the NO<sub>x</sub> emission limit condition with respect to Comment 1 listed above. The permit does not specify that information used to calculate the NO<sub>x</sub> mass emissions reported on a quarterly basis, in accordance with Condition D.1.11 and the Part 70 Quarterly Report Form for the NO<sub>x</sub> Emissions limit, should be recorded. Therefore, IDEM has revised the Record Keeping Condition D.1.10 to include a provision to keep records of information to calculate emissions based on the load curve rates to demonstrate compliance with the limit established in D.1.3. All deleted language is indicated with ~~strikeout~~ and new language is indicated with bold type (**bold type**).

Acid Rain permit Renewal No. AR 097-19339-00352 was issued on August 9, 2005. This permit has been attached as Appendix A.

#### **D.1.109 Record Keeping Requirements**

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- (a) To document compliance with Conditions D.1.2, D.1.3, D.1.6, D.1.7, **and D.1.8, and ~~D.1.9~~** the Permittee shall maintain records in accordance with (1) through ~~(36)~~ below. Records shall be complete and sufficient to establish compliance with the limits established in Conditions D.1.2 and D.1.3:
- (1) amount of natural gas combusted per unit (turbine) during each month;
  - (2) all fuel nitrogen content and sulfur content monitoring data;
  - (3) data and results from the most recent stack test;

- (4) **the time (hour and minute), load (megawatt), natural gas flow rate, heat input rate, and NO<sub>x</sub> emission rate (pounds per million Btu basis) for each hour during which the unit combusts fuel;**
  - (4-5) when required to operate the NO<sub>x</sub> CEMS, all continuous emissions monitoring data; **and**
  - (6) **records of source-wide NO<sub>x</sub> emissions in a tons per year basis by combining information in paragraph (4) and (5) above (as applicable).**
- (b) All preventive maintenance measures taken.
- (c) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

### Emission Reporting

The permittee submitted an application for an administrative amendment to revise Condition C.15 (Emission Statement) in accordance with the recent changes to 326 IAC 2-6, Emission Reporting, effective on March 27, 2004. The revisions include a new schedule and frequency for submittal of the emission statement. Georgetown Substation Generating Plant is subject to 326 IAC 2-6-3(a)(2) and is required to submit an emissions statement on a triennial basis, starting on July 1, 2005 in accordance with 326 IAC 2-6-3(b)(2). IDEM, OAQ and Indianapolis OES have revised Condition C.15 (Emission Statement) to reflect the revisions to the rule requirements. All deleted language is indicated with strikeout (~~strikeout~~) and new language is indicated with bold type (**bold type**).

C.15 Emission Statement [326 IAC 2-7-5(3)(C)(iii)][326 IAC 2-7-5(7)][326 IAC 2-7-19(c)][326 IAC 2-6]

~~(a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by April 15 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:~~

- ~~(1) Indicate estimated actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);~~
- ~~(2) Indicate estimated actual emissions of other regulated pollutants (as defined by 326 IAC 2-7-1) from the source, for purposes of Part 70 fee assessment.~~

~~(b) The annual emission statement covers the twelve (12) consecutive month time period starting December 1 and ending November 30. The annual emission statement must be submitted to:~~

~~Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue, P. O. Box 6015  
Indianapolis, Indiana 46206-6015~~

~~and~~

~~Indianapolis OES  
2700 South Belmont Avenue,  
Indianapolis, IN 46224~~

~~The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).~~

(a) Pursuant to 326 IAC 2-6-3(b)(2), starting in 2005 and every three (3) years thereafter, the Permittee shall submit by July 1 an emission statement covering the previous calendar year. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4(c) and shall meet the following requirements:

- (1) Indicate estimated actual emissions of all pollutants listed in 326 IAC 2-6-4(a);
- (2) Indicate estimated actual emissions of regulated pollutants as defined by 326 IAC 2-7-1 (32) ("Regulated pollutant, which is used only for purposes of Section 19 of this rule") from the source, for purpose of fee assessment.

