



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

TO: Interested Parties / Applicant

DATE: May 5, 2009

RE: Indianapolis Power & Light / 097 - 27831 - 00033

FROM: Matthew Stuckey, Branch Chief
Permits Branch
Office of Air Quality

Notice of Decision – Approval

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 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires 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 of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Suite N 501E, Indianapolis, IN 46204, **within eighteen (18) calendar days from 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.

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.

Enclosures
FNPER-AM.dot12/3/07



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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May 5, 2009

Ms. Jennifer Hatfield
Indianapolis Power & Light Company - Harding Street Generating Station
3700 S. Harding Street
Indianapolis, Indiana 46217

Re: 097-26974-00033
First Administrative Amendment to
Acid Rain Renewal No.: AR 097-19343-00033

Dear Ms. Hatfield:

Indianapolis Power & Light Company - Harding Street Generating Station was issued a Title IV (Acid Rain) Permit Renewal on August 6, 2008 for a stationary source consisting of coal, distillate oil and waste oil fired utility boilers, as well as, natural gas and distillate oil fired gas turbine combustion units to produce electricity for sale under a Standard Industrial Classification (SIC) Code of 4911 (establishments engaged in the generation, transmission or distribution of electric energy for sale) located at 3700 South Harding Street and 4190 South Harding Street in Indianapolis, Indiana 46217 in Indiana. A letter requesting changes to this permit was received on April 22, 2009. The source requested that the permit be updated to correct typographical errors in the emission unit identification numbers. IDEM has revised the emission unit descriptions to match the Part 70 Operating Permit as modified by SPM No. 097-26974-00033:

Pursuant to 326 IAC 2-7-11(c)(3), this change to the permit qualifies as an administrative permit amendment, since it is a revision that revises descriptive information in the permit that does not trigger a new applicable requirement or violate a permit term.

Pursuant to the provisions of 326 IAC 2-7-11, the permit is hereby administratively amended as follows with deleted language as ~~strikeouts~~ and new language **bolded**:

Change #1

Several of IDEM's branches and sections have been renamed. Therefore, IDEM has updated the addresses listed in the permit. References to "Permit Administration and Development Section" and the "Permits Branch" have been changed to "Permit Administration and Support Section". References to "Asbestos Section", "Compliance Data Section", "Air Compliance Section", and "Compliance Branch" have been changed to "Compliance and Enforcement Branch". The permit has been revised as follows:

Indiana Department of Environmental Management
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Indiana Department of Environmental Management
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Change #2

The contract between the Local Agency and IDEM has expired. The Local Agency no longer has effective authority to implement state and federal requirements for IDEM. Therefore, IDEM has removed all references to the Local Agency from the permit. The Permittee must submit all reports, notices, applications, and any other required submittals to IDEM. The Permittee should note that the Local Agency could have its own requirements beyond the state and federal requirements contained in this permit. Please contact the Local Agency for further information.

Change #3

The Title IV Source Description Box has been updated to correct and/or revise the emission unit descriptions for boilers 9, 10, 50, 60 and 70 and gas turbines GT4, GT5 and GT6. There are no physical modifications proposed to the emission units. Revisions are shown below:

Title IV Operating Conditions

Title IV Source Description:

