



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

NOTICE OF 30-DAY PERIOD FOR PUBLIC COMMENT

Preliminary Findings Regarding a
Part 70 Administrative Operating Permit
for DTE Gary, LLC in Lake County

Part 70 Administrative Operating Permit No.: T089-40252-00614

The Indiana Department of Environmental Management (IDEM) has received an application from DTE Gary, LLC, located at One North Broadway, Gary, Indiana 46402, for a Part 70 Administrative Operating Permit. If approved by IDEM's Office of Air Quality (OAQ), this proposed permit would allow DTE Gary, LLC to continue to operate its existing source.

This draft Part 70 Administrative Operating Permit does not contain any new equipment that would emit air pollutants; however, some conditions from previously issued permits/approvals have been corrected, changed, or removed. These corrections, changes, and removals may include Title I changes (e.g., changes that add or modify synthetic minor emission limits). This notice fulfills the public notice procedures to which those conditions are subject. IDEM has reviewed this application and has developed preliminary findings, consisting of a draft permit and several supporting documents, which would allow for these changes.

A copy of the permit application and IDEM's preliminary findings are available at:

Gary Public Library and Cultural Center
220 W. 5th Avenue
Gary, IN 46402

and

IDEM Northwest Regional Office
330 W. US Highway 30, Suites E & F
Valparaiso, IN 46385

A copy of the preliminary findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>.

A copy of the preliminary findings is also available via IDEM's Virtual File Cabinet (VFC.) Please go to: <http://www.in.gov/idem/> and enter VFC in the search box. You will then have the option to search for permit documents using a variety of criteria.

How can you participate in this process?

The date that this notice is published in a newspaper marks the beginning of a 30-day public comment period. If the 30th day of the comment period falls on a day when IDEM offices are closed for business, all comments must be postmarked or delivered in person on the next business day that IDEM is open.

You may request that IDEM hold a public hearing about this draft permit. If adverse comments concerning the **air pollution impact** of this draft permit are received, with a request for a public hearing, IDEM will decide whether or not to hold a public hearing. IDEM could also decide to hold a public meeting instead of, or in addition to, a public hearing. If a public hearing or meeting is held, IDEM will make a separate announcement of the date, time, and location of that hearing or meeting. At a hearing,

you would have an opportunity to submit written comments and make verbal comments. At a meeting, you would have an opportunity to submit written comments, ask questions, and discuss any air pollution concerns with IDEM staff.

Comments and supporting documentation, or a request for a public hearing should be sent in writing to IDEM at the address below. If you comment via e-mail, please include your full U.S. mailing address so that you can be added to IDEM's mailing list to receive notice of future action related to this permit. If you do not want to comment at this time, but would like to receive notice of future action related to this permit application, please contact IDEM at the address below. Please refer to permit number T089-40252-00614 in all correspondence.

Comments should be sent to:

Andrew Belt
IDEM, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
(800) 451-6027, ask for Andrew Belt or (317) 232-3217
Or dial directly: (317) 232-3217
Fax: (317) 232-6749 attn: Andrew Belt
E-mail: abelt@idem.IN.gov


All comments will be considered by IDEM when we make a decision to issue or deny the permit. Comments that are most likely to affect final permit decisions are those based on the rules and laws governing this permitting process (326 IAC 2), air quality issues, and technical issues. IDEM does not have legal authority to regulate zoning, odor, or noise. For such issues, please contact your local officials.

For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: <http://www.in.gov/idem/airquality/2356.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

What will happen after IDEM makes a decision?

Following the end of the public comment period, IDEM will issue a Notice of Decision stating whether the permit has been issued or denied. If the permit is issued, it may be different than the draft permit because of comments that were received during the public comment period. If comments are received during the public notice period, the final decision will include a document that summarizes the comments and IDEM's response to those comments. If you have submitted comments or have asked to be added to the mailing list, you will receive a Notice of the Decision. The notice will provide details on how you may appeal IDEM's decision, if you disagree with that decision. The final decision will also be available on the Internet at the address indicated above, at the local library indicated above, at the IDEM Regional Office indicated above, and the IDEM public file room on the 12th floor of the Indiana Government Center North, 100 N. Senate Avenue, Indianapolis, Indiana 46204-2251.

If you have any questions, please contact Andrew Belt or my staff at the above address.


Brian Williams, Section Chief
Permits Branch
Office of Air Quality



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Eric J. Holcomb
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Commissioner

DRAFT

Part 70 Administrative Operating Permit OFFICE OF AIR QUALITY

**DTE Gary, LLC
One North Broadway
Gary, Indiana 46402**

(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.

The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. Noncompliance with any provision of this permit, except any provision specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act. 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. 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.

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 and IC 13-17. This permit also addresses certain new source review requirements for existing equipment and is intended to fulfill the new source review procedures pursuant to 326 IAC 2-2 and 326 IAC 2-7-10.5, applicable to those conditions.

Operation Permit No.: T089-40252-00614	
Master Agency Interest ID.: 11591	
Issued by:	Issuance Date:
Brian Willams, Section Chief Permits Branch Office of Air Quality	Expiration Date:

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Attachment A: 40 CFR 60, Subpart KKKK - New Source Performance Standards for Stationary Combustion Turbines

Attachment B: 40 CFR 63, Subpart YYYY - National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines

SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Quality (OAQ). The information describing the source contained in conditions A.1 through A.3 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(14)][326 IAC 2-7-1(22)]

The Permittee owns and operates a stationary combined heat and power facility.

Source Address:	One North Broadway, Gary, Indiana 46402
General Source Phone Number:	(219) 888-2464
SIC Code:	4911 (Electric Services)
County Location:	Lake (Calumet Township)
Source Location Status:	Nonattainment for 8-hour ozone standard Attainment for all other criteria pollutants
Source Status:	Part 70 Operating Permit Program Major Source, under PSD and Emission Offset Rules Major Source, Section 112 of the Clean Air Act 1 of 28 Source Categories

A.2 Part 70 Source Definition [326 IAC 2-7-1(22)]

US Steel - Gary Works is an integrated steel mill that includes the primary operation, U.S. Steel – Gary Works (Source ID 089-00121), at One North Broadway, Gary, Indiana, collocated with on-site contractors:

	Company Name	Source ID	Operation Description
1	U.S. Steel - Gary Works	089-00121	integrated steel mill
	On-Site Contractors		
2	TMS International, LLC	089-00132	slag processing/metal recovery
3	South Shore Slag, LLC	089-00133	slag crushing, screening and conveying
4	Central Teaming Company, Inc.	089-00172	material handling
5	Tube City IMS, LLC	089-00174	scrap metal processing
6	Fritz Enterprises, Inc.	089-00578	iron and slag processing operation
7	DTE Gary, LLC	089-00121	combined heat and power facility

A Part 70 permit has been issued to U.S. Steel – Gary Works (Source ID 089-00121). Separate Administrative Part 70 permits will be issued to each of the on-site contractors, solely for administrative purposes. The companies may maintain separate reporting and compliance certification.

A.3 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)][326 IAC 2-7-5(14)]

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

- (a) One (1) natural gas-fired combustion turbine generator, identified as Turbine-1, equipped with an unfired heat recovery steam generator (HRSG), approved in 2018 for construction, with a maximum capacity of 592.82 MMBtu/hr, and exhausting to stack HRSG01.

Under 40 CFR 60, Subpart KKKK, this unit is considered as an affected stationary combustion turbine. Under 40 CFR 63, Subpart YYYY, this unit is considered as a new stationary combustion turbine.

A.4 Specifically Regulated Insignificant Activities
[326 IAC 2-7-1(21)][326 IAC 2-7-4(c)][326 IAC 2-7-5(14)]

This stationary source also includes the following insignificant activities which are specifically regulated, as defined in 326 IAC 2-7-1(21):

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour, as follows:
 - (1) Thirty-six (36) space heaters, approved in 2018 for construction, each with a maximum heat input capacity of 0.4 MMBtu/hr.

A.5 Part 70 Permit Applicability [326 IAC 2-7-2]

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).

SECTION B GENERAL CONDITIONS

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

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][326 IAC 2-7-4(a)(1)(D)][IC 13-15-3-6(a)]

- (a) This permit, T089-40252-00614, is issued for a fixed term of five (5) years from the issuance date of this permit, 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.
- (b) If IDEM, OAQ, upon receiving a timely and complete renewal 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.

B.3 Term of Conditions [326 IAC 2-1.1-9.5]

Notwithstanding the permit term of a permit to construct, a permit to operate, or a permit modification, any condition established in a permit issued pursuant to a permitting program approved in the state implementation plan shall remain in effect until:

- (a) the condition is modified in a subsequent permit action pursuant to Title I of the Clean Air Act; or
- (b) the emission unit to which the condition pertains permanently ceases operation.

B.4 Enforceability [326 IAC 2-7-7] [IC 13-17-12]

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, the United States Environmental Protection Agency (U.S. EPA) and by citizens in accordance with the Clean Air Act.

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

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)]

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

B.7 Duty to Provide Information [326 IAC 2-7-5(6)(E)]

- (a) The Permittee shall furnish to IDEM, OAQ, within a reasonable time, any information that IDEM, OAQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to IDEM, OAQ copies of records required to be kept by this permit.
- (b) For information furnished by the Permittee to IDEM, OAQ, 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 Certification [326 IAC 2-7-4(f)][326 IAC 2-7-6(1)][326 IAC 2-7-5(3)(C)]

- (a) A certification required by this permit meets the requirements of 326 IAC 2-7-6(1) if:
- (1) it contains a certification by a "responsible official" as defined by 326 IAC 2-7-1(35), and
 - (2) the certification states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) The Permittee may use the attached Certification Form, or its equivalent with each submittal requiring certification. One (1) certification may cover multiple forms in one (1) submittal.
- (c) A "responsible official" is defined at 326 IAC 2-7-1(35).

B.9 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 no later than April 15 of each year to:

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

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, 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;
 - (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); and

- (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAQ may require to determine the compliance status of the source.

The submittal by the Permittee does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

B.10 Preventive Maintenance Plan [326 IAC 2-7-5(12)][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) no later than ninety (90) days after issuance of this permit or ninety (90) days after initial start-up, whichever is later, 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

The PMP extension notification does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

The Permittee shall implement the PMPs.

- (b) A copy of the PMPs shall be submitted to IDEM, OAQ upon request and within a reasonable time, and shall be subject to review and approval by IDEM, OAQ. IDEM, OAQ may require the Permittee to revise its PMPs whenever lack of proper maintenance causes or is the primary contributor to an exceedance of any limitation on emissions. The PMPs and their submittal do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (c) To the extent the Permittee is required by 40 CFR Part 60/63 to have an Operation Maintenance, and Monitoring (OMM) Plan for a unit, such Plan is deemed to satisfy the PMP requirements of 326 IAC 1-6-3 for that unit.

B.11 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 or Northwest Regional Office within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Quality, Compliance and Enforcement Branch), or
Telephone Number: 317-233-0178 (ask for Office of Air Quality, Compliance and Enforcement Branch)
Facsimile Number: 317-233-6865
Northwest Regional Office phone: (219) 464-0233; fax: (219) 464-0553.

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

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

The notice fulfills 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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) The Permittee seeking to establish the occurrence of an emergency shall make records available upon request to ensure that failure to implement a PMP did not cause or contribute to an exceedance of any limitations on emissions. However, IDEM, OAQ may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4(c)(8) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAQ 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.12 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 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, 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, has issued the modification. [326 IAC 2-7-12(b)(8)]

B.13 Prior Permits Superseded [326 IAC 2-1.1-9.5][326 IAC 2-7-10.5]

- (a) All terms and conditions of permits established prior to T089-40252-00614 and issued pursuant to permitting programs approved into the state implementation plan have been either:
- (1) incorporated as originally stated,
 - (2) revised under 326 IAC 2-7-10.5, or
 - (3) deleted under 326 IAC 2-7-10.5.
- (b) Provided that all terms and conditions are accurately reflected in this combined permit, all previous registrations and permits are superseded by this combined new source review and part 70 operating permit.

B.14 Termination of Right to Operate [326 IAC 2-7-10][326 IAC 2-7-4(a)]

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.15 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]

- (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 Operating 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAQ 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 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 at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAQ may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.16 Permit Renewal [326 IAC 2-7-3][326 IAC 2-7-4][326 IAC 2-7-8(e)]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAQ 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(42). The renewal application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

Request for renewal shall be submitted 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, Indiana 46204-2251

- (b) A timely renewal application is one that is:
 - (1) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (2) 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 on or before the date it is due.
- (c) 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 takes 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 the deadline specified, pursuant to 326 IAC 2-7-4(a)(2)(D), in writing by IDEM, OAQ any additional information identified as being needed to process the application.

B.17 Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]

- (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) Any application requesting an amendment or modification of this permit shall be submitted 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, Indiana 46204-2251
Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (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.18 Permit Revision Under Economic Incentives and Other Programs
[326 IAC 2-7-5(8)][326 IAC 2-7-12(b)(2)]**

- (a) No Part 70 permit revision or notice 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) 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.19 Operational Flexibility [326 IAC 2-7-20][326 IAC 2-7-10.5]

- (a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b) or (c) 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 limitations provided in 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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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, on a rolling five (5) year basis, which document all such changes and emission trades that are subject to 326 IAC 2-7-20(b)(1) and (c)(1). The Permittee shall make such records available, upon reasonable request, for public review.

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

- (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(37)) 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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade emissions increases and decreases at 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).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAQ or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification requirements of part (a) of this condition do not apply.

B.20 Source Modification Requirement [326 IAC 2-7-10.5]

A modification, construction, or reconstruction is governed by the requirements of 326 IAC 2.

B.21 Inspection and Entry [326 IAC 2-7-6][IC 13-14-2-2][IC 13-30-3-1][IC 13-17-3-2]

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, 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) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, have access to and copy any records that must be kept under the conditions of this permit;
- (c) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, sample or monitor substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) As authorized by the Clean Air Act, IC 13-14-2-2, IC 13-17-3-2, and IC 13-30-3-1, utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.

B.22 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
Permit Administration and Support Section, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

Any such application does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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.23 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 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 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, Billing, Licensing, and Training Section), to determine the appropriate permit fee.

B.24 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 the Permittee has violated or is in violation of any condition of this permit, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the Permittee would have been in compliance with the condition of this permit 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 5-1-1 (Applicability) and 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 twenty percent (20%) 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.

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

The Permittee shall not operate an incinerator except as provided in 326 IAC 4-2 or in this permit. The Permittee shall not operate a refuse incinerator or refuse burning equipment except as provided in 326 IAC 9-1-2 or in this permit.

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]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;

- (B) Removal or demolition contractor; or
- (C) Waste disposal site.
- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

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

The notice shall include a signed certification from the owner or operator that the information provided in this notification is correct and that only Indiana licensed workers and project supervisors will be used to implement the asbestos removal project. The notifications do not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the applicable emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-1, emission control requirements are applicable for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Demolition and Renovation**
The Permittee shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation will occur for the presence of asbestos pursuant to 40 CFR 61.145(a).
- (g) **Indiana Licensed Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Licensed Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement to use an Indiana Licensed Asbestos inspector is not federally enforceable.

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

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

- (a) For performance testing required by this permit, a test protocol, except as provided elsewhere in this permit, shall be submitted to:

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

no later than thirty-five (35) days prior to the intended test date. The protocol submitted by the Permittee does not require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).
- (c) Pursuant to 326 IAC 3-6-4(b), all test reports must be received by IDEM, OAQ not later than forty-five (45) days after the completion of the testing. An extension may be granted by IDEM, OAQ if the Permittee submits to IDEM, OAQ 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]

The commissioner may require stack testing, monitoring, or reporting at any time to assure compliance with all applicable requirements by issuing an order under 326 IAC 2-1.1-11. 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)]

- (a) For new units:
Unless otherwise specified in the approval for the new emission unit(s), compliance monitoring for new emission units shall be implemented on and after the date of initial start-up.
- (b) For existing units:
Unless otherwise specified in this permit, for all monitoring requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance to begin such monitoring. If, due to circumstances beyond the Permittee's control, any monitoring equipment required by this permit cannot be installed and operated no later than ninety (90) days after permit issuance, 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 and Enforcement Branch, Office of Air Quality
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251

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 a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

C.9 Instrument Specifications [326 IAC 2-1.1-11] [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

- (a) When required by any condition of this permit, an analog instrument used to measure a parameter related to the operation of an air pollution control device shall have a scale such that the expected maximum reading for the normal range shall be no less than

twenty percent (20%) of full scale. The analog instrument shall be capable of measuring values outside of the normal range.