The statement must be submitted to:

Indiana Department of Environmental Management  
Technical Support and Modeling Section, Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204

and

Indianapolis OES  
2700 South Belmont Avenue  
Indianapolis, IN 46221

The emission statement does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

(eb) The ~~annual~~ emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAQ, and OES on or before the date it is due.

#### **Credible Evidence**

Indiana was required to incorporate credible evidence provisions into state rules consistent with the SIP call published by U.S. EPA in 1997 (62 FR 8314). Indiana has incorporated the credible evidence provision in 326 IAC 1-1-6. This rule is effective March 16, 2005; therefore, the condition reflecting this rule will be incorporated into your permit as follows:

#### **B.25 Credible Evidence**[326 IAC 2-7-5(3)][326 IAC 2-7-6][62 FR 8314] [326 IAC 1-1-6]

**For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any emission limitation, standard, or rule in this title, nothing in this title shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with the emission limitation, standard, or rule, if the appropriate performance or compliance test or procedure had been performed.**

#### **Marion County Ozone Attainment Status Redesignation**

On April 15, 2004, the United States Environmental Protection Agency (U.S. EPA) named 23 Indiana counties and one partial county nonattainment for the new 8-hour ozone standard. The designations became effective on June 15, 2004. Marion County has been designated as nonattainment for the 8-hour ozone standard.

The Responsible Official name, Source Owner and Source telephone numbers have also been changed. The following has been added to A.1 General Information:

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)] [326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary electric utility generating station.

Responsible Official: ~~Vincent Zehnle~~, **Gas Turbine** Team Leader  
Source Address: 8198 Georgetown Road, Indianapolis, Indiana, 46268  
Mailing Address (operator): Indianapolis Power & Light Company, 3700 S. Harding Street, Indianapolis, Indiana 46217  
Owner: ~~DTE Georgetown, LLC and Indianapolis Power and Light Company~~  
**Indianapolis Power and Light Company (GT1), Indiana Municipal Power Agency (GT2, GT3), DTE Georgetown, LP (GT4)**  
Mailing Address (owner): P.O. Box 8614, 425 S. Main Street, Suite 201, Ann Arbor, MI 48107  
Source Telephone: ~~(317) 788-5330~~ **(317) 261-3600**  
SIC Code: 4911  
County Location: Marion  
Source Location Status: ~~Attainment for all criteria pollutants~~ **Nonattainment for ozone under the 8-hour standard**  
**Nonattainment for PM2.5**  
**Attainment for all other criteria pollutants**  
Source Status: Part 70 Permit Program  
Minor Source under PSD Rules; one of 28 Source Categories  
Minor Source, Section 112 of the Clean Air Act

**Recommendation**

The staff recommends to the Commissioner that the Part 70 Significant Permit Modification be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the petition, the application for administrative amendment, and the NO<sub>x</sub> Budget Permit Application.

**Conclusion**

The operation of this stationary electric utility generating station shall be subject to the conditions of the Part 70 Permit No. 097-13705-00352 per the changes as modified in the **Part 70 Significant Permit Modification No. 097-18380-00352**.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**Office of Air Quality**  
**and**  
**Indianapolis Office of Environmental Services**

Appendix A to Technical Support Document (TSD):  
 Summary of Test Data Regarding Nitrogen Oxides Emissions from Combustion  
 Turbines

Worst-Case Emissions Information Based on Peak Load Testing:

<b>Combustion Turbine Identification</b>	<b>NO<sub>x</sub> Emissions (pounds per hour) *</b>	<b>Date Test Was Conducted</b>
GT1	57.83	October 18 and 19, 2002
GT2	68.82	October 18 and 19, 2002
GT3	35.20	June 8, 2000
GT4	52.25	April 24, 2001
Total hourly peak rate for all four combustion turbines:	214.1 pounds per hour	

\* Based on stack tests conducted on the listed dates.

The base load results are lower than the peak load results, so the peak load numbers were used for the purposes of demonstrating that the most conservative numbers are significantly below the PSD major source threshold (i.e., 250 tons per year).