- (a) ~~One (1) distillate oil-fired boiler identified as Unit 9, with a design heat input capacity rated at 527.0 million British thermal units per hour (MMBtu/hr), installed in 1942, and exhausting to Stack/Vent ID 3-1. Unit 9 is equipped with no add-on air pollution control equipment.~~ **One (1) Combustion Engineering Boiler number 9 identified as Unit 3. Unit 3 is a distillate oil fired unit with a design heat input capacity rated at 527.0 million Btu per hour and exhausting to Stack/Vent ID 3-1. Equipped with no add on air pollution control equipment. Installed in 1942.**
- (b) ~~One (1) distillate oil-fired boiler identified as Unit 10 with a design heat input capacity rated at 527.0 British thermal units MMBtu/hr, installed in 1942, and exhausting at Stack/Vent ID 4-1. Unit 10 is equipped with no add-on air pollution control equipment.~~ **One (1) Combustion Engineering Boiler number 10 identified as Unit 4. Unit 4 is a distillate oil fired unit with a design heat input capacity rated at 527.0 million Btu per hour and exhausting to Stack/Vent ID 4-1. Equipped with no add on air pollution control equipment. Installed in 1947.**
- (c) ~~One (1) pulverized coal tangentially-fired boiler identified as Unit 50, with a design heat input capacity rated at 1,017.0 MMBtu/hr, installed in 1958. Emissions are directed to one (1) cold side electrostatic precipitator and exhausting at Stack/Vent ID 5-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners. Distillate fuel oil is used as a supplemental fuel and for firing during startup of Unit 50.~~ **One (1) Combustion Engineering Boiler number 50 identified as Unit 5. Unit 5 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 50 and exhausting at Stack/Vent ID 5-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners, neural net controls and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 5. Installation date for Unit 5 is 1958.**
- (d) ~~One (1) pulverized coal, tangentially-fired boiler identified as Unit 60, with a design heat input capacity rated at 1,017.0 MMBtu/hr, installed in 1961. Emissions are directed to one (1) cold side electrostatic precipitator and exhausting at Stack/Vent ID 6-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners for NO_x emissions control. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 60.~~ **One (1) Combustion Engineering Boiler number 60 identified as Unit 6. Unit 6 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu**

per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 60 and exhausting at Stack/Vent ID 6-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners, neural net controls and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 6. Installation date for Unit 6 is 1961.

- (e) ~~One (1) pulverized coal, tangentially-fired boiler identified as Unit 70, with a design heat input capacity rated at 4,123.0 MMBtu/hr, with construction completed in 1973. Emissions are directed to one (1) cold side electrostatic precipitator and exhausting at Stack/Vent ID 7-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners for NO_x emissions control. Distillate fuel oil and waste oil are used as supplemental fuel and for firing during startup of Unit 70.~~ **One (1) Combustion Engineering Boiler number 70 identified as Unit 7. Unit 7 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 4123.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 70 and exhausting at Stack/Vent ID 7-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Unit 7 is equipped with low NO_x burners, neural net controls and selective catalytic reduction technology (SCR) and FGD scrubber. These technologies were voluntarily installed. When the FGD is in operation, Unit 7 exhausts to a separate wet stack. Distillate fuel oil and used oil are used as supplemental fuel and for firing during startup of Unit 7. Construction was commenced on Unit 7 prior to August 17, 1971 and completed in 1973.**
- (f) ~~One (1) distillate oil fired and/or natural gas fired turbine identified as Unit GT-4, with a design heat input capacity rated at 875.0 MMBtu/hr, installed in 1994, and exhausting at Stack/Vent ID GT4-1. Model number MS 7001. Water injection performed for NO_x emission control.~~ **One (1) General Electric Gas Turbine Engine number GT4 identified as Unit GT4. Unit GT4 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 875.0 million Btu per hour and exhausting at Stack/Vent ID GT4-1. Model number MS 7001. Water injection performed for NO_x emission control. Installation date for Unit GT4 is 1994.**
- (g) ~~One (1) distillate oil fired and/or natural gas fired turbine identified as Unit GT-5, with a design heat input capacity rated at 867.0 MMBtu/hr, installed in 1995, and exhausting at Stack/Vent ID GT5-1. Model number MS 7001. Water injection performed for NO_x emission control.~~ **One (1) General Electric Gas Turbine Engine number GT5 identified as Unit GT5. Unit GT5 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 867.0 million Btu per hour and exhausting at Stack/Vent ID GT5-1. Model number MS 7001. Water injection performed for NO_x emission control. Installation date for Unit GT5 is 1995.**
- (h) ~~One (1) General Electric Gas Turbine Model number PG7241 identified as Unit GT-6. Unit GT-6 is a natural gas fired unit rated at 152.64 MW and with a design heat input capacity rated at 1,660 MMBtu/hr, installed in 2002, and exhausting at Stack/Vent ID GT-6. NO_x emissions will be controlled by dry low NO_x burners. Installation date for Unit GT-6 is 2002.~~ **One (1) General Electric Gas Turbine Model number PG7241 identified as Unit GT6. Unit GT6 is a natural gas fired unit with a design heat input capacity rated at 1,660 MMBtu per hour and exhausting at Stack/Vent ID GT-6. NO_x emissions will be controlled by dry low NO_x burners. Installation date for Unit GT6 is 2002.**

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

Change #4

Existing Conditions 2 through 11 have been revised to reflect the changes listed above. Revisions are shown below:

2. Standard Permit Requirements [326 IAC 21]

- (a) The designated representative has submitted a complete acid rain permit application in accordance with 40 CFR 72.30.
- (b) The Permittee shall operate Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~** in compliance with this permit.