- (b) The Permittee may request that the IDEM, OAQ approve the use of an instrument that does not meet the above specifications provided the Permittee can demonstrate that an alternative instrument specification will adequately ensure compliance with permit conditions requiring the measurement of the parameters.

C.10 Continuous Compliance Plan [326 IAC 6.8-8-1] [326 IAC 6.8-8-8]

- (a) Pursuant to 326 IAC 326 IAC 6.8-8-1, the Permittee shall submit to IDEM and maintain at source a copy of the Continuous Compliance Plan (CCP). The Permittee shall perform the inspections, monitoring and record keeping in accordance with the information in 326 IAC 6.8-8-5 through 326 IAC 6.8-8-7 or applicable procedures in the CCP.
- (b) Pursuant to 326 IAC 6.8-8-8, the Permittee shall update the CCP, as needed, retain a copy of any changes and updates to the CCP at the source and make the updated CCP available for inspection by the department. The Permittee shall submit the updated CCP, if required to IDEM, OAQ within thirty (30) days of the update.
- (c) Pursuant to 326 IAC 6.8-8, failure to submit a CCP, maintain all information required by the CCP at the source, or submit update to a CCP is a violation of 326 IAC 6.8-8.

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]

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

- (a) The Permittee shall prepare written emergency reduction plans (ERPs) consistent with safe operating procedures.
- (b) These ERPs shall be submitted for approval to:

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

no later than ninety (90) days after the date of issuance of this permit.

The ERP does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

- (c) If the ERP is disapproved by IDEM, OAQ, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (d) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (e) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.

- (f) Upon direct notification by IDEM, OAQ 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(11)] [40 CFR 68]

If a regulated substance, as defined in 40 CFR 68, is present at a source in more than a threshold quantity, the Permittee must comply with the applicable requirements of 40 CFR 68.

C.13 Response to Excursions or Exceedances [326 IAC 2-7-5] [326 IAC 2-7-6]

Upon detecting an excursion where a response step is required by the D Section or an exceedance of a limitation in this permit:

- (a) The Permittee shall take reasonable response steps to restore operation of the emissions unit (including any control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing excess emissions.
- (b) The response shall include minimizing the period of any startup, shutdown or malfunction. The response may include, but is not limited to, the following:
 - (1) initial inspection and evaluation;
 - (2) recording that operations returned or are returning to normal without operator action (such as through response by a computerized distribution control system); or
 - (3) any necessary follow-up actions to return operation to normal or usual manner of operation.
- (c) A determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include, but is not limited to, the following:
 - (1) monitoring results;
 - (2) review of operation and maintenance procedures and records; and/or
 - (3) inspection of the control device, associated capture system, and the process.
- (d) Failure to take reasonable response steps shall be considered a deviation from the permit.
- (e) The Permittee shall record the reasonable response steps taken.

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

- (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 submit a description of its response actions to IDEM, OAQ no later than seventy-five (75) days after the date of the test.
- (b) A retest to demonstrate compliance shall be performed no later than one hundred eighty (180) days after the date of the test. Should the Permittee demonstrate to IDEM, OAQ that retesting in one hundred eighty (180) 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 response action documents submitted pursuant to this condition do require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

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]

Pursuant to 326 IAC 2-6-3(a)(1), the Permittee shall submit by July 1 of each year 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(33) ("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
MC 61-50 IGCN 1003
Indianapolis, Indiana 46204-2251

The emission statement does require a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35).

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

- (a) Records of all required monitoring data, reports and support information required by this permit shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. Support information includes the following, where applicable:

- (AA) All calibration and maintenance records.
- (BB) All original strip chart recordings for continuous monitoring instrumentation.
- (CC) Copies of all reports required by the Part 70 permit.

Records of required monitoring information include the following, where applicable:

- (AA) The date, place, as defined in this permit, and time of sampling or measurements.
- (BB) The dates analyses were performed.
- (CC) The company or entity that performed the analyses.
- (DD) The analytical techniques or methods used.
- (EE) The results of such analyses.
- (FF) The operating conditions as existing at the time of sampling or measurement.

These records shall be physically present or electronically accessible 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 makes a request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.

- (b) Unless otherwise specified in this permit, for all record keeping requirements not already legally required, the Permittee shall be allowed up to ninety (90) days from the date of permit issuance or the date of initial start-up, whichever is later, to begin such record keeping.
- (c) If there is a reasonable possibility (as defined in 326 IAC 2-2-8 (b)(6)(A), 326 IAC 2-2-8 (b)(6)(B), 326 IAC 2-3-2 (l)(6)(A), and/or 326 IAC 2-3-2 (l)(6)(B)) that a “project” (as defined in 326 IAC 2-2-1(o) and/or 326 IAC 2-3-1(j)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(d) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(p) and/or 326 IAC 2-3-1(k)), the Permittee shall comply with following:
 - (1) Before beginning actual construction of the “project” (as defined in 326 IAC 2-2-1(o) and/or 326 IAC 2-3-1(j)) at an existing emissions unit, document and maintain the following records:
 - (A) A description of the project.
 - (B) Identification of any emissions unit whose emissions of a regulated new source review pollutant could be affected by the project.
 - (C) A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including:
 - (i) Baseline actual emissions;
 - (ii) Projected actual emissions;
 - (iii) Amount of emissions excluded under section 326 IAC 2-2-1(p)(2)(A)(iii) and/or 326 IAC 2-3-1 (k)(2)(A)(iii); and
 - (iv) An explanation for why the amount was excluded, and any netting calculations, if applicable.
- (d) If there is a reasonable possibility (as defined in 326 IAC 2-2-8 (b)(6)(A) and/or 326 IAC 2-3-2 (l)(6)(A)) that a “project” (as defined in 326 IAC 2-2-1(o) and/or 326 IAC 2-3-1(j)) at an existing emissions unit, other than projects at a source with a Plantwide Applicability Limitation (PAL), which is not part of a “major modification” (as defined in 326 IAC 2-2-1(d) and/or 326 IAC 2-3-1(y)) may result in significant emissions increase and the Permittee elects to utilize the “projected actual emissions” (as defined in 326 IAC 2-2-1(p) and/or 326 IAC 2-3-1(k)), the Permittee shall comply with following:
 - (1) Monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that is emitted by any existing emissions unit identified in (1)(B) above; and
 - (2) Calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operations after the change, or for a period of ten (10) years following resumption of regular operations after the change if the project increases the design capacity of or the potential to emit that regulated NSR pollutant at the emissions unit.

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

- (a) The Permittee shall submit the attached Quarterly Deviation and Compliance Monitoring Report or its equivalent. Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of this paragraph. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported except that 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. This report shall be submitted not later than thirty (30) days after the end of the reporting period. The Quarterly Deviation and Compliance Monitoring Report shall include a certification that meets the requirements of 326 IAC 2-7-6(1) by a "responsible official" as defined by 326 IAC 2-7-1(35). A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit.
- (b) The address for report submittal is:

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
- (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 on or before the date it is due.
- (d) The first report shall cover the period commencing on the date of issuance of this permit or the date of initial start-up, whichever is later, and ending on the last day of the reporting period. Reporting periods are based on calendar years, unless otherwise specified in this permit. For the purpose of this permit, "calendar year" means the twelve (12) month period from January 1 to December 31 inclusive.
- (e) If the Permittee is required to comply with the recordkeeping provisions of (d) in Section C - General Record Keeping Requirements for any "project" (as defined in 326 IAC 2-2-1 (oo) and/or 326 IAC 2-3-1 (jj)) at an existing emissions unit, and the project meets the following criteria, then the Permittee shall submit a report to IDEM, OAQ:
 - (1) The annual emissions, in tons per year, from the project identified in (c)(1) in Section C- General Record Keeping Requirements exceed the baseline actual emissions, as documented and maintained under Section C- General Record Keeping Requirements (c)(1)(C)(i), by a significant amount, as defined in 326 IAC 2-2-1 (ww) and/or 326 IAC 2-3-1 (pp), for that regulated NSR pollutant, and
 - (2) The emissions differ from the preconstruction projection as documented and maintained under Section C - General Record Keeping Requirements (c)(1)(C)(ii).
- (f) The report for project at an existing emissions unit shall be submitted no later than sixty (60) days after the end of the year and contain the following:
 - (1) The name, address, and telephone number of the major stationary source.

- (2) The annual emissions calculated in accordance with (d)(1) and (2) in Section C - General Record Keeping Requirements.
- (3) The emissions calculated under the actual-to-projected actual test stated in 326 IAC 2-2-2(d)(3) and/or 326 IAC 2-3-2(c)(3).
- (4) Any other information that the Permittee wishes to include in this report such as an explanation as to why the emissions differ from the preconstruction projection.

Reports required in this part shall be submitted to:

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

- (g) The Permittee shall make the information required to be documented and maintained in accordance with (c) in Section C- General Record Keeping Requirements available for review upon a request for inspection by IDEM, OAQ. The general public may request this information from the IDEM, OAQ under 326 IAC 17.1.

Stratospheric Ozone Protection

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

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 applicable standards for recycling and emissions reduction.

SECTION D.1 EMISSIONS UNIT OPERATION CONDITIONS

Emissions Unit Description:

- (a) One (1) natural gas-fired combustion turbine generator, identified as Turbine-1, equipped with an unfired heat recovery steam generator (HRSG), approved in 2018 for construction, with a maximum capacity of 592.82 MMBtu/hr, and exhausting to stack HRSG01.

Under 40 CFR 60, Subpart KKKK, this unit is considered as an affected stationary combustion turbine. Under 40 CFR 63, Subpart YYYY, this unit is considered as a new stationary combustion turbine.

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

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

D.1.1 Particulate Matter Limitations for Lake County [326 IAC 6.8-1-2]

Pursuant to 326 IAC 6.8-1-2(b)(3), particulate matter emissions from the one (1) combustion turbine generator, identified as Turbine-1, shall not exceed one-hundredth (0.01) grain per dry standard cubic foot (dscf).

D.1.2 Preventive Maintenance Plan [326 IAC 2-7-5(12)]

A Preventive Maintenance Plan is required for these facilities. Section B - Preventive Maintenance Plan contains the Permittee's obligation with regard to the preventive maintenance plan required by this condition.

Compliance Determination Requirements [326 IAC 2-7-5(1)]

D.1.3 Testing Requirements [326 IAC 2-1.1-11]

In order to verify the uncontrolled emission rates of PM, PM₁₀, PM_{2.5}, NO_x, VOC, and CO, no later than 60 days after achieving maximum capacity but not later than 180 days after initial startup, whichever occurs first, the Permittee shall perform one-time uncontrolled PM, PM₁₀, PM_{2.5}, NO_x, VOC, and CO testing of the natural gas-fired combustion turbine generator, utilizing methods approved by the commissioner. Testing shall be conducted in accordance with the provisions of 326 IAC 3-6 (Source Sampling Procedures). Section C – Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition. PM₁₀ and PM_{2.5} includes filterable and condensable PM.

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

D.1.4 Maintenance of Continuous Emission Monitoring Equipment [326 IAC 3-5] [326 IAC 2-7-5(3)(A)(iii)]

- (a) The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment for NO_x emissions.
- (b) All CEMS required by this permit shall meet all applicable performance specifications of 40 CFR 60, 40 CFR 75, or any other applicable performance specifications, 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) Whenever a NO_x CEM is down for more than twenty-four (24) hours, the Permittee shall follow good air pollution control practices.
- (e) Nothing in this permit shall excuse the Permittee from complying with the requirements to operate a continuous emission monitoring system pursuant to 40 CFR 60.

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

D.1.5 Record Keeping Requirements

- (a) To document the compliance status with Condition D.1.4:
 - (1) The Permittee shall record the output of the continuous monitoring systems and shall perform the required record keeping and reporting, pursuant to 326 IAC 3-5-6 and 326 IAC 3-5-7.
 - (2) In the event that a breakdown of the NO_x continuous emission monitoring system (CEMS) occurs, the Permittee shall maintain records of all CEMS malfunctions, out of control periods, calibration and adjustment activities, and repair or maintenance activities.
 - (3) The Permittee shall maintain the monthly records of the NO_x emissions from the combustion turbine CT-1 based the CEM data.
- (b) Section C - General Record Keeping Requirements contains the Permittee's obligations with regard to the record keeping required by this condition.

SECTION E.1

NSPS

Emissions Unit Description:

- (a) One (1) natural gas-fired combustion turbine generator, identified as Turbine-1, equipped with an unfired heat recovery steam generator (HRSG), approved in 2018 for construction, with a maximum capacity of 592.82 MMBtu/hr, and exhausting to stack HRSG01.

Under 40 CFR 60, Subpart KKKK, this unit is considered as an affected stationary combustion turbine. Under 40 CFR 63, Subpart YYYY, this unit is considered as a new stationary combustion turbine.

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

New Source Performance Standards (NSPS) Requirements [326 IAC 2-7-5(1)]

E.1.1 General Provisions Relating to New Source Performance Standards [326 IAC 12-1][40 CFR Part 60, Subpart A]

- (a) Pursuant to 40 CFR 60.1, the Permittee shall comply with the provisions of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 12-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 60, Subpart KKKK.

- (b) Pursuant to 40 CFR 60.4, the Permittee shall submit all required notifications and reports to:

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

E.1.2 Stationary Combustion Turbines NSPS [326 IAC 12][40 CFR Part 60, Subpart KKKK]

The Permittee shall comply with the following provisions of 40 CFR Part 60, Subpart KKKK (included as Attachment A to the operating permit), which are incorporated by reference as 326 IAC 12, for the emission unit(s) listed above:

- (1) 40 CFR 60.4300
- (2) 40 CFR 60.4305
- (3) 40 CFR 60.4315
- (4) 40 CFR 60.4320(a)
- (5) 40 CFR 60.4330(a)(1)
- (6) 40 CFR 60.4333(a)
- (7) 40 CFR 60.4340(a) and (b)
- (8) 40 CFR 60.4345
- (9) 40 CFR 60.4365(a)
- (10) 40 CFR 60.4375
- (11) 40 CFR 60.4380
- (12) 40 CFR 60.4395
- (13) 40 CFR 60.4400
- (14) 40 CFR 60.4420
- (15) Table 1

Compliance Determination Requirements [326 IAC 2-7-5(1)]

E.1.3 Testing Requirements [326 IAC 2-1.1-11][326 IAC 2-7-6(1)][326 IAC 2-7-5(1)]

In order to document the compliance status with Condition E.1.2, the Permittee shall perform the testing required under 40 CFR 60, Subpart KKKK, utilizing methods as approved by the Commissioner, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility. Section C - Performance Testing contains the Permittee's obligation with regard to the performance testing required by this condition.

SECTION E.2

NESHAP

Emissions Unit Description:

- (a) One (1) natural gas-fired combustion turbine generator, identified as Turbine-1, equipped with an unfired heat recovery steam generator (HRSG), approved in 2018 for construction, with a maximum capacity of 592.82 MMBtu/hr, and exhausting to stack HRSG01.

Under 40 CFR 60, Subpart KKKK, this unit is considered as an affected stationary combustion turbine. Under 40 CFR 63, Subpart YYYY, this unit is considered as a new stationary combustion turbine.