Emissions at 8,760 hours per year based on peak load test results =  
 214.1 lb/hr NO<sub>x</sub> \*8,760 hours per year \*1 ton/2000 lbs = 937.8 tpy

At a 20 percent capacity factor for all turbines, assuming the most conservative scenario that all turbines operate at peak load at all times, NO<sub>x</sub> emissions would be approximately 188 tons per year (937.8 tpy \* 0.20 = 187.6 tpy).

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**Office of Air Quality**  
**and**  
**Indianapolis Office of Environmental Services**

Appendix B to Technical Support Document (TSD):  
 Technical Support Document for the NO<sub>x</sub> Budget Permit

**Source Background and Description**

<b>Source Name:</b>	Georgetown Substation Generating Plant
<b>Source Location:</b>	8198 Georgetown Road, Indianapolis, Indiana 46268
<b>ORIS Code:</b>	7759
<b>Operation Permit No.:</b>	T097-13705-00352
<b>Operation Permit Issuance Date:</b>	December 10, 2003
<b>Modification No.:</b>	097-18380-00352
<b>Permit Reviewer:</b>	Madhurima D. Moulik

**NO<sub>x</sub> Budget Permit Application and Rule Applicability**

A complete Nitrogen Oxides (NO<sub>x</sub>) Budget Permit Application for this NO<sub>x</sub> budget source was received on August 13, 2003. The Office of Air Quality (OAQ) has reviewed a NO<sub>x</sub> budget permit application from Georgetown Substation Generating Plant under 326 IAC 10-4-7 for the operation of the NO<sub>x</sub> budget source. The NO<sub>x</sub> budget source includes all NO<sub>x</sub> Budget Units at the source, including opt-in units, if applicable. The following units at the source are NO<sub>x</sub> Budget Units:

Four (4) General Electric simple cycle, natural gas-fired combustion turbines EU GT1, GT2, GT3 (commenced operation on May 2, 2000), and GT4 (commenced operation on April 24, 2001), rated at 88.4 MW electrical output (924 MMBtu/hr heat input, as defined in 40 CFR 72.2) each at peak load (59 degrees Fahrenheit at 860 feet), exhausting to stacks ID GT-1, GT-2, GT-3, and GT-4. Nitrogen Oxide (NO<sub>x</sub>) emissions are controlled by dry low NO<sub>x</sub> combustors.

Pursuant to 326 IAC 10-4-2(16), GT1, GT2, GT3, and GT4 are each an "electricity generating unit (EGU)" because they commenced operation after January 1, 1999 and each unit serves a generator that has a nameplate capacity greater than twenty-five (25) megawatts and produces electricity for sale. Pursuant to 326 IAC 10-4-1(a)(1), an "EGU" is a NO<sub>x</sub> budget unit. Because this source meets the criteria of having one (1) or more NO<sub>x</sub> budget units, it is a NO<sub>x</sub> budget source. The NO<sub>x</sub> budget permit is in section F of the Part 70 permit.

The owners and operators of the NO<sub>x</sub> Budget Units are listed in the table below.

<b>Unit</b>	<b>Owner</b>	<b>Operator</b>
GT1	Indianapolis Power and Light Company	Indianapolis Power and Light Company
GT2	Indiana Municipal Power Agency	Indianapolis Power and Light Company
GT3	Indiana Municipal Power Agency	Indianapolis Power and Light Company
GT4	DTE Georgetown, LP	Indianapolis Power and Light Company

The requirements of 326 IAC 2-7-20(a) and (c) do not apply to emission trades of SO<sub>2</sub> or NO<sub>x</sub> in accordance with 326 IAC 21 or 326 IAC 10-4; therefore, no pre-notification of a trade under one of these rules is required.

Pursuant to 326 IAC 10-4-7, the NO<sub>x</sub> budget permit shall be a complete and segregable portion of the Part 70 permit and the NO<sub>x</sub> budget portion of the Part 70 permit shall be administered in accordance with 326 IAC 2-7, except as provided otherwise by 326 IAC 10-4-7.