3. Monitoring Requirements [326 IAC 21]

- (a) The Permittee and, to the extent applicable, the designated representative of Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~** shall comply with the monitoring requirements as provided in 40 CFR 75 and 76.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 76 shall be used to determine compliance by Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~** 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 and 76 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants or other emissions characteristics at Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~** under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the 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 Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~**, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~**; and,
 - ...
 - (c) Units **93, 104, 50, 60, 70, ~~GT-4GT4, GT-5GT5, and GT-6GT6~~** shall be subject to the requirements under paragraph 4(a) of the sulfur dioxide requirements as follows:
 - ...
 - (k) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO ₂ Annual Allowance Allocations (tons)					
	2005	2006	2007	2008	2009
Unit 93	1*	1*	1*	1*	1*
Unit 104	2*	2*	2*	2*	2*

SO ₂ Annual Allowance Allocations (tons)					
	2005	2006	2007	2008	2009
Unit 505	1,673*	1,673*	1,673*	1,673*	1,673*
Unit 606	2,057*	2,057*	2,057*	2,057*	2,057*
Unit 707	10,177*	10,177*	10,177*	10,177*	10,177*

* The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3 and 4 and 326 IAC 21. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitates a revision to the unit SO₂ allowance allocations identified in this permit. (See 40 CFR 72.84)

5. Nitrogen Oxides Requirements [326 IAC 21]

- (a) The Permittee shall comply with the applicable acid rain emissions limitation of nitrogen oxides (NOx) for Units 50, 60, and 70.
- (b) NOx Emission Averaging Plan for Unit 50:
 - (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NOx emission averaging plan for Unit 50, effective from calendar year 2005 through 2009. Under the plan the NOx emissions from Unit 50 shall not exceed the annual average alternative contemporaneous emission limitation (ACEL) of 0.44 lb/MMBtu. In addition, Unit 50 shall have an annual heat input less than 6,797,000 MMBtu.
 - (2) Under the plan, the actual Btu-weighted annual average NOx emission rate for all the units in the plan shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Unit 50 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
- (c) NOx Emission Averaging Plan for Unit 60:
 - (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NOx emission averaging plan for Unit 60, effective from calendar year 2005 through 2009. Under the plan the NOx emissions from Unit 60 shall not exceed the annual average ACEL of 0.45 lb/ MMBtu. In addition, Unit 60 shall have an annual heat input less than 5,422,000 MMBtu.

- (2) Under the plan, the actual Btu-weighted annual average NOx emission rate for all the units in the plan shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Unit 60 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
- (d) NOx Emission Averaging Plan for Unit 70:
- (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NOx emission averaging plan for Unit 70, effective from calendar year 2005 through 2009. Under the plan the NOx emissions from Unit 70 shall not exceed the annual average ACEL of 0.40 lb/ MMBtu. In addition, Unit 70 shall have an annual heat input less than 25,412,000 MMBtu.
- (2) Under the plan, the actual Btu-weighted annual average NOx emission rate for Units 50, 60, and 70 shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Units 50, 60, and 70 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
- (e) In addition to the described NOx compliance plan, Units 50, 60, and 70 shall comply with all other applicable requirements of 40 CFR 76, including the duty to reapply for a NOx compliance plan and requirements covering excess emissions.
- (f) Pursuant to 40 CFR 76, Phase II Nitrogen Oxides Emission Reduction Program, the oil-fired boilers, Unit 93 and Unit 104, and the distillate oil-fired and/or natural gas-fired turbines ~~GT-4GT4~~ and ~~GT-5GT5~~, and the natural gas-fired turbine, ~~GT-6GT6~~, are not subject to nitrogen oxide limitations.

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

- (a) If Unit 93, 104, 50, 60, 70, ~~GT-4GT4~~, ~~GT-5GT5~~, or ~~GT-6GT6~~ 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
Compliance **and Enforcement** Branch, Office of Air Quality
100 North Senate Avenue, MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

and

Indianapolis Office of Environmental Services
2700 South Belmont Avenue
Indianapolis, Indiana 46224

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 Unit ~~93~~, ~~404~~, ~~50~~, ~~60~~, ~~70~~, ~~GT-4GT4~~, ~~GT-5GT5~~, or ~~GT-6GT6~~ has excess emissions, as defined in 40 CFR 72.2, in any calendar year, the Permittee shall:

...