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

National Emission Standards for Hazardous Air Pollutants (NESHAP) Requirements [326 IAC 2-7-5(1)]

E.2.1 General Provisions Relating to National Emission Standards for Hazardous Air Pollutants under 40 CFR Part 63 [326 IAC 20-1][40 CFR Part 63, Subpart A]

- (a) Pursuant to 40 CFR 63.1 the Permittee shall comply with the provisions of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated by reference as 326 IAC 20-1, for the emission unit(s) listed above, except as otherwise specified in 40 CFR Part 63, Subpart YYYY.
- (b) Pursuant to 40 CFR 63.10, the Permittee shall submit all required notifications and reports to:

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

E.2.2 Stationary Combustion Turbines NESHAP [40 CFR Part 63, Subpart YYYY][326 IAC 20-90]

The Permittee shall comply with the following provisions of 40 CFR Part 63, Subpart YYYY (included as Attachment B to the operating permit), which are incorporated by reference as 326 IAC 20-90, for the emission unit(s) listed above:

- (1) 40 CFR 63.6080
- (2) 40 CFR 63.6085
- (3) 40 CFR 63.6090(a)(2)
- (4) 40 CFR 63.6095(d)
- (5) 40 CFR 63.6145(c)
- (6) 40 CFR 63.6175

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
Part 70 Permit No.: T089-40252-00614

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:

Phone:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
100 North Senate Avenue
MC 61-53 IGCN 1003
Indianapolis, Indiana 46204-2251
Phone: (317) 233-0178
Fax: (317) 233-6865**

**PART 70 OPERATING PERMIT
EMERGENCY OCCURRENCE REPORT**

Source Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
Part 70 Permit No.: T089-40252-00614

This form consists of 2 pages

Page 1 of 2

- | |
|---|
| <p><input type="checkbox"/> This is an emergency as defined in 326 IAC 2-7-1(12)</p> <ul style="list-style-type: none">• The Permittee must notify the Office of Air Quality (OAQ), within four (4) daytime business hours (1-800-451-6027 or 317-233-0178, ask for Compliance Section); and• The Permittee must submit notice in writing or by facsimile within two (2) working days (Facsimile Number: 317-233-6865), 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

Page 2 of 2

Date/Time Emergency started:
Date/Time Emergency was corrected:
Was the facility being properly operated at the time of the emergency? Y N
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , 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: _____

Phone: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR QUALITY
COMPLIANCE AND ENFORCEMENT BRANCH
PART 70 OPERATING PERMIT
QUARTERLY DEVIATION AND COMPLIANCE MONITORING REPORT**

Source Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
Part 70 Permit No.: T089-40252-00614

Months: _____ to _____ Year: _____

Page 1 of 2

This report shall be submitted quarterly based on a calendar year. Proper notice submittal under Section B –Emergency Provisions satisfies the reporting requirements of paragraph (a) of Section C- General Reporting. Any deviation from the requirements of this permit, the date(s) of each deviation, the probable cause of the deviation, and the response steps taken must be reported. A deviation required to be reported pursuant to an applicable requirement that exists independent of the permit, shall be reported according to the schedule stated in the applicable requirement and does 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".

☐ NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

☐ THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

Permit Requirement (specify permit condition #)

Date of Deviation:

Duration of Deviation:

Number of Deviations:

Probable Cause of Deviation:

Response Steps Taken:

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

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

Attachment A

Part 70 Operating Permit No: T089-40252-00614

[Downloaded from the eCFR on July 19, 2016]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart KKKK—Standards of Performance for Stationary Combustion Turbines

Source: 71 FR 38497, July 6, 2006, unless otherwise noted.

Introduction

§60.4300 What is the purpose of this subpart?

This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

Applicability

§60.4305 Does this subpart apply to my stationary combustion turbine?

(a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart. Only heat input to the combustion turbine should be included when determining whether or not this subpart is applicable to your turbine. Any additional heat input to associated heat recovery steam generators (HRSG) or duct burners should not be included when determining your peak heat input. However, this subpart does apply to emissions from any associated HRSG and duct burners.

(b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part. Heat recovery steam generators and duct burners regulated under this subpart are exempted from the requirements of subparts Da, Db, and Dc of this part.

§60.4310 What types of operations are exempt from these standards of performance?

(a) Emergency combustion turbines, as defined in §60.4420(i), are exempt from the nitrogen oxides (NO_x) emission limits in §60.4320.

(b) Stationary combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements are exempt from the NO_x emission limits in §60.4320 on a case-by-case basis as determined by the Administrator.

(c) Stationary combustion turbines at integrated gasification combined cycle electric utility steam generating units that are subject to subpart Da of this part are exempt from this subpart.

(d) Combustion turbine test cells/stands are exempt from this subpart.

Emission Limits

§60.4315 What pollutants are regulated by this subpart?

The pollutants regulated by this subpart are nitrogen oxide (NO_x) and sulfur dioxide (SO₂).

§60.4320 What emission limits must I meet for nitrogen oxides (NOX)?

(a) You must meet the emission limits for NO_x specified in Table 1 to this subpart.

(b) If you have two or more turbines that are connected to a single generator, each turbine must meet the emission limits for NO_x.

§60.4325 What emission limits must I meet for NOX if my turbine burns both natural gas and distillate oil (or some other combination of fuels)?

You must meet the emission limits specified in Table 1 to this subpart. If your total heat input is greater than or equal to 50 percent natural gas, you must meet the corresponding limit for a natural gas-fired turbine when you are burning that fuel. Similarly, when your total heat input is greater than 50 percent distillate oil and fuels other than natural gas, you must meet the corresponding limit for distillate oil and fuels other than natural gas for the duration of the time that you burn that particular fuel.

§60.4330 What emission limits must I meet for sulfur dioxide (SO2)?

(a) If your turbine is located in a continental area, you must comply with either paragraph (a)(1), (a)(2), or (a)(3) of this section. If your turbine is located in Alaska, you do not have to comply with the requirements in paragraph (a) of this section until January 1, 2008.

(1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO₂ in excess of 110 nanograms per Joule (ng/J) (0.90 pounds per megawatt-hour (lb/MWh)) gross output;

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement; or

(3) For each stationary combustion turbine burning at least 50 percent biogas on a calendar month basis, as determined based on total heat input, you must not cause to be discharged into the atmosphere from the affected source any gases that contain SO₂ in excess of 65 ng SO₂/J (0.15 lb SO₂/MMBtu) heat input.

(b) If your turbine is located in a noncontinental area or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit, you must comply with one or the other of the following conditions:

(1) You must not cause to be discharged into the atmosphere from the subject stationary combustion turbine any gases which contain SO₂ in excess of 780 ng/J (6.2 lb/MWh) gross output, or

(2) You must not burn in the subject stationary combustion turbine any fuel which contains total sulfur with potential sulfur emissions in excess of 180 ng SO₂/J (0.42 lb SO₂/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement.

[71 FR 38497, July 6, 2006, as amended at 74 FR 11861, Mar. 20, 2009]

General Compliance Requirements

§60.4333 What are my general requirements for complying with this subpart?

(a) You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

(b) When an affected unit with heat recovery utilizes a common steam header with one or more combustion turbines, the owner or operator shall either:

(1) Determine compliance with the applicable NO_x emissions limits by measuring the emissions combined with the emissions from the other unit(s) utilizing the common heat recovery unit; or

(2) Develop, demonstrate, and provide information satisfactory to the Administrator on methods for apportioning the combined gross energy output from the heat recovery unit for each of the affected combustion turbines. The Administrator may approve such demonstrated substitute methods for apportioning the combined gross energy output measured at the steam turbine whenever the demonstration ensures accurate estimation of emissions related under this part.

Monitoring

§60.4335 How do I demonstrate compliance for NO_x if I use water or steam injection?

(a) If you are using water or steam injection to control NO_x emissions, you must install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine when burning a fuel that requires water or steam injection for compliance.

(b) Alternatively, you may use continuous emission monitoring, as follows:

(1) Install, certify, maintain, and operate a continuous emission monitoring system (CEMS) consisting of a NO_x monitor and a diluent gas (oxygen (O₂) or carbon dioxide (CO₂)) monitor, to determine the hourly NO_x emission rate in parts per million (ppm) or pounds per million British thermal units (lb/MMBtu); and

(2) For units complying with the output-based standard, install, calibrate, maintain, and operate a fuel flow meter (or flow meters) to continuously measure the heat input to the affected unit; and

(3) For units complying with the output-based standard, install, calibrate, maintain, and operate a watt meter (or meters) to continuously measure the gross electrical output of the unit in megawatt-hours; and

(4) For combined heat and power units complying with the output-based standard, install, calibrate, maintain, and operate meters for useful recovered energy flow rate, temperature, and pressure, to continuously measure the total thermal energy output in British thermal units per hour (Btu/h).

§60.4340 How do I demonstrate continuous compliance for NO_x if I do not use water or steam injection?

(a) If you are not using water or steam injection to control NO_x emissions, you must perform annual performance tests in accordance with §60.4400 to demonstrate continuous compliance. If the NO_x emission result from the performance test is less than or equal to 75 percent of the NO_x emission limit for the turbine, you may reduce the frequency of subsequent performance tests to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NO_x emission limit for the turbine, you must resume annual performance tests.

(b) As an alternative, you may install, calibrate, maintain and operate one of the following continuous monitoring systems:

(1) Continuous emission monitoring as described in §§60.4335(b) and 60.4345, or

(2) Continuous parameter monitoring as follows:

(i) For a diffusion flame turbine without add-on selective catalytic reduction (SCR) controls, you must define parameters indicative of the unit's NO_x formation characteristics, and you must monitor these parameters continuously.

(ii) For any lean premix stationary combustion turbine, you must continuously monitor the appropriate parameters to determine whether the unit is operating in low-NO_x mode.

(iii) For any turbine that uses SCR to reduce NO_x emissions, you must continuously monitor appropriate parameters to verify the proper operation of the emission controls.

(iv) For affected units that are also regulated under part 75 of this chapter, with state approval you can monitor the NO_x emission rate using the methodology in appendix E to part 75 of this chapter, or the low mass emissions methodology in §75.19, the requirements of this paragraph (b) may be met by performing the parametric monitoring described in section 2.3 of part 75 appendix E or in §75.19(c)(1)(iv)(H).

§60.4345 What are the requirements for the continuous emission monitoring system equipment, if I choose to use this option?

If the option to use a NO_x CEMS is chosen:

(a) Each NO_x diluent CEMS must be installed and certified according to Performance Specification 2 (PS 2) in appendix B to this part, except the 7-day calibration drift is based on unit operating days, not calendar days. With state approval, Procedure 1 in appendix F to this part is not required. Alternatively, a NO_x diluent CEMS that is installed and certified according to appendix A of part 75 of this chapter is acceptable for use under this subpart. The relative accuracy test audit (RATA) of the CEMS shall be performed on a lb/MMBtu basis.

(b) As specified in §60.13(e)(2), during each full unit operating hour, both the NO_x monitor and the diluent monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained with each monitor for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required for each monitor to validate the NO_x emission rate for the hour.

(c) Each fuel flowmeter shall be installed, calibrated, maintained, and operated according to the manufacturer's instructions. Alternatively, with state approval, fuel flowmeters that meet the installation, certification, and quality assurance requirements of appendix D to part 75 of this chapter are acceptable for use under this subpart.

(d) Each watt meter, steam flow meter, and each pressure or temperature measurement device shall be installed, calibrated, maintained, and operated according to manufacturer's instructions.

(e) The owner or operator shall develop and keep on-site a quality assurance (QA) plan for all of the continuous monitoring equipment described in paragraphs (a), (c), and (d) of this section. For the CEMS and fuel flow meters, the owner or operator may, with state approval, satisfy the requirements of this paragraph by implementing the QA program and plan described in section 1 of appendix B to part 75 of this chapter.

§60.4350 How do I use data from the continuous emission monitoring equipment to identify excess emissions?

For purposes of identifying excess emissions:

(a) All CEMS data must be reduced to hourly averages as specified in §60.13(h).

(b) For each unit operating hour in which a valid hourly average, as described in §60.4345(b), is obtained for both NO_x and diluent monitors, the data acquisition and handling system must calculate and record the hourly NO_x emission rate in units of ppm or lb/MMBtu, using the appropriate equation from method 19 in appendix A of this part. For any hour in which the hourly average O₂ concentration exceeds 19.0 percent O₂ (or the hourly average CO₂ concentration is less than 1.0 percent CO₂), a diluent cap value of 19.0 percent O₂ or 1.0 percent CO₂ (as applicable) may be used in the emission calculations.

(c) Correction of measured NO_x concentrations to 15 percent O₂ is not allowed.

(d) If you have installed and certified a NO_x diluent CEMS to meet the requirements of part 75 of this chapter, states can approve that only quality assured data from the CEMS shall be used to identify excess emissions under this subpart. Periods where the missing data substitution procedures in subpart D of part 75 are applied are to be reported as monitor downtime in the excess emissions and monitoring performance report required under §60.7(c).

(e) All required fuel flow rate, steam flow rate, temperature, pressure, and megawatt data must be reduced to hourly averages.

(f) Calculate the hourly average NO_x emission rates, in units of the emission standards under §60.4320, using either ppm for units complying with the concentration limit or the following equation for units complying with the output based standard:

(1) For simple-cycle operation:

$$E = \frac{(\text{NO}_x)_h * (\text{HI})_h}{P} \quad (\text{Eq. 1})$$

Where:

E = hourly NO_x emission rate, in lb/MWh,

(NO_x)_h = hourly NO_x emission rate, in lb/MMBtu,

(HI)_h = hourly heat input rate to the unit, in MMBtu/h, measured using the fuel flowmeter(s), e.g., calculated using Equation D-15a in appendix D to part 75 of this chapter, and

P = gross energy output of the combustion turbine in MW.

(2) For combined-cycle and combined heat and power complying with the output-based standard, use Equation 1 of this subpart, except that the gross energy output is calculated as the sum of the total electrical and mechanical energy generated by the combustion turbine, the additional electrical or mechanical energy (if any) generated by the steam turbine following the heat recovery steam generator, and 100 percent of the total useful thermal energy output that is not used to generate additional electricity or mechanical output, expressed in equivalent MW, as in the following equations:

$$P = (P_e)_t + (P_e)_s + P_s + P_o \quad (\text{Eq. 2})$$

Where:

P = gross energy output of the stationary combustion turbine system in MW.

(P_e)_t = electrical or mechanical energy output of the combustion turbine in MW,

(P_e)_s = electrical or mechanical energy output (if any) of the steam turbine in MW, and

$$P_s = \frac{Q * H}{3.413 \times 10^6 \text{ Btu/MWh}} \quad (\text{Eq. 3})$$

Where:

P_s = useful thermal energy of the steam, measured relative to ISO conditions, not used to generate additional electric or mechanical output, in MW,

Q = measured steam flow rate in lb/h,

H = enthalpy of the steam at measured temperature and pressure relative to ISO conditions, in Btu/lb, and 3.413×10^6 = conversion from Btu/h to MW.

P_o = other useful heat recovery, measured relative to ISO conditions, not used for steam generation or performance enhancement of the combustion turbine.

(3) For mechanical drive applications complying with the output-based standard, use the following equation:

$$E = \frac{(\text{NO}_x)_m}{\text{BL} * \text{AL}} \quad (\text{Eq. 4})$$

Where:

E = NO_x emission rate in lb/MWh,

$(\text{NO}_x)_m$ = NO_x emission rate in lb/h,

BL = manufacturer's base load rating of turbine, in MW, and

AL = actual load as a percentage of the base load.

(g) For simple cycle units without heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 4-hour rolling average basis, as described in §60.4380(b)(1).

(h) For combined cycle and combined heat and power units with heat recovery, use the calculated hourly average emission rates from paragraph (f) of this section to assess excess emissions on a 30 unit operating day rolling average basis, as described in §60.4380(b)(1).

§60.4355 How do I establish and document a proper parameter monitoring plan?

(a) The steam or water to fuel ratio or other parameters that are continuously monitored as described in §§60.4335 and 60.4340 must be monitored during the performance test required under §60.8, to establish acceptable values and ranges. You may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. You must develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan must:

(1) Include the indicators to be monitored and show there is a significant relationship to emissions and proper operation of the NO_x emission controls,

(2) Pick ranges (or designated conditions) of the indicators, or describe the process by which such range (or designated condition) will be established,

- (3) Explain the process you will use to make certain that you obtain data that are representative of the emissions or parameters being monitored (such as detector location, installation specification if applicable),
- (4) Describe quality assurance and control practices that are adequate to ensure the continuing validity of the data,
- (5) Describe the frequency of monitoring and the data collection procedures which you will use (e.g., you are using a computerized data acquisition over a number of discrete data points with the average (or maximum value) being used for purposes of determining whether an exceedance has occurred), and
- (6) Submit justification for the proposed elements of the monitoring. If a proposed performance specification differs from manufacturer recommendation, you must explain the reasons for the differences. You must submit the data supporting the justification, but you may refer to generally available sources of information used to support the justification. You may rely on engineering assessments and other data, provided you demonstrate factors which assure compliance or explain why performance testing is unnecessary to establish indicator ranges. When establishing indicator ranges, you may choose to simplify the process by treating the parameters as if they were correlated. Using this assumption, testing can be divided into two cases:
- (i) All indicators are significant only on one end of range (e.g., for a thermal incinerator controlling volatile organic compounds (VOC) it is only important to insure a minimum temperature, not a maximum). In this case, you may conduct your study so that each parameter is at the significant limit of its range while you conduct your emissions testing. If the emissions tests show that the source is in compliance at the significant limit of each parameter, then as long as each parameter is within its limit, you are presumed to be in compliance.
- (ii) Some or all indicators are significant on both ends of the range. In this case, you may conduct your study so that each parameter that is significant at both ends of its range assumes its extreme values in all possible combinations of the extreme values (either single or double) of all of the other parameters. For example, if there were only two parameters, A and B, and A had a range of values while B had only a minimum value, the combinations would be A high with B minimum and A low with B minimum. If both A and B had a range, the combinations would be A high and B high, A low and B low, A high and B low, A low and B high. For the case of four parameters all having a range, there are 16 possible combinations.
- (b) For affected units that are also subject to part 75 of this chapter and that have state approval to use the low mass emissions methodology in §75.19 or the NOX emission measurement methodology in appendix E to part 75, you may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a QA plan, as described in §75.19(e)(5) or in section 2.3 of appendix E to part 75 of this chapter and section 1.3.6 of appendix B to part 75 of this chapter.