This NO<sub>x</sub> budget permit is being incorporated into the source's Part 70 permit as a significant permit modification pursuant to 326 IAC 2-7-12.

## Program Description

On October 27, 1998, the U.S. EPA promulgated final federal rules requiring 22 states and the District of Columbia to submit state implementation plan (SIP) revisions to reduce the regional transport of ozone. The federal rule focused on reducing NO<sub>x</sub> emissions in the affected states. In the federal rule, the U.S. EPA established a NO<sub>x</sub> emission "budget" for each of the affected states and the District of Columbia. The "budget" represents a reduction from emissions in the year 2007 that the U.S. EPA believes will reduce the transport of NO<sub>x</sub> emissions and will assist downwind areas in meeting ozone air quality standards. The states must demonstrate compliance with the "budget" by implementing control measures to reduce NO<sub>x</sub> emissions beginning May 31, 2004. While the rule does not mandate which sources will have to reduce emissions, the rule did provide options that would result in a 65% reduction of NO<sub>x</sub> emissions from utility boilers and a 60% reduction from large industrial (non-utility) boilers and turbines. IDEM developed the NO<sub>x</sub> Budget Trading Program in 326 IAC 10-4 in response to this mandate. The NO<sub>x</sub> reductions that will be achieved by this rule will result in significant air quality improvements throughout the state of Indiana, and will be especially important in those areas of the state where ozone levels exceed or regularly approach state and federal air quality health standards.

The Nitrogen Oxides Budget Trading Program is a regional cap and trade program among all the states subject to the NO<sub>x</sub> SIP call. Electricity generating units (EGUs) and non-electricity generating units (non-EGUs) are allocated allowances for tons of NO<sub>x</sub> that they are allowed to emit during the ozone season. IDEM allocates NO<sub>x</sub> allowances for the affected units, and owners or operators of these units are able to buy, sell, or trade allowances, as necessary, to demonstrate compliance with the unit's NO<sub>x</sub> emissions cap. Because this program is a regional program administered by U.S. EPA, sources are able to buy, sell or trade allowances across state boundaries and between different types of units and sources. More information about the NO<sub>x</sub> SIP Call can be found at: <http://www.epa.gov/airmarkets/fednox/index.html> and <http://www.in.gov/idem/air/standard/Sip/index.html>.

## 326 IAC 10-4 (NO<sub>x</sub> Budget Trading Program) Requirements

- (a) Pursuant to 326 IAC 10-4-4(b), the owners and operators and, to the extent applicable, the NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of 40 CFR 75 and 326 IAC 10-4-12. The emissions measurements recorded and reported in accordance with 40 CFR 75 and 326 IAC 10-4-12 shall be used to determine compliance by each unit with the NO<sub>x</sub> budget emissions limitation under 326 IAC 10-4-4(c).
- (b) Pursuant to 326 IAC 10-4-4(c), the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under 326 IAC 10-4-10(j), as of the NO<sub>x</sub> allowance transfer deadline, in each unit's compliance account and the source's overdraft account in an amount:
  - (1) Not less than the total NO<sub>x</sub> emissions for the ozone control period from the unit, as determined in accordance with 40 CFR 75 and 326 IAC 10-4-12;
  - (2) To account for excess emissions for a prior ozone control period under 326 IAC 10-4-10(k)(5); or
  - (3) To account for withdrawal from the NO<sub>x</sub> budget trading program or a change in regulatory status of a NO<sub>x</sub> budget opt-in unit.

The NO<sub>x</sub> budget units were subject to the requirements under 326 IAC 10-4-4(c)(1) starting on May 31, 2004.