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 of Units ~~93~~, ~~404~~, ~~50~~, ~~60~~, ~~70~~, ~~GT-4GT4~~, ~~GT-5GT5~~, and ~~GT-6GT6~~ 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;

...

- (b) The designated representative of Units ~~93~~, ~~404~~, ~~50~~, ~~60~~, ~~70~~, ~~GT-4GT4~~, ~~GT-5GT5~~, and ~~GT-6GT6~~ 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 Units ~~93~~, ~~404~~, ~~50~~, ~~60~~, ~~70~~, ~~GT-4GT4~~, ~~GT-5GT5~~, and ~~GT-6GT6~~ 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 and Support Sections** ~~Administration Section~~, Office of
Air Quality
100 North Senate Avenue, MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

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

...

- (e) The designated representative of Units **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** and **~~GT-6GT6~~** 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 Unit **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** or **~~GT-6GT6~~**.
- (f) The designated representative of Units **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** and **~~GT-6GT6~~** shall provide the Permittee a copy of any submission or determination under paragraph 8(e), unless the Permittee expressly waives the right to receive a copy.

10. Liability [326 IAC 21]

...

- (d) Units **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** and **~~GT-6GT6~~** shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to Unit **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** or **~~GT-6GT6~~**, including a provision applicable to the designated representative of Unit **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** or **~~GT-6GT6~~** shall also apply to the Permittee.
- (f) Any provision of the Acid Rain Program that applies to Unit **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** or **~~GT-6GT6~~**, including a provision applicable to the designated representative of Units **93, 404, 50, 60, 70, ~~GT-4GT4, GT-5GT5,~~** and **~~GT-6GT6~~**, 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 72, 73, 75, 76, 77, and 78 by Units ~~93, 104, 50, 60, 70, GT-4GT4, GT-5GT5, or GT-6GT6~~, 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]

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 Unit ~~93, 104, 50, 60, 70, GT-4GT4, GT-5GT5, or GT-6GT6~~ 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;

...

All other conditions of the permit shall remain unchanged and in effect.

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 David J. Matousek, OAQ, 100 North Senate Avenue, MC 61-53, Room 1003, Indianapolis, Indiana, 46204-2251, or call at (800) 451-6027, and ask for David J. Matousek or extension (2-8253), or dial (317) 232-8253.

Sincerely,

Tripurari P. Sinha, Ph. D., Section Chief
Permits Branch
Office of Air Quality

Attachments:
Updated Permit

DJM/djm

cc: File – Marion County
Marion County Health Department
U.S. EPA, Region V
Compliance and Enforcement Branch



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels Jr.
Governor

Thomas W. Easterly
Commissioner

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

**TITLE IV (ACID RAIN) PERMIT RENEWAL
OFFICE OF AIR QUALITY**

Indianapolis Power and Light - Harding Street Generating Station

**3700 South Harding Street and
4190 South Harding Street
Indianapolis, Indiana 46217**

ORIS: 990

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.

Operation Permit No.: AR 097-19343-00033	
Issued by: Original signed by: Alfred C. Dumauval, Ph. D., Section Chief Permits Branch Office of Air Quality	Issuance Date: August 6, 2008 Effective Date: January 1, 2005 Expiration Date: December 31, 2009

First Administrative Amendment No.: 097-27831-00033	
Issued by: <i>Tripurari P. Sinha</i> Tripurari P. Sinha, Ph.D., Section Chief Permits Branch Office of Air Quality	Issuance Date: May 5, 2009 Expiration Date: December 31, 2009

Title IV Operating Conditions

Title IV Source Description:

- (a) One (1) Combustion Engineering Boiler number 9 identified as Unit 3. Unit 3 is a distillate oil fired unit with a design heat input capacity rated at 527.0 million Btu per hour and exhausting to Stack/Vent ID 3-1. Equipped with no add on air pollution control equipment. Installed in 1942.
- (b) One (1) Combustion Engineering Boiler number 10 identified as Unit 4. Unit 4 is a distillate oil fired unit with a design heat input capacity rated at 527.0 million Btu per hour and exhausting to Stack/Vent ID 4-1. Equipped with no add on air pollution control equipment. Installed in 1947.
- (c) One (1) Combustion Engineering Boiler number 50 identified as Unit 5. Unit 5 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 50 and exhausting at Stack/Vent ID 5-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners, neural net controls and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 5. Installation date for Unit 5 is 1958.
- (d) One (1) Combustion Engineering Boiler number 60 identified as Unit 6. Unit 6 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 1017.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 60 and exhausting at Stack/Vent ID 6-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Also equipped with low NO_x burners, neural net controls and selective non-catalytic reduction technology (SNCR). These technologies were voluntarily installed. Distillate fuel oil is used as supplemental fuel and for firing during startup of Unit 6. Installation date for Unit 6 is 1961.
- (e) One (1) Combustion Engineering Boiler number 70 identified as Unit 7. Unit 7 is a pulverized coal tangentially fired unit with a design heat input capacity rated at 4123.0 million Btu per hour. Emissions are directed to one (1) cold side electrostatic precipitator identified as Control Equipment ID CE 70 and exhausting at Stack/Vent ID 7-1. SO₃ injection is utilized as a flue gas conditioning agent for the electrostatic precipitator but the source is not required to perform gas conditioning. Unit 7 is equipped with low NO_x burners, neural net controls and selective catalytic reduction technology (SCR) and FGD scrubber. These technologies were voluntarily installed. When the FGD is in operation, Unit 7 exhausts to a separate wet stack. Distillate fuel oil and used oil are used as supplemental fuel and for firing during startup of Unit 7. Construction was commenced on Unit 7 prior to August 17, 1971 and completed in 1973.
- (f) One (1) General Electric Gas Turbine Engine number GT4 identified as Unit GT4. Unit GT4 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 875.0 million Btu per hour and exhausting at Stack/Vent ID GT4-1. Model number MS 7001. Water injection performed for NO_x emission control. Installation date for Unit GT4 is 1994.
- (g) One (1) General Electric Gas Turbine Engine number GT5 identified as Unit GT5. Unit GT5 is a distillate oil fired and/or natural gas fired unit with a design heat input capacity rated at 867.0 million Btu per hour and exhausting at Stack/Vent ID GT5-1. Model number MS 7001. Water injection performed for NO_x emission control. Installation date for Unit GT5 is 1995.

- (h) One (1) General Electric Gas Turbine Model number PG7241 identified as Unit GT6. Unit GT6 is a natural gas fired unit with a design heat input capacity rated at 1,660 MMBtu per hour and exhausting at Stack/Vent ID GT-6. NO_x emissions will be controlled by dry low NO_x burners. Installation date for Unit GT6 is 2002.

(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 40 CFR 72.30.
- (b) The Permittee shall operate Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 in compliance with this permit.

3. Monitoring Requirements [326 IAC 21]

- (a) The Permittee and, to the extent applicable, the designated representative of Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 shall comply with the monitoring requirements as provided in 40 CFR 75 and 76.
- (b) The emissions measurements recorded and reported in accordance with 40 CFR 75 and 76 shall be used to determine compliance by Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 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 and 76 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants or other emissions characteristics at Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 under other applicable requirements of the Clean Air Act and other provisions of the operating permit for the 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 Units 3, 4, 5, 6, 7, GT4, GT5, and GT6, after deductions under 40 CFR 73.34(c), not less than the total annual emissions of sulfur dioxide for the previous calendar year from Units 3, 4, 5, 6, 7, GT4, GT5, and GT6; 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) Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 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) 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.
- (g) An allowance allocated by U.S. EPA under the Acid Rain Program does not constitute a property right.
- (h) 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)]
- (i) 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)]
- (j) The distillate oil-fired and/or natural gas-fired turbines, GT4 and GT5, and the natural gas-fired turbine, GT6, have no annual allocated sulfur dioxide emission allowances established in the Title IV Acid Rain Program. The allowances shall be obtained from other sources to account for the SO₂ emissions from these units as required by 40 CFR 72.9(c)
- (k) Sulfur dioxide allowances shall be allocated to each unit at the source as follows:

SO ₂ Annual Allowance Allocations (tons)					
	2005	2006	2007	2008	2009
Unit 3	1*	1*	1*	1*	1*
Unit 4	2*	2*	2*	2*	2*