§60.4360 How do I determine the total sulfur content of the turbine's combustion fuel?

You must monitor the total sulfur content of the fuel being fired in the turbine, except as provided in §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17), which measure the major sulfur compounds, may be used.

§60.4365 How can I be exempted from monitoring the total sulfur content of the fuel?

You may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input for units located in continental areas and 180 ng SO₂/J (0.42 lb SO₂/MMBtu) heat input for units located in noncontinental areas or a continental area that the Administrator determines does not have access to natural gas and that the removal of sulfur compounds would cause more environmental harm than benefit. You must use one of the following sources of information to make the required demonstration:

- (a) The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use in continental areas is 0.05 weight percent (500 ppmw) or less and 0.4 weight percent (4,000 ppmw) or less for noncontinental areas, the total sulfur content for natural gas use in continental areas is 20 grains of sulfur or less per 100 standard cubic feet and 140 grains of sulfur

or less per 100 standard cubic feet for noncontinental areas, has potential sulfur emissions of less than less than 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input for continental areas and has potential sulfur emissions of less than less than 180 ng SO₂/J (0.42 lb SO₂/MMBtu) heat input for noncontinental areas; or

(b) Representative fuel sampling data which show that the sulfur content of the fuel does not exceed 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input for continental areas or 180 ng SO₂/J (0.42 lb SO₂/MMBtu) heat input for noncontinental areas. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

§60.4370 How often must I determine the sulfur content of the fuel?

The frequency of determining the sulfur content of the fuel must be as follows:

(a) *Fuel oil.* For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (*i.e.*, flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank).

(b) *Gaseous fuel.* If you elect not to demonstrate sulfur content using options in §60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.

(c) *Custom schedules.* Notwithstanding the requirements of paragraph (b) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (c)(1) and (c)(2) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in §60.4330.

(1) The two custom sulfur monitoring schedules set forth in paragraphs (c)(1)(i) through (iv) and in paragraph (c)(2) of this section are acceptable, without prior Administrative approval:

(i) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (c)(1)(ii), (iii), or (iv) of this section, as applicable.

(ii) If none of the 30 daily measurements of the fuel's total sulfur content exceeds half the applicable standard, subsequent sulfur content monitoring may be performed at 12-month intervals. If any of the samples taken at 12-month intervals has a total sulfur content greater than half but less than the applicable limit, follow the procedures in paragraph (c)(1)(iii) of this section. If any measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section.

(iii) If at least one of the 30 daily measurements of the fuel's total sulfur content is greater than half but less than the applicable limit, but none exceeds the applicable limit, then:

(A) Collect and analyze a sample every 30 days for 3 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(B) of this section.

(B) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, follow the procedures in paragraph (c)(1)(iii)(C) of this section.

(C) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds the applicable limit, follow the procedures in paragraph (c)(1)(iv) of this section. Otherwise, continue to monitor at this frequency.

(iv) If a sulfur content measurement exceeds the applicable limit, immediately begin daily monitoring according to paragraph (c)(1)(i) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than the applicable limit, are obtained. At that point, the applicable procedures of paragraph (c)(1)(ii) or (iii) of this section shall be followed.

(2) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

(i) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf, no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

(ii) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds half the applicable limit, then the minimum required sampling frequency shall be one sample at 12 month intervals.

(iii) If any sample result exceeds half the applicable limit, but none exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iii) of this section.

(iv) If the sulfur content of any of the 720 hourly samples exceeds the applicable limit, follow the provisions of paragraph (c)(1)(iv) of this section.

Reporting

§60.4375 What reports must I submit?

(a) For each affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content under this subpart, you must submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

(b) For each affected unit that performs annual performance tests in accordance with §60.4340(a), you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

§60.4380 How are excess emissions and monitor downtime defined for NO_x?

For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that must be reported are defined as follows:

(a) For turbines using water or steam to fuel ratio monitoring:

(1) An excess emission is any unit operating hour for which the 4-hour rolling average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.4320, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine when a fuel is being burned that requires water or steam injection for NO_x control will also be considered an excess emission.

(2) A period of monitor downtime is any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.

(3) Each report must include the average steam or water to fuel ratio, average fuel consumption, and the combustion turbine load during each excess emission.

(b) For turbines using continuous emission monitoring, as described in §§60.4335(b) and 60.4345:

(1) An excess emissions is any unit operating period in which the 4-hour or 30-day rolling average NO_x emission rate exceeds the applicable emission limit in §60.4320. For the purposes of this subpart, a "4-hour rolling average NO_x emission rate" is the arithmetic average of the average NO_x emission rate in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given hour and the three unit operating hour average NO_x emission rates immediately preceding that unit operating hour. Calculate the rolling average if a valid NO_x emission rate is obtained for at least 3 of the 4 hours. For the purposes of this subpart, a "30-day rolling average NO_x emission rate" is the arithmetic average of all hourly NO_x emission data in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given day and the twenty-nine unit operating days immediately preceding that unit operating day. A new 30-day average is calculated each unit operating day as the average of all hourly NO_x emissions rates for the preceding 30 unit operating days if a valid NO_x emission rate is obtained for at least 75 percent of all operating hours.

(2) A period of monitor downtime is any unit operating hour in which the data for any of the following parameters are either missing or invalid: NO_x concentration, CO₂ or O₂ concentration, fuel flow rate, steam flow rate, steam temperature, steam pressure, or megawatts. The steam flow rate, steam temperature, and steam pressure are only required if you will use this information for compliance purposes.

(3) For operating periods during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard.

(c) For turbines required to monitor combustion parameters or parameters that document proper operation of the NO_x emission controls:

(1) An excess emission is a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.

(2) A period of monitor downtime is a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

§60.4385 How are excess emissions and monitoring downtime defined for SO₂?

If you choose the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as follows:

(a) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the combustion turbine exceeds the applicable limit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

(b) If the option to sample each delivery of fuel oil has been selected, you must immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.05 weight percent. You must continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and you must evaluate excess emissions according to paragraph (a) of this section. When all of the fuel from the delivery has been burned, you may resume using the as-delivered sampling option.

(c) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

§60.4390 What are my reporting requirements if I operate an emergency combustion turbine or a research and development turbine?

(a) If you operate an emergency combustion turbine, you are exempt from the NO_x limit and must submit an initial report to the Administrator stating your case.

(b) Combustion turbines engaged by manufacturers in research and development of equipment for both combustion turbine emission control techniques and combustion turbine efficiency improvements may be exempted from the NO_x limit on a case-by-case basis as determined by the Administrator. You must petition for the exemption.

§60.4395 When must I submit my reports?

All reports required under §60.7(c) must be postmarked by the 30th day following the end of each 6-month period.

Performance Tests

§60.4400 How do I conduct the initial and subsequent performance tests, regarding NO_x?

(a) You must conduct an initial performance test, as required in §60.8. Subsequent NO_x performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

(1) There are two general methodologies that you may use to conduct the performance tests. For each test run:

(i) Measure the NO_x concentration (in parts per million (ppm)), using EPA Method 7E or EPA Method 20 in appendix A of this part. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then, use the following equation to calculate the NO_x emission rate:

$$E = \frac{1.194 \times 10^{-7} * (NO_x)_c * Q_{std}}{P} \quad (\text{Eq. 5})$$

Where:

E = NO_x emission rate, in lb/MWh

1.194×10^{-7} = conversion constant, in lb/dscf-ppm

(NO_x)_c = average NO_x concentration for the run, in ppm

Q_{std} = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

(ii) Measure the NO_x and diluent gas concentrations, using either EPA Methods 7E and 3A, or EPA Method 20 in appendix A of this part. Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the NO_x emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the NO_x emission rate in lb/MWh.

(2) Sampling traverse points for NO_x and (if applicable) diluent gas are to be selected following EPA Method 20 or EPA Method 1 (non-particulate procedures), and sampled for equal time intervals. The sampling must be performed with a traversing single-hole probe, or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(3) Notwithstanding paragraph (a)(2) of this section, you may test at fewer points than are specified in EPA Method 1 or EPA Method 20 in appendix A of this part if the following conditions are met:

(i) You may perform a stratification test for NO_x and diluent pursuant to

(A) [Reserved], or

(B) The procedures specified in section 6.5.6.1(a) through (e) of appendix A of part 75 of this chapter.

(ii) Once the stratification sampling is completed, you may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NO_x concentrations is within ± 10 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 5 ppm or ± 0.5 percent CO₂ (or O₂) from the mean for all traverse points, then you may use three points (located either 16.7, 50.0 and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three points must be located along the measurement line that exhibited the highest average NO_x concentration during the stratification test; or

(B) For turbines with a NO_x standard greater than 15 ppm @ 15% O₂, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO_x concentrations is within ± 5 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 3 ppm or ± 0.3 percent CO₂ (or O₂) from the mean for all traverse points; or

(C) For turbines with a NO_x standard less than or equal to 15 ppm @ 15% O₂, you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid if each of the individual traverse point NO_x concentrations is within ± 2.5 percent of the mean concentration for all traverse points, or the individual traverse point diluent concentrations differs by no more than ± 1 ppm or ± 0.15 percent CO₂ (or O₂) from the mean for all traverse points.

(b) The performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. You may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. You must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

(1) If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.

(2) For a combined cycle and CHP turbine systems with supplemental heat (duct burner), you must measure the total NO_x emissions after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.

(3) If water or steam injection is used to control NO_x with no additional post-combustion NO_x control and you choose to monitor the steam or water to fuel ratio in accordance with §60.4335, then that monitoring system must be operated concurrently with each EPA Method 20 or EPA Method 7E run and must be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.4320 NO_x emission limit.

(4) Compliance with the applicable emission limit in §60.4320 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NO_x emission rate at each tested level meets the applicable emission limit in §60.4320.

(5) If you elect to install a CEMS, the performance evaluation of the CEMS may either be conducted separately or (as described in §60.4405) as part of the initial performance test of the affected unit.

(6) The ambient temperature must be greater than 0 °F during the performance test.

§60.4405 How do I perform the initial performance test if I have chosen to install a NO_x-diluent CEMS?

If you elect to install and certify a NO_x-diluent CEMS under §60.4345, then the initial performance test required under §60.8 may be performed in the following alternative manner:

(a) Perform a minimum of nine RATA reference method runs, with a minimum time per run of 21 minutes, at a single load level, within plus or minus 25 percent of 100 percent of peak load. The ambient temperature must be greater than 0 °F during the RATA runs.

(b) For each RATA run, concurrently measure the heat input to the unit using a fuel flow meter (or flow meters) and measure the electrical and thermal output from the unit.

(c) Use the test data both to demonstrate compliance with the applicable NO_x emission limit under §60.4320 and to provide the required reference method data for the RATA of the CEMS described under §60.4335.

(d) Compliance with the applicable emission limit in §60.4320 is achieved if the arithmetic average of all of the NO_x emission rates for the RATA runs, expressed in units of ppm or lb/MWh, does not exceed the emission limit.

§60.4410 How do I establish a valid parameter range if I have chosen to continuously monitor parameters?

If you have chosen to monitor combustion parameters or parameters indicative of proper operation of NO_x emission controls in accordance with §60.4340, the appropriate parameters must be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in §60.4355.

§60.4415 How do I conduct the initial and subsequent performance tests for sulfur?

(a) You must conduct an initial performance test, as required in §60.8. Subsequent SO₂ performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test). There are three methodologies that you may use to conduct the performance tests.

(1) If you choose to periodically determine the sulfur content of the fuel combusted in the turbine, a representative fuel sample would be collected following ASTM D5287 (incorporated by reference, see §60.17) for natural gas or ASTM D4177 (incorporated by reference, see §60.17) for oil. Alternatively, for oil, you may follow the procedures for manual pipeline sampling in section 14 of ASTM D4057 (incorporated by reference, see §60.17). The fuel analyses of this section may be performed either by you, a service contractor retained by you, the fuel vendor, or any other qualified agency. Analyze the samples for the total sulfur content of the fuel using:

(i) For liquid fuels, ASTM D129, or alternatively D1266, D1552, D2622, D4294, or D5453 (all of which are incorporated by reference, see §60.17); or

(ii) For gaseous fuels, ASTM D1072, or alternatively D3246, D4084, D4468, D4810, D6228, D6667, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see §60.17).

(2) Measure the SO₂ concentration (in parts per million (ppm)), using EPA Methods 6, 6C, 8, or 20 in appendix A of this part. In addition, the American Society of Mechanical Engineers (ASME) standard, ASME PTC 19-10-1981-Part 10, "Flue and Exhaust Gas Analyses," manual methods for sulfur dioxide (incorporated by reference, see §60.17) can be used instead of EPA Methods 6 or 20. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of this part, and measure and record the electrical and thermal output from the unit. Then use the following equation to calculate the SO₂ emission rate:

$$E = \frac{1.664 \times 10^{-3} * (SO_2)_c * Q_{sd}}{P} \quad (\text{Eq. 6})$$

Where:

E = SO_2 emission rate, in lb/MWh

1.664×10^{-7} = conversion constant, in lb/dscf-ppm

$(\text{SO}_2)_c$ = average SO_2 concentration for the run, in ppm

Q_{std} = stack gas volumetric flow rate, in dscf/hr

P = gross electrical and mechanical energy output of the combustion turbine, in MW (for simple-cycle operation), for combined-cycle operation, the sum of all electrical and mechanical output from the combustion and steam turbines, or, for combined heat and power operation, the sum of all electrical and mechanical output from the combustion and steam turbines plus all useful recovered thermal output not used for additional electric or mechanical generation, in MW, calculated according to §60.4350(f)(2); or

(3) Measure the SO_2 and diluent gas concentrations, using either EPA Methods 6, 6C, or 8 and 3A, or 20 in appendix A of this part. In addition, you may use the manual methods for sulfur dioxide ASME PTC 19-10-1981-Part 10 (incorporated by reference, see §60.17). Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of this part to calculate the SO_2 emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in §60.4350(f) to calculate the SO_2 emission rate in lb/MWh.

(b) [Reserved]

Definitions

§60.4420 What definitions apply to this subpart?

As used in this subpart, all terms not defined herein will have the meaning given them in the Clean Air Act and in subpart A (General Provisions) of this part.

Biogas means gas produced by the anaerobic digestion or fermentation of organic matter including manure, sewage sludge, municipal solid waste, biodegradable waste, or any other biodegradable feedstock, under anaerobic conditions. Biogas is comprised primarily of methane and CO_2 .

Combined cycle combustion turbine means any stationary combustion turbine which recovers heat from the combustion turbine exhaust gases to generate steam that is only used to create additional power output in a steam turbine.

Combined heat and power combustion turbine means any stationary combustion turbine which recovers heat from the exhaust gases to heat water or another medium, generate steam for useful purposes other than additional electric generation, or directly uses the heat in the exhaust gases for a useful purpose.

Combustion turbine model means a group of combustion turbines having the same nominal air flow, combustor inlet pressure, combustor inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.

Combustion turbine test cell/stand means any apparatus used for testing uninstalled stationary or uninstalled mobile (motive) combustion turbines.

Diffusion flame stationary combustion turbine means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition.

Duct burner means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary combustion turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.

Efficiency means the combustion turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output—based on the higher heating value of the fuel.

Emergency combustion turbine means any stationary combustion turbine which operates in an emergency situation. Examples include stationary combustion turbines used to produce power for critical networks or equipment, including power supplied to portions of a facility, when electric power from the local utility is interrupted, or stationary combustion turbines used to pump water in the case of fire or flood, etc. Emergency stationary combustion turbines do not include stationary combustion turbines used as peaking units at electric utilities or stationary combustion turbines at industrial facilities that typically operate at low capacity factors. Emergency combustion turbines may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are required by the manufacturer, the vendor, or the insurance company associated with the turbine. Required testing of such units should be minimized, but there is no time limit on the use of emergency combustion turbines.