- (c) Pursuant to 326 IAC 10-4-4(d), the owners and operators of each NO<sub>x</sub> budget unit that has excess emissions in any ozone control period shall do the following:
- (1) Surrender the NO<sub>x</sub> allowances required for deduction under 326 IAC 10-4-10(k)(5).
  - (2) Pay any fine, penalty, or assessment or comply with any other remedy imposed under 326 IAC 10-4-10(k)(7).
- (d) Pursuant to 326 IAC 10-4-4(e)(1), unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall keep either on site at the source or at a central location within Indiana for those owners or operators with unattended sources, each of the following documents for a period of five (5) years:
- (1) The account certificate of representation for the NO<sub>x</sub> authorized account representative for the source and each NO<sub>x</sub> budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 326 IAC 10-4-6(h). The certificate and documents shall be retained either on site at the source or at a central location within Indiana for those owners or operators with unattended sources beyond the five (5) year period until the documents are superseded because of the submission of a new account certificate of representation changing the NO<sub>x</sub> authorized account representative.
  - (2) All emissions monitoring information, in accordance with 40 CFR 75 and 326 IAC 10-4-12, provided that to the extent that 40 CFR 75 and 326 IAC 10-4-12 provide for a three (3) year period for record keeping, the three (3) year period shall apply.
  - (3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO<sub>x</sub> budget trading program.
  - (4) Copies of all documents used to complete a NO<sub>x</sub> budget permit application and any other submission under the NO<sub>x</sub> budget trading program or to demonstrate compliance with the requirements of the NO<sub>x</sub> budget trading program.

This period may be extended for cause, at any time prior to the end of five (5) years, in writing by IDEM, OAQ or the U.S. EPA. Records retained at a central location within Indiana shall be available immediately at the location and submitted to the IDEM, OAQ or U.S. EPA within three (3) business days following receipt of a written request. Nothing in 326 IAC 10-4-4(e) shall alter the record retention requirements for a source under 40 CFR 75. Unless otherwise provided, all records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

- (e) Pursuant to 326 IAC 10-4-4(e)(2), the NO<sub>x</sub> authorized account representative of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall submit the reports and compliance certifications required under the NO<sub>x</sub> budget trading program, including those under 326 IAC 10-4-8, 326 IAC 10-4-12, or 326 IAC 10-4-13.

## Monitoring

The NO<sub>x</sub> Budget Trading Program references monitoring and reporting requirements from the Acid Rain program at 40 CFR Part 75. These provisions require, for most sources, the use of continuous emissions monitoring systems (CEMS) or an excepted monitoring method under 40 CFR Part 75, Appendix E. A CEMS is a system composed of various equipment that continuously measures the amount of nitrogen oxides emitted into the atmosphere in exhaust gases from the NO<sub>x</sub> budget unit's stack.

Excepted monitoring systems under 40 CFR Part 75, Appendix E are allowed for gas-fired peaking units and oil-fired peaking units as defined in 40 CFR 72.2. The excepted monitoring system methodology involves performing stack tests to determine the average NO<sub>x</sub> emissions rate from a unit at four, equally-spaced load levels, in accordance with specific US EPA test methods, to establish a "load curve". The "load curve" correlates emissions to heat input rate such that emissions can be estimated based on the actual hourly heat input.