SO ₂ Annual Allowance Allocations (tons)					
	2005	2006	2007	2008	2009
Unit 5	1,673*	1,673*	1,673*	1,673*	1,673*
Unit 6	2,057*	2,057*	2,057*	2,057*	2,057*
Unit 7	10,177*	10,177*	10,177*	10,177*	10,177*

* The number of allowances allocated to Phase II affected units by U.S. EPA may change in a revision to 40 CFR 73 Tables 2, 3 and 4 and 326 IAC 21. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitates a revision to the unit SO₂ allowance allocations identified in this permit. (See 40 CFR 72.84)

5. Nitrogen Oxides Requirements [326 IAC 21]

- (a) The Permittee shall comply with the applicable acid rain emissions limitation of nitrogen oxides (NOx) for Units 5, 6, and 7.
- (b) NOx Emission Averaging Plan for Unit 5:
- (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NOx emission averaging plan for Unit 5, effective from calendar year 2005 through 2009. Under the plan the NOx emissions from Unit 5 shall not exceed the annual average alternative contemporaneous emission limitation (ACEL) of 0.44 lb/MMBtu. In addition, Unit 5 shall have an annual heat input less than 6,797,000 MMBtu.
 - (2) Under the plan, the actual Btu-weighted annual average NOx emission rate for all the units in the plan shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Unit 5 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
- (c) NOx Emission Averaging Plan for Unit 6:
- (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NOx emission averaging plan for Unit 6, effective from calendar year 2005 through 2009. Under the plan the NOx emissions from Unit 6 shall not exceed the annual average ACEL of 0.45 lb/MMBtu. In addition, Unit 6 shall have an annual heat input less than 5,422,000 MMBtu.

- (2) Under the plan, the actual Btu-weighted annual average NOx emission rate for all the units in the plan shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Unit 6 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
- (d) NOx Emission Averaging Plan for Unit 7:
- (1) Pursuant to 40 CFR 76.11, the Indiana Department of Environmental Management, Office of Air Quality approves a NOx emission averaging plan for Unit 7, effective from calendar year 2005 through 2009. Under the plan the NOx emissions from Unit 7 shall not exceed the annual average ACEL of 0.40 lb/MMBtu. In addition, Unit 7 shall have an annual heat input less than 25,412,000 MMBtu.
- (2) Under the plan, the actual Btu-weighted annual average NOx emission rate for Units 5, 6, and 7 shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then Units 5, 6, and 7 shall be deemed to be in compliance for that year with its annual ACEL and annual heat input limit.
- (e) In addition to the described NOx compliance plan, Units 5, 6, and 7 shall comply with all other applicable requirements of 40 CFR 76, including the duty to reapply for a NOx compliance plan and requirements covering excess emissions.
- (f) Pursuant to 40 CFR 76, Phase II Nitrogen Oxides Emission Reduction Program, the oil-fired boilers, Unit 3 and Unit 4, and the distillate oil-fired and/or natural gas-fired turbines GT4 and GT5, and the natural gas-fired turbine, GT6, are not subject to nitrogen oxide limitations.

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

- (a) If Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6 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
Compliance and Enforcement Branch, Office of Air Quality
100 North Senate Avenue, MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

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 Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6 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 of Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 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 Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 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 Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 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 and Support Section, Office of Air Quality
100 North Senate Avenue, MC 61-53 IGCN 1003
Indianapolis, IN 46204-2251

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 Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 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 Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6
- (f) The designated representative of Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 shall provide the Permittee a copy of any submission or determination under paragraph 8(e), unless the Permittee expressly waives the right to receive a copy.

9. Severability [326 IAC 21]

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]

- (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) Units 3, 4, 5, 6, 7, GT4, GT5, and GT6 shall meet the requirements of the Acid Rain Program.
- (e) Any provision of the Acid Rain Program that applies to Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6, including a provision applicable to the designated representative of Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6 shall also apply to the Permittee.
- (f) Any provision of the Acid Rain Program that applies to Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6, including a provision applicable to the designated representative of Units 3, 4, 5, 6, 7, GT4, GT5, and GT6, 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 72, 73, 75, 76, 77, and 78 by Units 3, 4, 5, 6, 7, GT4, GT5, or GT6, 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]

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 Unit 3, 4, 5, 6, 7, GT4, GT5, or GT6 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.