Excess emissions means a specified averaging period over which either (1) the NO_x emissions are higher than the applicable emission limit in §60.4320; (2) the total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in §60.4330; or (3) the recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.

Gross useful output means the gross useful work performed by the stationary combustion turbine system. For units using the mechanical energy directly or generating only electricity, the gross useful work performed is the gross electrical or mechanical output from the turbine/generator set. For combined heat and power units, the gross useful work performed is the gross electrical or mechanical output plus the useful thermal output (i.e., thermal energy delivered to a process).

Heat recovery steam generating unit means a unit where the hot exhaust gases from the combustion turbine are routed in order to extract heat from the gases and generate steam, for use in a steam turbine or other device that utilizes steam. Heat recovery steam generating units can be used with or without duct burners.

Integrated gasification combined cycle electric utility steam generating unit means a coal-fired electric utility steam generating unit that burns a synthetic gas derived from coal in a combined-cycle gas turbine. No solid coal is directly burned in the unit during operation.

ISO conditions means 288 Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

Lean premix stationary combustion turbine means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture before delivery to the combustor. Mixing may occur before or in the combustion chamber. A lean premixed turbine may operate in diffusion flame mode during operating conditions such as startup and shutdown, extreme ambient temperature, or low or transient load.

Natural gas means a naturally occurring fluid mixture of hydrocarbons (e.g., methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1,100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.

Noncontinental area means the State of Hawaii, the Virgin Islands, Guam, American Samoa, the Commonwealth of Puerto Rico, the Northern Mariana Islands, or offshore platforms.

Peak load means 100 percent of the manufacturer's design capacity of the combustion turbine at ISO conditions.

Regenerative cycle combustion turbine means any stationary combustion turbine which recovers heat from the combustion turbine exhaust gases to preheat the inlet combustion air to the combustion turbine.

Simple cycle combustion turbine means any stationary combustion turbine which does not recover heat from the combustion turbine exhaust gases to preheat the inlet combustion air to the combustion turbine, or which does not

recover heat from the combustion turbine exhaust gases for purposes other than enhancing the performance of the combustion turbine itself.

Stationary combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), heat recovery system, and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, any combined cycle combustion turbine, and any combined heat and power combustion turbine based system. Stationary means that the combustion turbine is not self propelled or intended to be propelled while performing its function. It may, however, be mounted on a vehicle for portability.

Unit operating day means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

Unit operating hour means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.

Useful thermal output means the thermal energy made available for use in any industrial or commercial process, or used in any heating or cooling application, i.e., total thermal energy made available for processes and applications other than electrical or mechanical generation. Thermal output for this subpart means the energy in recovered thermal output measured against the energy in the thermal output at 15 degrees Celsius and 101.325 kilopascals of pressure.

[71 FR 38497, July 6, 2006, as amended at 74 FR 11861, Mar. 20, 2009]

Table 1 to Subpart KKKK of Part 60—Nitrogen Oxide Emission Limits for New Stationary Combustion Turbines

Combustion turbine type	Combustion turbine heat input at peak load (HHV)	NO _x emission standard
New turbine firing natural gas, electric generating	≤ 50 MMBtu/h	42 ppm at 15 percent O ₂ or 290 ng/J of useful output (2.3 lb/MWh).
New turbine firing natural gas, mechanical drive	≤ 50 MMBtu/h	100 ppm at 15 percent O ₂ or 690 ng/J of useful output (5.5 lb/MWh).
New turbine firing natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	25 ppm at 15 percent O ₂ or 150 ng/J of useful output (1.2 lb/MWh).
New, modified, or reconstructed turbine firing natural gas	> 850 MMBtu/h	15 ppm at 15 percent O ₂ or 54 ng/J of useful output (0.43 lb/MWh).
New turbine firing fuels other than natural gas, electric generating	≤ 50 MMBtu/h	96 ppm at 15 percent O ₂ or 700 ng/J of useful output (5.5 lb/MWh).
New turbine firing fuels other than natural gas, mechanical drive	≤ 50 MMBtu/h	150 ppm at 15 percent O ₂ or 1,100 ng/J of useful output (8.7 lb/MWh).

Combustion turbine type	Combustion turbine heat input at peak load (HHV)	NO _x emission standard
New turbine firing fuels other than natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	74 ppm at 15 percent O ₂ or 460 ng/J of useful output (3.6 lb/MWh).
New, modified, or reconstructed turbine firing fuels other than natural gas	> 850 MMBtu/h	42 ppm at 15 percent O ₂ or 160 ng/J of useful output (1.3 lb/MWh).
Modified or reconstructed turbine	≤ 50 MMBtu/h	150 ppm at 15 percent O ₂ or 1,100 ng/J of useful output (8.7 lb/MWh).
Modified or reconstructed turbine firing natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	42 ppm at 15 percent O ₂ or 250 ng/J of useful output (2.0 lb/MWh).
Modified or reconstructed turbine firing fuels other than natural gas	> 50 MMBtu/h and ≤ 850 MMBtu/h	96 ppm at 15 percent O ₂ or 590 ng/J of useful output (4.7 lb/MWh).
Turbines located north of the Arctic Circle (latitude 66.5 degrees north), turbines operating at less than 75 percent of peak load, modified and reconstructed offshore turbines, and turbine operating at temperatures less than 0 °F	≤ 30 MW output	150 ppm at 15 percent O ₂ or 1,100 ng/J of useful output (8.7 lb/MWh).
Turbines located north of the Arctic Circle (latitude 66.5 degrees north), turbines operating at less than 75 percent of peak load, modified and reconstructed offshore turbines, and turbine operating at temperatures less than 0 °F	> 30 MW output	96 ppm at 15 percent O ₂ or 590 ng/J of useful output (4.7 lb/MWh).
Heat recovery units operating independent of the combustion turbine	All sizes	54 ppm at 15 percent O ₂ or 110 ng/J of useful output (0.86 lb/MWh).

Attachment B

Part 70 Operating Permit No: T089-40252-00614

[Downloaded from the eCFR on September 27, 2013]

Electronic Code of Federal Regulations

Title 40: Protection of Environment

PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

Subpart YYYY—National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines

Source: 69 FR 10537, Mar. 5, 2004, unless otherwise noted.

What This Subpart Covers

§ 63.6080 What is the purpose of subpart YYYY?

Subpart YYYY establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emissions from stationary combustion turbines located at major sources of HAP emissions, and requirements to demonstrate initial and continuous compliance with the emission and operating limitations.

§ 63.6085 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary combustion turbine located at a major source of HAP emissions.

(a) Stationary combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, the combustion turbine portion of any stationary cogeneration cycle combustion system, or the combustion turbine portion of any stationary combined cycle steam/electric generating system. Stationary means that the combustion turbine is not self propelled or intended to be propelled while performing its function, although it may be mounted on a vehicle for portability or transportability. Stationary combustion turbines covered by this subpart include simple cycle stationary combustion turbines, regenerative/recuperative cycle stationary combustion turbines, cogeneration cycle stationary combustion turbines, and combined cycle stationary combustion turbines. Stationary combustion turbines subject to this subpart do not include turbines located at a research or laboratory facility, if research is conducted on the turbine itself and the turbine is not being used to power other applications at the research or laboratory facility.

(b) A major source of HAP emissions is a contiguous site under common control that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

§ 63.6090 What parts of my plant does this subpart cover?

This subpart applies to each affected source.

(a) *Affected source.* An affected source is any existing, new, or reconstructed stationary combustion turbine located at a major source of HAP emissions.

(1) *Existing stationary combustion turbine.* A stationary combustion turbine is existing if you commenced construction or reconstruction of the stationary combustion turbine on or before January 14, 2003. A change in ownership of an existing stationary combustion turbine does not make that stationary combustion turbine a new or reconstructed stationary combustion turbine.

(2) *New stationary combustion turbine.* A stationary combustion turbine is new if you commenced construction of the stationary combustion turbine after January 14, 2003.

(3) *Reconstructed stationary combustion turbine.* A stationary combustion turbine is reconstructed if you meet the definition of reconstruction in § 63.2 of subpart A of this part and reconstruction is commenced after January 14, 2003.

(b) *Subcategories with limited requirements.* (1) A new or reconstructed stationary combustion turbine located at a major source which meets either of the following criteria does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of § 63.6145(d):

(i) The stationary combustion turbine is an emergency stationary combustion turbine; or

(ii) The stationary combustion turbine is located on the North Slope of Alaska.

(2) A stationary combustion turbine which burns landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, or a stationary combustion turbine where gasified municipal solid waste (MSW) is used to generate 10 percent or more of the gross heat input on an annual basis does not have to meet the requirements of this subpart except for:

(i) The initial notification requirements of § 63.6145(d); and

(ii) Additional monitoring and reporting requirements as provided in § § 63.6125(c) and 63.6150.

(3) An existing, new, or reconstructed stationary combustion turbine with a rated peak power output of less than 1.0 megawatt (MW) at International Organization for Standardization (ISO) standard day conditions, which is located at a major source, does not have to meet the requirements of this subpart and of subpart A of this part. This determination applies to the capacities of individual combustion turbines, whether or not an aggregated group of combustion turbines has a common add-on air pollution control device. No initial notification is necessary, even if the unit appears to be subject to other requirements for initial notification. For example, a 0.75 MW emergency turbine would not have to submit an initial notification.

(4) Existing stationary combustion turbines in all subcategories do not have to meet the requirements of this subpart and of subpart A of this part. No initial notification is necessary for any existing stationary combustion turbine, even if a new or reconstructed turbine in the same category would require an initial notification.

(5) Combustion turbine engine test cells/stands do not have to meet the requirements of this subpart but may have to meet the requirements of subpart A of this part if subject to another subpart. No initial notification is necessary, even if the unit appears to be subject to other requirements for initial notification.

§ 63.6092 Are duct burners and waste heat recovery units covered by subpart YYYY?

No, duct burners and waste heat recovery units are considered steam generating units and are not covered under this subpart. In some cases, it may be difficult to separately monitor emissions from the turbine and duct burner, so sources are allowed to meet the required emission limitations with their duct burners in operation.

§ 63.6095 When do I have to comply with this subpart?

(a) *Affected sources.* (1) If you start up a new or reconstructed stationary combustion turbine which is a lean premix oil-fired stationary combustion turbine or a diffusion flame oil-fired stationary combustion turbine as defined by this subpart on or before March 5, 2004, you must comply with the emissions limitations and operating limitations in this subpart no later than March 5, 2004.

(2) If you start up a new or reconstructed stationary combustion turbine which is a lean premix oil-fired stationary combustion turbine or a diffusion flame oil-fired stationary combustion turbine as defined by this subpart after March 5, 2004, you must comply with the emissions limitations and operating limitations in this subpart upon startup of your affected source.

(b) *Area sources that become major sources.* If your new or reconstructed stationary combustion turbine is an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, it must be in compliance with any applicable requirements of this subpart when it becomes a major source.

(c) You must meet the notification requirements in § 63.6145 according to the schedule in § 63.6145 and in 40 CFR part 63, subpart A.

(d) *Stay of standards for gas-fired subcategories.* If you start up a new or reconstructed stationary combustion turbine that is a lean premix gas-fired stationary combustion turbine or diffusion flame gas-fired stationary combustion turbine as defined by this subpart, you must comply with the Initial Notification requirements set forth in § 63.6145 but need not comply with any other requirement of this subpart until EPA takes final action to require compliance and publishes a document in the FEDERAL REGISTER.

[69 FR 10537, Mar. 5, 2004, as amended at 69 FR 51188, Aug. 18, 2004]

Emission and Operating Limitations

§ 63.6100 What emission and operating limitations must I meet?

For each new or reconstructed stationary combustion turbine which is a lean premix gas-fired stationary combustion turbine, a lean premix oil-fired stationary combustion turbine, a diffusion flame gas-fired stationary combustion turbine, or a diffusion flame oil-fired stationary combustion turbine as defined by this subpart, you must comply with the emission limitations and operating limitations in Table 1 and Table 2 of this subpart.

General Compliance Requirements

§ 63.6105 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limitations and operating limitations which apply to you at all times except during startup, shutdown, and malfunctions.

(b) If you must comply with emission and operating limitations, you must operate and maintain your stationary combustion turbine, oxidation catalyst emission control device or other air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

Testing and Initial Compliance Requirements

§ 63.6110 By what date must I conduct the initial performance tests or other initial compliance demonstrations?

(a) You must conduct the initial performance tests or other initial compliance demonstrations in Table 4 of this subpart that apply to you within 180 calendar days after the compliance date that is specified for your stationary combustion turbine in § 63.6095 and according to the provisions in § 63.7(a)(2).

(b) An owner or operator is not required to conduct an initial performance test to determine outlet formaldehyde concentration on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in paragraphs (b)(1) through (b)(5) of this section.

(1) The test must have been conducted using the same methods specified in this subpart, and these methods must have been followed correctly.

- (2) The test must not be older than 2 years.
- (3) The test must be reviewed and accepted by the Administrator.
- (4) Either no process or equipment changes must have been made since the test was performed, or the owner or operator must be able to demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance despite process or equipment changes.
- (5) The test must be conducted at any load condition within plus or minus 10 percent of 100 percent load.

§ 63.6115 When must I conduct subsequent performance tests?

Subsequent performance tests must be performed on an annual basis as specified in Table 3 of this subpart.

§ 63.6120 What performance tests and other procedures must I use?

- (a) You must conduct each performance test in Table 3 of this subpart that applies to you.
- (b) Each performance test must be conducted according to the requirements of the General Provisions at § 63.7(e)(1) and under the specific conditions in Table 2 of this subpart.
- (c) Do not conduct performance tests or compliance evaluations during periods of startup, shutdown, or malfunction. Performance tests must be conducted at high load, defined as 100 percent plus or minus 10 percent.
- (d) You must conduct three separate test runs for each performance test, and each test run must last at least 1 hour.
- (e) If your stationary combustion turbine is not equipped with an oxidation catalyst, you must petition the Administrator for operating limitations that you will monitor to demonstrate compliance with the formaldehyde emission limitation in Table 1. You must measure these operating parameters during the initial performance test and continuously monitor thereafter. Alternatively, you may petition the Administrator for approval of no additional operating limitations. If you submit a petition under this section, you must not conduct the initial performance test until after the petition has been approved or disapproved by the Administrator.
- (f) If your stationary combustion turbine is not equipped with an oxidation catalyst and you petition the Administrator for approval of additional operating limitations to demonstrate compliance with the formaldehyde emission limitation in Table 1, your petition must include the following information described in paragraphs (f)(1) through (5) of this section.
 - (1) Identification of the specific parameters you propose to use as additional operating limitations;
 - (2) A discussion of the relationship between these parameters and HAP emissions, identifying how HAP emissions change with changes in these parameters and how limitations on these parameters will serve to limit HAP emissions;
 - (3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the limits on these parameters in the operating limitations;
 - (4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments; and
 - (5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.
- (g) If you petition the Administrator for approval of no additional operating limitations, your petition must include the information described in paragraphs (g)(1) through (7) of this section.

(1) Identification of the parameters associated with operation of the stationary combustion turbine and any emission control device which could change intentionally (e.g., operator adjustment, automatic controller adjustment, etc.) or unintentionally (e.g., wear and tear, error, etc.) on a routine basis or over time;

(2) A discussion of the relationship, if any, between changes in the parameters and changes in HAP emissions;

(3) For the parameters which could change in such a way as to increase HAP emissions, a discussion of why establishing limitations on the parameters is not possible;

(4) For the parameters which could change in such a way as to increase HAP emissions, a discussion of why you could not establish upper and/or lower values for the parameters which would establish limits on the parameters as operating limitations;

(5) For the parameters which could change in such a way as to increase HAP emissions, a discussion identifying the methods you could use to measure them and the instruments you could use to monitor them, as well as the relative accuracy and precision of the methods and instruments;

(6) For the parameters, a discussion identifying the frequency and methods for recalibrating the instruments you could use to monitor them; and

(7) A discussion of why, from your point of view, it is infeasible, unreasonable or unnecessary to adopt the parameters as operating limitations.

§ 63.6125 What are my monitor installation, operation, and maintenance requirements?

(a) If you are operating a stationary combustion turbine that is required to comply with the formaldehyde emission limitation and you use an oxidation catalyst emission control device, you must monitor on a continuous basis your catalyst inlet temperature in order to comply with the operating limitations in Table 2 and as specified in Table 5 of this subpart.

(b) If you are operating a stationary combustion turbine that is required to comply with the formaldehyde emission limitation and you are not using an oxidation catalyst, you must continuously monitor any parameters specified in your approved petition to the Administrator, in order to comply with the operating limitations in Table 2 and as specified in Table 5 of this subpart.