## NO<sub>x</sub> Emissions Allocations

- (a) Pursuant to 326 IAC 10-4-7(e), this NO<sub>x</sub> budget permit is deemed to incorporate automatically, upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NO<sub>x</sub> allowance to or from the compliance accounts of the NO<sub>x</sub> budget units or the overdraft account of the NO<sub>x</sub> budget source covered by this permit. The allocations for each ozone season and transaction information can be found at: <http://www.epa.gov/airmarkets/tracking/factsheet.html>. In addition, IDEM, OAQ posts proposed allocations prior to submitting them to the U.S. EPA on the following web site: <http://www.in.gov/idem/air/standard/Sip/index.html>.
- (b) The following requirements from 326 IAC 10-4-4(c) apply to NO<sub>x</sub> allowances:
- (1) Each ton of NO<sub>x</sub> emitted in excess of the NO<sub>x</sub> budget emissions limitation shall constitute a separate violation of the Clean Air Act (CAA) and 326 IAC 10-4.
  - (2) NO<sub>x</sub> allowances shall be held in, deducted from, or transferred among NO<sub>x</sub> allowance tracking system accounts in accordance with 326 IAC 10-4-9 through 11, 326 IAC 10-4-13, and 326 IAC 10-4-14.
  - (3) A NO<sub>x</sub> allowance shall not be deducted, in order to comply with the requirements under 326 IAC 10-4-4(c)(1), for an ozone control period in a year prior to the year for which the NO<sub>x</sub> allowance was allocated.
  - (4) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program is a limited authorization to emit one (1) ton of NO<sub>x</sub> in accordance with the NO<sub>x</sub> budget trading program. No provision of the NO<sub>x</sub> budget trading program, the NO<sub>x</sub> budget permit application, the NO<sub>x</sub> budget permit, or an exemption under 326 IAC 10-4-3 and no provision of law shall be construed to limit the authority of the U.S. EPA or IDEM, OAQ to terminate or limit the authorization.
  - (5) A NO<sub>x</sub> allowance allocated under the NO<sub>x</sub> budget trading program does not constitute a property right.
  - (6) Upon recordation by the U.S. EPA under 326 IAC 10-4-10, 326 IAC 10-4-11, or 326 IAC 10-4-13, every allocation, transfer, or deduction of a NO<sub>x</sub> allowance to or from a NO<sub>x</sub> budget unit's compliance account or the overdraft account of the

source where the unit is located is deemed to amend automatically, and become a part of, this NO<sub>x</sub> budget permit of the NO<sub>x</sub> budget unit by operation of law without any further review.

### **Other Record Keeping and Reporting Requirements**

Pursuant to 326 IAC 10-4-7(g), except as provided in 326 IAC 10-7-4(e), IDEM, OAQ shall revise the NO<sub>x</sub> budget permit, as necessary, in accordance with the permit modification and revision provisions under 326 IAC 2-7.

Pursuant to 326 IAC 10-4-7(b)(1)(C), for permit renewal, the NO<sub>x</sub> authorized account representative shall submit a complete NO<sub>x</sub> budget permit application covering the NO<sub>x</sub> budget units at the source in accordance with 326 IAC 2-7-4(a)(1)(D) with the Part 70 permit renewal.

### **Submissions**

The NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> budget source on behalf of which a submission is made must sign and certify every report or other submission required by the NO<sub>x</sub> budget permit. The NO<sub>x</sub> authorized account representative must include the following certification statement in every submission: "I am authorized to make this submission on behalf of the owners and operators of the NO<sub>x</sub> budget sources or NO<sub>x</sub> budget 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."

### **Recommendation**

The staff recommends to the Commissioner that the NO<sub>x</sub> budget permit be approved.

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

### **Additional Information**

Questions regarding the NO<sub>x</sub> budget permit can be directed to Madhurima Moulik at the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ), 100 North Senate Avenue, Indianapolis, Indiana 46204 or by telephone at (317) 233-0868 or toll free at 1-800-451-6027 extension 3-0868.

The source will be inspected by the City of Indianapolis, Office of Environmental Services (OES) compliance inspection staff. Persons seeking to obtain information regarding the source's compliance status or to report any potential violation of any permit condition should contact OES by telephone at (317) 327-2234 or by mail at Office of Environmental Services, Air Quality Management Section, 2700 South Belmont Avenue, Indianapolis, Indiana 46221.

Copies of the Code of Federal Regulations (CFR) referenced in the permit may be obtained from:

Indiana Department of Environmental Management  
Office of Air Quality  
100 North Senate Avenue  
Indianapolis, Indiana 46204  
or

The Government Printing Office

Georgetown Substation Generating Plant  
Indianapolis, Indiana  
Permit Reviewer: Madhurima D. Moulik

TSD Appendix B Page 6 of 6  
SPM097-18380-00352

Washington, D.C. 20402  
or  
on the Government Printing Office web site at  
<http://www.access.gpo.gov/nara/cfr/index.html>