(c) If you are operating a stationary combustion turbine which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, or a stationary combustion turbine where gasified MSW is used to generate 10 percent or more of the gross heat input on an annual basis, you must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, you must operate your turbine in a manner which minimizes HAP emissions.

(d) If you are operating a lean premix gas-fired stationary combustion turbine or a diffusion flame gas-fired stationary combustion turbine as defined by this subpart, and you use any quantity of distillate oil to fire any new or existing stationary combustion turbine which is located at the same major source, you must monitor and record your distillate oil usage daily for all new and existing stationary combustion turbines located at the major source with a non-resettable hour meter to measure the number of hours that distillate oil is fired.

§ 63.6130 How do I demonstrate initial compliance with the emission and operating limitations?

(a) You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 4 of this subpart.

(b) You must submit the Notification of Compliance Status containing results of the initial compliance demonstration according to the requirements in § 63.6145(f).

Continuous Compliance Requirements

§ 63.6135 How do I monitor and collect data to demonstrate continuous compliance?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all parametric monitoring at all times the stationary combustion turbine is operating.

(b) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing the performance of the control device or in assessing emissions from the new or reconstructed stationary combustion turbine.

§ 63.6140 How do I demonstrate continuous compliance with the emission and operating limitations?

(a) You must demonstrate continuous compliance with each emission limitation and operating limitation in Table 1 and Table 2 of this subpart according to methods specified in Table 5 of this subpart.

(b) You must report each instance in which you did not meet each emission limitation or operating limitation. You must also report each instance in which you did not meet the requirements in Table 7 of this subpart that apply to you. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in § 63.6150.

(c) Consistent with §§ 63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, and malfunction are not violations if you have operated your stationary combustion turbine in accordance with § 63.6(e)(1)(i).

[69 FR 10537, Mar. 5, 2004, as amended at 71 FR 20467, Apr. 20, 2006]

Notifications, Reports, and Records

§ 63.6145 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8(e), 63.8(f)(4), and 63.9(b) and (h) that apply to you by the dates specified.

(b) As specified in § 63.9(b)(2), if you start up your new or reconstructed stationary combustion turbine before March 5, 2004, you must submit an Initial Notification not later than 120 calendar days after March 5, 2004.

(c) As specified in § 63.9(b), if you start up your new or reconstructed stationary combustion turbine on or after March 5, 2004, you must submit an Initial Notification not later than 120 calendar days after you become subject to this subpart.

(d) If you are required to submit an Initial Notification but are otherwise not affected by the emission limitation requirements of this subpart, in accordance with § 63.6090(b), your notification must include the information in § 63.9(b)(2)(i) through (v) and a statement that your new or reconstructed stationary combustion turbine has no additional emission limitation requirements and must explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary combustion turbine).

(e) If you are required to conduct an initial performance test, you must submit a notification of intent to conduct an initial performance test at least 60 calendar days before the initial performance test is scheduled to begin as required in § 63.7(b)(1).

(f) If you are required to comply with the emission limitation for formaldehyde, you must submit a Notification of Compliance Status according to § 63.9(h)(2)(ii). For each performance test required to demonstrate compliance with the emission limitation for formaldehyde, you must submit the Notification of Compliance Status, including the

performance test results, before the close of business on the 60th calendar day following the completion of the performance test.

§ 63.6150 What reports must I submit and when?

(a) Anyone who owns or operates a stationary combustion turbine which must meet the emission limitation for formaldehyde must submit a semiannual compliance report according to Table 6 of this subpart. The semiannual compliance report must contain the information described in paragraphs (a)(1) through (a)(4) of this section. The semiannual compliance report must be submitted by the dates specified in paragraphs (b)(1) through (b)(5) of this section, unless the Administrator has approved a different schedule.

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) For each deviation from an emission limitation, the compliance report must contain the information in paragraphs (a)(4)(i) through (a)(4)(iii) of this section.

(i) The total operating time of each stationary combustion turbine during the reporting period.

(ii) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(iii) Information on the number, duration, and cause for monitor downtime incidents (including unknown cause, if applicable, other than downtime associated with zero and span and other daily calibration checks).

(b) Dates of submittal for the semiannual compliance report are provided in (b)(1) through (b)(5) of this section.

(1) The first semiannual compliance report must cover the period beginning on the compliance date specified in § 63.6095 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date specified in § 63.6095.

(2) The first semiannual compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified in § 63.6095.

(3) Each subsequent semiannual compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent semiannual compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each stationary combustion turbine that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established the date for submitting annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.

(c) If you are operating as a stationary combustion turbine which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, or a stationary combustion turbine where gasified MSW is used to generate 10 percent or more of the gross heat input on an annual basis, you must submit an annual report according to Table 6 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (d)(1) through (5) of this section. You must report the data specified in (c)(1) through (c)(3) of this section.

(1) Fuel flow rate of each fuel and the heating values that were used in your calculations. You must also demonstrate that the percentage of heat input provided by landfill gas, digester gas, or gasified MSW is equivalent to 10 percent or more of the total fuel consumption on an annual basis.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

(d) Dates of submittal for the annual report are provided in (d)(1) through (d)(5) of this section.

(1) The first annual report must cover the period beginning on the compliance date specified in § 63.6095 and ending on December 31.

(2) The first annual report must be postmarked or delivered no later than January 31.

(3) Each subsequent annual report must cover the annual reporting period from January 1 through December 31.

(4) Each subsequent annual report must be postmarked or delivered no later than January 31.

(5) For each stationary combustion turbine that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established the date for submitting annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (d)(1) through (4) of this section.

(e) If you are operating a lean premix gas-fired stationary combustion turbine or a diffusion flame gas-fired stationary combustion turbine as defined by this subpart, and you use any quantity of distillate oil to fire any new or existing stationary combustion turbine which is located at the same major source, you must submit an annual report according to Table 6 of this subpart by the date specified unless the Administrator has approved a different schedule, according to the information described in paragraphs (d)(1) through (5) of this section. You must report the data specified in (e)(1) through (e)(3) of this section.

(1) The number of hours distillate oil was fired by each new or existing stationary combustion turbine during the reporting period.

(2) The operating limits provided in your federally enforceable permit, and any deviations from these limits.

(3) Any problems or errors suspected with the meters.

§ 63.6155 What records must I keep?

(a) You must keep the records as described in paragraphs (a)(1) through (5).

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirements in § 63.10(b)(2)(xiv).

(2) Records of performance tests and performance evaluations as required in § 63.10(b)(2)(viii).

(3) Records of the occurrence and duration of each startup, shutdown, or malfunction as required in § 63.10(b)(2)(i).

(4) Records of the occurrence and duration of each malfunction of the air pollution control equipment, if applicable, as required in § 63.10(b)(2)(ii).

(5) Records of all maintenance on the air pollution control equipment as required in § 63.10(b)(iii).

(b) If you are operating a stationary combustion turbine which fires landfill gas, digester gas or gasified MSW equivalent to 10 percent or more of the gross heat input on an annual basis, or if you are operating a lean premix gas-fired stationary combustion turbine or a diffusion flame gas-fired stationary combustion turbine as defined by this subpart, and you use any quantity of distillate oil to fire any new or existing stationary combustion turbine which is located at the same major source, you must keep the records of your daily fuel usage monitors.

(c) You must keep the records required in Table 5 of this subpart to show continuous compliance with each operating limitation that applies to you.

§ 63.6160 In what form and how long must I keep my records?

(a) You must maintain all applicable records in such a manner that they can be readily accessed and are suitable for inspection according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must retain your records of the most recent 2 years on site or your records must be accessible on site. Your records of the remaining 3 years may be retained off site.

Other Requirements and Information

§ 63.6165 What parts of the General Provisions apply to me?

Table 7 of this subpart shows which parts of the General Provisions in § 63.1 through 15 apply to you.

§ 63.6170 Who implements and enforces this subpart?

(a) This subpart is implemented and enforced by the U.S. EPA or a delegated authority such as your State, local, or tribal agency. If the EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out whether this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under section 40 CFR part 63, subpart E, the authorities contained in paragraph (c) of this section are retained by the EPA Administrator and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are:

(1) Approval of alternatives to the emission limitations or operating limitations in § 63.6100 under § 63.6(g).

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.

(3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.

(5) Approval of a performance test which was conducted prior to the effective date of the rule to determine outlet formaldehyde concentration, as specified in § 63.6110(b).

§ 63.6175 What definitions apply to this subpart?

Terms used in this subpart are defined in the CAA; in 40 CFR 63.2, the General Provisions of this part; and in this section:

Area source means any stationary source of HAP that is not a major source as defined in this part.

Associated equipment as used in this subpart and as referred to in section 112(n)(4) of the CAA, means equipment associated with an oil or natural gas exploration or production well, and includes all equipment from the well bore to the point of custody transfer, except glycol dehydration units, storage vessels with potential for flash emissions, combustion turbines, and stationary reciprocating internal combustion engines.

CAA means the Clean Air Act (42 U.S.C. 7401 *et seq.*, as amended by Public Law 101-549, 104 Stat. 2399).

Cogeneration cycle stationary combustion turbine means any stationary combustion turbine that recovers heat from the stationary combustion turbine exhaust gases using an exhaust heat exchanger, such as a heat recovery steam generator.

Combined cycle stationary combustion turbine means any stationary combustion turbine that recovers heat from the stationary combustion turbine exhaust gases using an exhaust heat exchanger to generate steam for use in a steam turbine.

Combustion turbine engine test cells/stands means engine test cells/stands, as defined in subpart P of this part, that test stationary combustion turbines.

Compressor station means any permanent combination of compressors that move natural gas at increased pressure from fields, in transmission pipelines, or into storage.

Custody transfer means the transfer of hydrocarbon liquids or natural gas: after processing and/or treatment in the producing operations, or from storage vessels or automatic transfer facilities or other such equipment, including product loading racks, to pipelines or any other forms of transportation. For the purposes of this subpart, the point at which such liquids or natural gas enters a natural gas processing plant is a point of custody transfer.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

- (1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation or operating limitation;
- (2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit;
- (3) Fails to meet any emission limitation or operating limitation in this subpart during malfunction, regardless of whether or not such failure is permitted by this subpart; or
- (4) Fails to satisfy the general duty to minimize emissions established by § 63.6(e)(1)(i).

Diffusion flame gas-fired stationary combustion turbine means:

- (1)(i) Each stationary combustion turbine which is equipped only to fire gas using diffusion flame technology,
- (ii) Each stationary combustion turbine which is equipped both to fire gas using diffusion flame technology and to fire oil, during any period when it is firing gas, and
- (iii) Each stationary combustion turbine which is equipped both to fire gas using diffusion flame technology and to fire oil, and is located at a major source where all new, reconstructed, and existing stationary combustion turbines fire oil no more than an aggregate total of 1000 hours during the calendar year.

(2) Diffusion flame gas-fired stationary combustion turbines do not include:

- (i) Any emergency stationary combustion turbine,

(ii) Any stationary combustion turbine located on the North Slope of Alaska, or

(iii) Any stationary combustion turbine burning landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, or any stationary combustion turbine where gasified MSW is used to generate 10 percent or more of the gross heat input on an annual basis.

Diffusion flame oil-fired stationary combustion turbine means:

(1)(i) Each stationary combustion turbine which is equipped only to fire oil using diffusion flame technology, and

(ii) Each stationary combustion turbine which is equipped both to fire oil using diffusion flame technology and to fire gas, and is located at a major source where all new, reconstructed, and existing stationary combustion turbines fire oil more than an aggregate total of 1000 hours during the calendar year, during any period when it is firing oil.

(2) Diffusion flame oil-fired stationary combustion turbines do not include:

(i) Any emergency stationary combustion turbine, or

(ii) Any stationary combustion turbine located on the North Slope of Alaska.

Diffusion flame technology means a configuration of a stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition.

Digester gas means any gaseous by-product of wastewater treatment typically formed through the anaerobic decomposition of organic waste materials and composed principally of methane and CO₂.

Distillate oil means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is fuel oil number 2.

Emergency stationary combustion turbine means any stationary combustion turbine that operates in an emergency situation. Examples include stationary combustion turbines used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility is interrupted, or stationary combustion turbines used to pump water in the case of fire or flood, etc. Emergency stationary combustion turbines do not include stationary combustion turbines used as peaking units at electric utilities or stationary combustion turbines at industrial facilities that typically operate at low capacity factors. Emergency stationary combustion turbines may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are required by the manufacturer, the vendor, or the insurance company associated with the turbine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary combustion turbines.

Glycol dehydration unit means a device in which a liquid glycol (including, but not limited to, ethylene glycol, diethylene glycol, or triethylene glycol) absorbent directly contacts a natural gas stream and absorbs water in a contact tower or absorption column (absorber). The glycol contacts and absorbs water vapor and other gas stream constituents from the natural gas and becomes "rich" glycol. This glycol is then regenerated in the glycol dehydration unit reboiler. The "lean" glycol is then recycled.

Hazardous air pollutant (HAP) means any air pollutant listed in or pursuant to section 112(b) of the CAA.

ISO standard day conditions means 288 degrees Kelvin (15 °C), 60 percent relative humidity and 101.3 kilopascals pressure.

Landfill gas means a gaseous by-product of the land application of municipal refuse typically formed through the anaerobic decomposition of waste materials and composed principally of methane and CO₂.

Lean premix gas-fired stationary combustion turbine means:

(1)(i) Each stationary combustion turbine which is equipped only to fire gas using lean premix technology,

(ii) Each stationary combustion turbine which is equipped both to fire gas using lean premix technology and to fire oil, during any period when it is firing gas, and

(iii) Each stationary combustion turbine which is equipped both to fire gas using lean premix technology and to fire oil, and is located at a major source where all new, reconstructed, and existing stationary combustion turbines fire oil no more than an aggregate total of 1000 hours during the calendar year.

(2) Lean premix gas-fired stationary combustion turbines do not include:

(i) Any emergency stationary combustion turbine,

(ii) Any stationary combustion turbine located on the North Slope of Alaska, or

(iii) Any stationary combustion turbine burning landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, or any stationary combustion turbine where gasified MSW is used to generate 10 percent or more of the gross heat input on an annual basis.

Lean premix oil-fired stationary combustion turbine means:

(1)(i) Each stationary combustion turbine which is equipped only to fire oil using lean premix technology, and

(ii) Each stationary combustion turbine which is equipped both to fire oil using lean premix technology and to fire gas, and is located at a major source where all new, reconstructed, and existing stationary combustion turbines fire oil more than an aggregate total of 1000 hours during the calendar year, during any period when it is firing oil.

(2) Lean premix oil-fired stationary combustion turbines do not include:

(i) Any emergency stationary combustion turbine, or

(ii) Any stationary combustion turbine located on the North Slope of Alaska.

Lean premix technology means a configuration of a stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture for combustion in the combustor. Mixing may occur before or in the combustion chamber.

Major source, as used in this subpart, shall have the same meaning as in § 63.2, except that:

(1) Emissions from any oil or gas exploration or production well (with its associated equipment (as defined in this section)) and emissions from any pipeline compressor station or pump station shall not be aggregated with emissions from other similar units, to determine whether such emission points or stations are major sources, even when emission points are in a contiguous area or under common control;

(2) For oil and gas production facilities, emissions from processes, operations, or equipment that are not part of the same oil and gas production facility, as defined in this section, shall not be aggregated;

(3) For production field facilities, only HAP emissions from glycol dehydration units, storage vessel with the potential for flash emissions, combustion turbines and reciprocating internal combustion engines shall be aggregated for a major source determination; and

(4) Emissions from processes, operations, and equipment that are not part of the same natural gas transmission and storage facility, as defined in this section, shall not be aggregated.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner which causes or has the potential to cause the emission limitations in this standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Municipal solid waste as used in this subpart is as defined in § 60.1465 of Subpart AAAA of 40 CFR Part 60, New Source Performance Standards for Small Municipal Waste Combustion Units.

Natural gas means a naturally occurring mixture of hydrocarbon and non-hydrocarbon gases found in geologic formations beneath the Earth's surface, of which the principal constituent is methane. May be field or pipeline quality. For the purposes of this subpart, the definition of natural gas includes similarly constituted fuels such as field gas, refinery gas, and syngas.

Natural gas transmission means the pipelines used for the long distance transport of natural gas (excluding processing). Specific equipment used in natural gas transmission includes the land, mains, valves, meters, boosters, regulators, storage vessels, dehydrators, compressors, and their driving units and appurtenances, and equipment used transporting gas from a production plant, delivery point of purchased gas, gathering system, storage area, or other wholesale source of gas to one or more distribution area(s).

Natural gas transmission and storage facility means any grouping of equipment where natural gas is processed, compressed, or stored prior to entering a pipeline to a local distribution company or (if there is no local distribution company) to a final end user. Examples of a facility for this source category are: an underground natural gas storage operation; or a natural gas compressor station that receives natural gas via pipeline, from an underground natural gas storage operation, or from a natural gas processing plant. The emission points associated with these phases include, but are not limited to, process vents. Processes that may have vents include, but are not limited to, dehydration and compressor station engines. Facility, for the purpose of a major source determination, means natural gas transmission and storage equipment that is located inside the boundaries of an individual surface site (as defined in this section) and is connected by ancillary equipment, such as gas flow lines or power lines. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Natural gas transmission and storage equipment or groupings of equipment located on different gas leases, mineral fee tracts, lease tracts, subsurface unit areas, surface fee tracts, or surface lease tracts shall not be considered part of the same facility.

North Slope of Alaska means the area north of the Arctic Circle (latitude 66.5 degrees North).

Oil and gas production facility as used in this subpart means any grouping of equipment where hydrocarbon liquids are processed, upgraded (i.e., remove impurities or other constituents to meet contract specifications), or stored prior to the point of custody transfer; or where natural gas is processed, upgraded, or stored prior to entering the natural gas transmission and storage source category. For purposes of a major source determination, facility (including a building, structure, or installation) means oil and natural gas production and processing equipment that is located within the boundaries of an individual surface site as defined in this section. Equipment that is part of a facility will typically be located within close proximity to other equipment located at the same facility. Pieces of production equipment or groupings of equipment located on different oil and gas leases, mineral fee tracts, lease tracts, subsurface or surface unit areas, surface fee tracts, surface lease tracts, or separate surface sites, whether or not connected by a road, waterway, power line or pipeline, shall not be considered part of the same facility. Examples of facilities in the oil and natural gas production source category include, but are not limited to, well sites, satellite tank batteries, central tank batteries, a compressor station that transports natural gas to a natural gas processing plant, and natural gas processing plants.

Oxidation catalyst emission control device means an emission control device that incorporates catalytic oxidation to reduce CO emissions.

Potential to emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. For oil and natural gas production facilities subject to subpart HH of this part, the potential to emit provisions in § 63.760(a) may be used. For natural gas transmission and storage facilities subject to subpart HHH of this part, the maximum annual facility gas throughput for storage facilities may be determined according to § 63.1270(a)(1) and the maximum annual throughput for transmission facilities may be determined according to § 63.1270(a)(2).

Production field facility means those oil and gas production facilities located prior to the point of custody transfer.

Production well means any hole drilled in the earth from which crude oil, condensate, or field natural gas is extracted.

Regenerative/recuperative cycle stationary combustion turbine means any stationary combustion turbine that recovers heat from the stationary combustion turbine exhaust gases using an exhaust heat exchanger to preheat the combustion air entering the combustion chamber of the stationary combustion turbine.

Research or laboratory facility means any stationary source whose primary purpose is to conduct research and development into new processes and products, where such source is operated under the close supervision of technically trained personnel and is not engaged in the manufacture of products for commercial sale in commerce, except in a *de minimis* matter.

Simple cycle stationary combustion turbine means any stationary combustion turbine that does not recover heat from the stationary combustion turbine exhaust gases.

Stationary combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, the combustion turbine portion of any stationary cogeneration cycle combustion system, or the combustion turbine portion of any stationary combined cycle steam/electric generating system. Stationary means that the combustion turbine is not self propelled or intended to be propelled while performing its function. Stationary combustion turbines do not include turbines located at a research or laboratory facility, if research is conducted on the turbine itself and the turbine is not being used to power other applications at the research or laboratory facility.

Storage vessel with the potential for flash emissions means any storage vessel that contains a hydrocarbon liquid with a stock tank gas-to-oil ratio equal to or greater than 0.31 cubic meters per liter and an American Petroleum Institute gravity equal to or greater than 40 degrees and an actual annual average hydrocarbon liquid throughput equal to or greater than 79,500 liters per day. Flash emissions occur when dissolved hydrocarbons in the fluid evolve from solution when the fluid pressure is reduced.

Surface site means any combination of one or more graded pad sites, gravel pad sites, foundations, platforms, or the immediate physical location upon which equipment is physically affixed.

[69 FR 10537, Mar. 5, 2004, as amended at 71 FR 20467, Apr. 20, 2006]

Table 1 to Subpart YYYY of Part 63—Emission Limitations

As stated in § 63.6100, you must comply with the following emission limitations

For each new or reconstructed stationary combustion turbine described in § 63.6100 which is . . .	You must meet the following emission limitations . . .
1. a lean premix gas-fired stationary combustion turbine as defined in this subpart, 2. a lean premix oil-fired stationary combustion turbine as defined in this subpart, 3. a diffusion flame gas-fired stationary combustion turbine as defined in this subpart, or 4. a diffusion flame oil-fired stationary combustion turbine as defined in this subpart.	limit the concentration of formaldehyde to 91 ppbvd or less at 15 percent O ₂ .

Table 2 to Subpart YYYY of Part 63—Operating Limitations

As stated in §§ 63.6100 and 63.6140, you must comply with the following operating limitations

For . . .	You must . . .
1. each stationary combustion turbine that is required to comply with the emission limitation for formaldehyde and is using an oxidation catalyst	maintain the 4-hour rolling average of the catalyst inlet temperature within the range suggested by the catalyst manufacturer.
2. each stationary combustion turbine that is required to comply with the emission limitation for formaldehyde and is not using an oxidation catalyst	maintain any operating limitations approved by the Administrator.

Table 3 to Subpart YYYYY of Part 63—Requirements for Performance Tests and Initial Compliance Demonstrations

As stated in § 63.6120, you must comply with the following requirements for performance tests and initial compliance demonstrations

You must . . .	Using . . .	According to the following requirements . . .
a. demonstrate formaldehyde emissions meet the emission limitations specified in Table 1 by a performance test initially and on an annual basis AND	Test Method 320 of 40 CFR part 63, appendix A; ASTM D6348-03 provided that %R as determined in Annex A5 of ASTM D6348-03 is equal or greater than 70% and less than or equal to 130%; or other methods approved by the Administrator	formaldehyde concentration must be corrected to 15 percent O ₂ , dry basis. Results of this test consist of the average of the three 1 hour runs. Test must be conducted within 10 percent of 100 percent load.
b. select the sampling port location and the number of traverse points AND	Method 1 or 1A of 40 CFR part 60, appendix A § 63.7(d)(1)(i)	if using an air pollution control device, the sampling site must be located at the outlet of the air pollution control device.
c. determine the O ₂ concentration at the sampling port location AND	Method 3A or 3B of 40 CFR part 60, appendix A	measurements to determine O ₂ concentration must be made at the same time as the performance test.
d. determine the moisture content at the sampling port location for the purposes of correcting the formaldehyde concentration to a dry basis	Method 4 of 40 CFR part 60, appendix A or Test Method 320 of 40 CFR part 63, appendix A, or ASTM D6348-03	measurements to determine moisture content must be made at the same time as the performance test.

Table 4 to Subpart YYYYY of Part 63—Initial Compliance With Emission Limitations

As stated in §§ 63.6110 and 63.6130, you must comply with the following requirements to demonstrate initial compliance with emission limitations

For the . . .	You have demonstrated initial compliance if . . .
emission limitation for formaldehyde.	the average formaldehyde concentration meets the emission limitations specified in Table 1.

Table 5 to Subpart YYYYY of Part 63—Continuous Compliance With Operating Limitations

As stated in §§ 63.6135 and 63.6140, you must comply with the following requirements to demonstrate continuing compliance with operating limitations:

For each stationary combustion turbine complying with the emission limitation for formaldehyde . . .	You must demonstrate continuous compliance by . . .
1. with an oxidation catalyst	continuously monitoring the inlet temperature to the catalyst and maintaining the 4-hour rolling average of the inlet temperature within the range suggested by the catalyst manufacturer.
2. without the use of an oxidation catalyst	continuously monitoring the operating limitations that have been approved in your petition to the Administrator.

Table 6 to Subpart YYYY of Part 63—Requirements for Reports

As stated in § 63.6150, you must comply with the following requirements for reports

If you own or operate a . . .	you must . . .	According to the following requirements . . .
1. stationary combustion turbine which must comply with the formaldehyde emission limitation	report your compliance status	semiannually, according to the requirements of § 63.6150.
2. stationary combustion turbine which fires landfill gas, digester gas or gasified MSW equivalent to 10 percent or more of the gross heat input on an annual basis	report (1) the fuel flow rate of each fuel and the heating values that were used in your calculations, and you must demonstrate that the percentage of heat input provided by landfill gas, digester gas, or gasified MSW is equivalent to 10 percent or more of the gross heat input on an annual basis, (2) the operating limits provided in your federally enforceable permit, and any deviations from these limits, and (3) any problems or errors suspected with the meters	annually, according to the requirements in § 63.6150.
3. a lean premix gas-fired stationary combustion turbine or a diffusion flame gas-fired stationary combustion turbine as defined by this subpart, and you use any quantity of distillate oil to fire any new or existing stationary combustion turbine which is located at the same major source	report (1) the number of hours distillate oil was fired by each new or existing stationary combustion turbine during the reporting period, (2) the operating limits provided in your federally enforceable permit, and any deviations from these limits, and (3) any problems or errors suspected with the meters	annually, according to the requirements in § 63.6150.

Table 7 of Subpart YYYY of Part 63—Applicability of General Provisions to Subpart YYYY

You must comply with the applicable General Provisions requirements:

Citation	Subject	Applies to Subpart YYYY	Explanation
§ 63.1	General applicability of the General Provisions	Yes	Additional terms defined in § 63.6175.
§ 63.2	Definitions	Yes	Additional terms defined in § 63.6175.
§ 63.3	Units and abbreviations	Yes	
§ 63.4	Prohibited activities	Yes	
§ 63.5	Construction and reconstruction	Yes	
§ 63.6(a)	Applicability	Yes	

Citation	Subject	Applies to Subpart YYY	Explanation
§ 63.6(b)(1)-(4)	Compliance dates for new and reconstructed sources	Yes	
§ 63.6(b)(5)	Notification	Yes	
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance dates for new and reconstructed area sources that become major	Yes	
§ 63.6(c)(1)-(2)	Compliance dates for existing sources	Yes	
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance dates for existing area sources that become major	Yes	
§ 63.6(d)	[Reserved]		
§ 63.6(e)(1)	Operation and maintenance	Yes	
§ 63.6(e)(2)	[Reserved]		
§ 63.6(e)(3)	SSMP	Yes	
§ 63.6(f)(1)	Applicability of standards except during startup, shutdown, or malfunction (SSM)	Yes	
§ 63.6(f)(2)	Methods for determining compliance	Yes	
§ 63.6(f)(3)	Finding of compliance	Yes	
§ 63.6(g)(1)-(3)	Use of alternative standard	Yes	
§ 63.6(h)	Opacity and visible emission standards	No	Subpart YYY does not contain opacity or visible emission standards.
§ 63.6(i)	Compliance extension procedures and criteria	Yes	
§ 63.6(j)	Presidential compliance exemption	Yes	
§ 63.7(a)(1)-(2)	Performance test dates	Yes	Subpart YYY contains performance test dates at § 63.6110.
§ 63.7(a)(3)	Section 114 authority	Yes	
§ 63.7(b)(1)	Notification of performance test	Yes	
§ 63.7(b)(2)	Notification of rescheduling	Yes	
§ 63.7(c)	Quality assurance/test plan	Yes	
§ 63.7(d)	Testing facilities	Yes	
§ 63.7(e)(1)	Conditions for conducting performance tests	Yes	
§ 63.7(e)(2)	Conduct of performance tests and reduction of data	Yes	Subpart YYY specifies test methods at § 63.6120.
§ 63.7(e)(3)	Test run duration	Yes	
§ 63.7(e)(4)	Administrator may require other testing under section 114 of the CAA	Yes	
§ 63.7(f)	Alternative test method provisions	Yes	
§ 63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	

Citation	Subject	Applies to Subpart YYYYY	Explanation
§ 63.7(h)	Waiver of tests	Yes	
§ 63.8(a)(1)	Applicability of monitoring requirements	Yes	Subpart YYYYY contains specific requirements for monitoring at § 63.6125.
§ 63.8(a)(2)	Performance specifications	Yes	
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring for control devices	No	
§ 63.8(b)(1)	Monitoring	Yes	
§ 63.8(b)(2)-(3)	Multiple effluents and multiple monitoring systems	Yes	
§ 63.8(c)(1)	Monitoring system operation and maintenance	Yes	
§ 63.8(c)(1)(i)	Routine and predictable SSM	Yes	
§ 63.8(c)(1)(ii)	Parts for repair of CMS readily available	Yes	
§ 63.8(c)(1)(iii)	SSMP for CMS required	Yes	
§ 63.8(c)(2)-(3)	Monitoring system installation	Yes	
§ 63.8(c)(4)	Continuous monitoring system (CMS) requirements	Yes	Except that subpart YYYYY does not require continuous opacity monitoring systems (COMS).
§ 63.8(c)(5)	COMS minimum procedures	No	
§ 63.8(c)(6)-(8)	CMS requirements	Yes	Except that subpart YYYYY does not require COMS.
§ 63.8(d)	CMS quality control	Yes	
§ 63.8(e)	CMS performance evaluation	Yes	Except for § 63.8(e)(5)(ii), which applies to COMS.
§ 63.8(f)(1)-(5)	Alternative monitoring method	Yes	
§ 63.8(f)(6)	Alternative to relative accuracy test	Yes	
§ 63.8(g)	Data reduction	Yes	Except that provisions for COMS are not applicable. Averaging periods for demonstrating compliance are specified at §§ 63.6135 and 63.6140.
§ 63.9(a)	Applicability and State delegation of notification requirements	Yes	
§ 63.9(b)(1)-(5)	Initial notifications	Yes	Except that § 63.9(b)(3) is reserved.
§ 63.9(c)	Request for compliance extension	Yes	
§ 63.9(d)	Notification of special compliance requirements for new sources	Yes	
§ 63.9(e)	Notification of performance test	Yes	
§ 63.9(f)	Notification of visible emissions/opacity test	No	Subpart YYYYY does not contain opacity or VE standards.
§ 63.9(g)(1)	Notification of performance evaluation	Yes	
§ 63.9(g)(2)	Notification of use of COMS data	No	Subpart YYYYY does not contain opacity or VE standards.
§ 63.9(g)(3)	Notification that criterion for alternative to relative accuracy test audit (RATA) is exceeded	Yes	If alternative is in use.

Citation	Subject	Applies to Subpart YYYYY	Explanation
§ 63.9(h)	Notification of compliance status	Yes	Except that notifications for sources not conducting performance tests are due 30 days after completion of performance evaluations. § 63.9(h)(4) is reserved.
§ 63.9(i)	Adjustment of submittal deadlines	Yes	
§ 63.9(j)	Change in previous information	Yes	
§ 63.10(a)	Administrative provisions for recordkeeping and reporting	Yes	
§ 63.10(b)(1)	Record retention	Yes	
§ 63.10(b)(2)(i)-(iii)	Records related to SSM	Yes	
§ 63.10(b)(2)(iv)-(v)	Records related to actions during SSM	Yes	
§ 63.10(b)(2)(vi)-(xi)	CMS records	Yes	
§ 63.10(b)(2)(xii)	Record when under waiver	Yes	
§ 63.10(b)(2)(xiii)	Records when using alternative to RATA	Yes	For CO standard if using RATA alternative.
§ 63.10(b)(2)(xiv)	Records of supporting documentation	Yes	
§ 63.10(b)(3)	Records of applicability determination	Yes	
§ 63.10(c)	Additional records for sources using CMS	Yes	Except that § 63.10(c)(2)-(4) and (9) are reserved.
§ 63.10(d)(1)	General reporting requirements	Yes	
§ 63.10(d)(2)	Report of performance test results	Yes	
§ 63.10(d)(3)	Reporting opacity or VE observations	No	Subpart YYYYY does not contain opacity or VE standards.
§ 63.10(d)(4)	Progress reports	Yes	
§ 63.10(d)(5)	Startup, shutdown, and malfunction reports	No	Subpart YYYYY does not require reporting of startup, shutdowns, or malfunctions.
§ 63.10(e)(1) and (2)(i)	Additional CMS reports	Yes	
§ 63.10(e)(2)(ii)	COMS-related report	No	Subpart YYYYY does not require COMS.
§ 63.10(e)(3)	Excess emissions and parameter exceedances reports	Yes	
§ 63.10(e)(4)	Reporting COMS data	No	Subpart YYYYY does not require COMS.
§ 63.10(f)	Waiver for recordkeeping and reporting	Yes	
§ 63.11	Flares	No	
§ 63.12	State authority and delegations	Yes	
§ 63.13	Addresses	Yes	
§ 63.14	Incorporation by reference	Yes	
§ 63.15	Availability of information	Yes	

Indiana Department of Environmental Management
Office of Air Quality

Technical Support Document (TSD) for a Part 70 Administrative Operating Permit

Source Description and Location

Source Name:	DTE Gary, LLC
Source Location:	One North Broadway, Gary, IN 46402
County:	Lake (Calumet Township)
SIC Code:	4911 (Electric Services)
Administrative Permit No.:	T089-40241-00121
Permit Reviewer:	Andrew Belt

On July 24 2018, DTE Gary, LLC submitted an application to the Office of Air Quality (OAQ) requesting to renew its operating permit. OAQ has reviewed the administrative operating permit application from DTE Gary, LLC relating to the operation of a stationary combined heat and power facility.

Source Definition

US Steel - Gary Works is an integrated steel mill that includes the primary operation, U.S. Steel – Gary Works (Source ID 089-00121), at One North Broadway, Gary, Indiana, collocated with on-site contractors:

	Company Name	Source ID	Operation Description
1	U.S. Steel - Gary Works	089-00121	integrated steel mill
	<i>On-Site Contractors</i>		
2	TMS International, LLC	089-00132	slag processing/metal recovery
3	South Shore Slag, LLC	089-00133	slag crushing, screening and conveying
4	Central Teaming Company, Inc.	089-00172	material handling
5	Tube City IMS, LLC	089-00174	scrap metal processing
6	Fritz Enterprises, Inc.	089-00578	iron and slag processing operation
7	DTE Gary, LLC	089-00121	combined heat and power facility

A Part 70 permit has been issued to U.S. Steel – Gary Works (Source ID 089-00121). Separate Administrative Part 70 permits will be issued to each of the on-site contractors, solely for administrative purposes. The companies may maintain separate reporting and compliance certification.

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units:

- (a) One (1) natural gas-fired combustion turbine generator, identified as Turbine-1, equipped with an unfired heat recovery steam generator (HRSG), approved in 2018 for construction, with a maximum capacity of 592.82 MMBtu/hr, and exhausting to stack HRSG01.

Under 40 CFR 60, Subpart KKKK, this unit is considered as an affected stationary combustion turbine. Under 40 CFR 63, Subpart YYYY, this unit is considered as a new stationary combustion turbine.

Insignificant Activities

The source also consists of the following insignificant activities:

- (a) Natural gas-fired combustion sources with heat input equal to or less than ten million (10,000,000) British thermal units per hour, as follows:
 - (1) Thirty-six (36) space heaters, approved in 2018 for construction, each with a maximum heat input capacity of 0.4 MMBtu/hr.

Existing Approvals

There have been no previous approvals issued to this source.

Enforcement Issue

There are no enforcement actions pending.

Emission Calculations

See Appendix A of this document for detailed emission calculations.

County Attainment Status

The source is located in Lake County, Calumet Township.

Pollutant	Designation
SO ₂	Better than national standards.
CO	Attainment effective February 18, 2000, for the part of the city of East Chicago bounded by Columbus Drive on the north; the Indiana Harbor Canal on the west; 148 th Street, if extended, on the south; and Euclid Avenue on the east. Unclassifiable or attainment effective November 15, 1990, for the remainder of East Chicago and Lake County.
O ₃	Moderate nonattainment effective June 3, 2016, for the 2008 8-hour ozone standard. ¹
O ₃	Nonattainment effective August 3, 2018, for the 2015 8-hour ozone standard for Calumet, Hobart, North, Ross, and St. John townships. Unclassifiable or attainment effective August 3, 2018, for the 2015 8-hour ozone standard for the remainder of the county. ¹
PM _{2.5}	Unclassifiable effective April 15, 2015, for the 2012 annual PM _{2.5} standard.
PM _{2.5}	Unclassifiable or attainment effective December 13, 2009, for the 2006 24-hour PM _{2.5} standard.
PM ₁₀	Attainment effective March 11, 2003, for the cities of East Chicago, Hammond, Whiting, and Gary. Unclassifiable effective November 15, 1990, for the remainder of Lake County.
NO ₂	Unclassifiable or attainment effective January 29, 2012, for the 2010 NO ₂ standard.
Pb	Unclassifiable or attainment effective December 31, 2011 for the 2008 lead standard.
¹ Nonattainment Severe 17 effective November 15, 1990, for the Chicago-Gary-Lake County area for the 1-hour ozone standard, which was revoked effective June 15, 2005. The U. S. EPA has acknowledged in both the proposed and final rulemaking for this redesignation that the anti-backsliding provisions for the 1-hour ozone standard no longer apply as a result of the redesignation under the 8-hour ozone standard. Therefore, permits in Lake County are no longer subject to review pursuant to Emission Offset, 326 IAC 2-3 for the 1-hour standard.	

- (a) Ozone Standards
 U.S. EPA, in the Federal Register Notice 77 FR 34228 dated June 11, 2012, designated Lake County, Calumet Township as nonattainment for the 2008 8-hour ozone standard. On August 1, 2012, the air pollution control board issued an emergency rule adopting the U.S. EPA's

designation. This rule became effective August 9, 2012. IDEM does not agree with U.S. EPA's designation of nonattainment. IDEM filed a suit against U.S. EPA in the U.S. Court of Appeals for the DC Circuit on July 19, 2012. However, in order to assure that sources are not potentially liable for a violation of the Clean Air Act, the OAQ is following the U.S. EPA's designation. Volatile organic compounds (VOC) and Nitrogen Oxides (NO_x) are regulated under the Clean Air Act (CAA) for the purposes of attaining and maintaining the National Ambient Air Quality Standards (NAAQS) for ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to ozone. Therefore, VOC and NO_x emissions were evaluated pursuant to the requirements of Emission Offset, 326 IAC 2-3.

- (b) **PM_{2.5}**
Lake County, Calumet Township has been classified as attainment for PM_{2.5}. Therefore, direct PM_{2.5}, SO₂, and NO_x emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.
- (c) **Other Criteria Pollutants**
Lake County, Calumet Township has been classified as attainment or unclassifiable in Indiana for all the other criteria pollutants. Therefore, these emissions were reviewed pursuant to the requirements for Prevention of Significant Deterioration (PSD), 326 IAC 2-2.

Fugitive Emissions

Since this source is classified as an iron and steel mill plant it is considered one (1) of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1), 326 IAC 2-3-2(g), or 326 IAC 2-7-1(22)(B). Therefore, fugitive emissions are counted toward the determination of PSD, Emission Offset, and Part 70 Permit applicability.

Greenhouse Gas (GHG) Emissions

On June 23, 2014, in the case of *Utility Air Regulatory Group v. EPA*, cause no. 12-1146, (available at http://www.supremecourt.gov/opinions/13pdf/12-1146_4g18.pdf) the United States Supreme Court ruled that the U.S. EPA does not have the authority to treat greenhouse gases (GHGs) as an air pollutant for the purpose of determining operating permit applicability or PSD Major source status. On July 24, 2014, the U.S. EPA issued a memorandum to the Regional Administrators outlining next steps in permitting decisions in light of the Supreme Court's decision. U.S. EPA's guidance states that U.S. EPA will no longer require PSD or Title V permits for sources "previously classified as 'Major' based solely on greenhouse gas emissions."

The Indiana Environmental Rules Board adopted the GHG regulations required by U.S. EPA at 326 IAC 2-2-1(zz), pursuant to Ind. Code § 13-14-9-8(h) (Section 8 rulemaking). A rule, or part of a rule, adopted under Section 8 is automatically invalidated when the corresponding federal rule, or part of the rule, is invalidated. Due to the United States Supreme Court Ruling, IDEM, OAQ cannot consider GHG emissions to determine operating permit applicability or PSD applicability to a source or modification.

Unrestricted Potential Emissions

Appendix A of this TSD reflects the unrestricted potential emissions of the source.

- (a) The potential to emit (as defined in 326 IAC 2-7-1(30)) of NO_x is equal to or greater than one hundred (100) tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7 and will be issued a Part 70 Administrative Operating Permit.
- (b) The potential to emit (as defined in 326 IAC 2-7-1(30)) of any single HAP is equal to or greater than ten (10) tons per year and the potential to emit (as defined in 326 IAC 2-7-1(30)) of a combination of HAPs is equal to or greater than twenty-five (25) tons per year. Therefore, the

source is subject to the provisions of 326 IAC 2-7 and will be issued a Part 70 Administrative Operating Permit.

Part 70 Permit Conditions

This source is subject to the requirements of 326 IAC 2-7, because the source met the following:

- (a) Emission limitations and standards, including those operational requirements and limitations that assure compliance with all applicable requirements at the time of issuance of Part 70 permits.
- (b) Monitoring and related record keeping requirements which assume that all reasonable information is provided to evaluate continuous compliance with the applicable requirements.

Potential to Emit After Issuance

The table below summarizes the potential to emit, reflecting all limits, of the emission units. Any new control equipment is considered federally enforceable only after issuance of this Part 70 administrative operating permit, and only to the extent that the effect of the control equipment is made practically enforceable in the permit.

Process/ Emission Unit	Potential To Emit of the Entire Source After Issuance (tons/year)								
	PM	PM ₁₀ *	PM _{2.5} **	SO ₂	NO _x	VOC	CO	Total HAPs	Worst Single HAP
Combustion Turbine Generator (Turbine-1)	13.14	13.14	13.14	8.83	135.21	6.20	31.46	2.67	1.84
Space Heaters	0.12	0.47	0.47	0.04	6.18	0.34	5.19	0.12	negl.
Total PTE of DTE Gary, LLC	13.26	13.61	13.61	8.87	141.39	6.54	36.65	2.79	1.85
Total PTE of Entire Source	>100	>100	>100	>100	>100	>100	>100	>25	>10
Title V Major Source Thresholds	NA	100	100	100	100	100	100	25	10
PSD Major Source Thresholds	100	100	100	100	NA	NA	100	NA	NA
Emission Offset/ Nonattainment NSR Major Source Thresholds	--	--	--	--	100	100	--	NA	NA
negl. = negligible * Under the Part 70 Permit program (40 CFR 70), PM ₁₀ and PM _{2.5} , not particulate matter (PM), are each considered as a "regulated air pollutant". **PM _{2.5} listed is direct PM _{2.5} .									

- (a) This existing source is a major stationary source, under PSD (326 IAC 2-2), because a PSD regulated pollutant, PM, PM₁₀, PM_{2.5}, SO₂, and CO, is emitted at a rate of 100 tons per year or more, and it is one of the twenty-eight (28) listed source categories, as specified in 326 IAC 2-2-1(ff)(1).
- (b) This existing source is a major stationary source, under Emission Offset (326 IAC 2-3), because NO_x and VOC, a nonattainment regulated pollutant, is emitted at a rate of 100 tons per year or more.

- (c) This existing source is a major source of HAPs, as defined in 40 CFR 63.2, because HAP emissions are equal to or greater than ten (10) tons per year for a single HAP and equal to or greater than twenty-five (25) tons per year for a combination of HAPs. Therefore, this source is a major source under Section 112 of the Clean Air Act (CAA).

Federal Rule Applicability

Compliance Assurance Monitoring (CAM):

- (a) Pursuant to 40 CFR 64.2, Compliance Assurance Monitoring (CAM) is applicable to each existing pollutant-specific emission unit that meets the following criteria:
- (1) has a potential to emit before controls equal to or greater than the major source threshold for the regulated pollutant involved;
 - (2) is subject to an emission limitation or standard for that pollutant (or a surrogate thereof); and
 - (3) uses a control device, as defined in 40 CFR 64.1, to comply with that emission limitation or standard.
- (b) Pursuant to 40 CFR 64.2(b)(1)(i), emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act are exempt from the requirements of CAM. Therefore, an evaluation was not conducted for any emission limitations or standards proposed after November 15, 1990 pursuant to a NSPS or NESHAP under Section 111 or 112 of the Clean Air Act.
- (c) Pursuant to 40 CFR 64.2(b)(1)(iii), Acid Rain requirements pursuant to Sections 404, 405, 406, 407(a), 407(b), or 410 of the Clean Air Act are exempt emission limitations or standards. Therefore, CAM was not evaluated for emission limitations or standards for SO₂ and NO_x under the Acid Rain Program.
- (d) Pursuant to 40 CFR 64.3(d), if a continuous emission monitoring system (CEMS) is required pursuant to other federal or state authority, the owner or operator shall use the CEMS to satisfy the requirements of CAM according to the criteria contained in 40 CFR 64.3(d).

Based on this evaluation, the requirements of 40 CFR Part 64, CAM, are not applicable to any of the existing units as part of this Part 70 administrative operating permit.

New Source Performance Standards (NSPS)

- (a) The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is subject to the New Source Performance Standards for Stationary Combustion Turbines, 40 CFR 60, Subpart KKKK and 326 IAC 12, because it is a stationary combustion turbine that commenced construction after February 18, 2005.

Applicable portions of the NSPS are the following:

- (1) 40 CFR 60.4300
- (2) 40 CFR 60.4305
- (3) 40 CFR 60.4315
- (4) 40 CFR 60.4320(a)
- (5) 40 CFR 60.4330(a)(1)
- (6) 40 CFR 60.4333(a)
- (7) 40 CFR 60.4340(a) and (b)

- (8) 40 CFR 60.4345
- (9) 40 CFR 60.4365(a)
- (10) 40 CFR 60.4375
- (11) 40 CFR 60.4380
- (12) 40 CFR 60.4395
- (13) 40 CFR 60.4400
- (14) 40 CFR 60.4420
- (15) Table 1

The requirements of 40 CFR Part 60, Subpart A – General Provisions, which are incorporated as 326 IAC 12-1, apply to the combustion turbine generator except as otherwise specified in 40 CFR 60, Subpart KKKK.

- (b) The requirements of the New Source Performance Standard for Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart Db and 326 IAC 12, are not included in the permit for the one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, because it is subject to 40 CFR 60, Subpart KKKK and, therefore, is exempt from the requirements of subpart Db.
- (c) The requirements of the New Source Performance Standard for Stationary Gas Turbines, 40 CFR 60, Subpart GG and 326 IAC 12, are not included in the permit for the one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, because it is subject to 40 CFR 60, Subpart KKKK and, therefore, is exempt from the requirements of subpart GG.
- (d) The requirements of the New Source Performance Standard for Greenhouse Gas Emissions for Electric Generating Units, 40 CFR 60, Subpart TTTT, and 326 IAC 12, are not included in the permit for the one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, because, although the stationary combustion turbine commenced construction after January 8, 2014, the facility will not sell more than 219,000 MWh to the grid.
- (e) There are no other New Source Performance Standards (NSPS) (326 IAC 12 and 40 CFR Part 60) included in the permit for this source.

National Emission Standards for Hazardous Air Pollutants (NESHAPs)

- (a) The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is subject to the National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, 40 CFR 63, Subpart YYYY and 326 IAC 20-90, because it is a stationary combustion turbine located a major source of HAP emissions

Applicable portions of the NESHAP are the following:

- (1) 40 CFR 63.6080
- (2) 40 CFR 63.6085
- (3) 40 CFR 63.6090(a)(2)
- (4) 40 CFR 63.6095(d)
- (5) 40 CFR 63.6145(c)
- (6) 40 CFR 63.6175

The requirements of 40 CFR Part 63, Subpart A – General Provisions, which are incorporated as 326 IAC 20-1, apply to the combustion turbine generator except as otherwise specified in 40 CFR 63, Subpart YYYY.

- (b) The requirements of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63, Subpart DDDDD and 326 IAC 20-95 are not included in the permit for the one (1) natural gas-

fired combustion turbine generator, identified as Turbine-1, because, although it is located at a major source of HAPs, it is not a *boiler* or a *process heater*, as defined in 40 CFR 63.7575.

- (c) There are no other National Emission Standards for Hazardous Air Pollutants (NESHAP) (326 IAC 14, 326 IAC 20 and 40 CFR Part 63) included in the permit for this source.

State Rule Applicability - Entire Source

326 IAC 1-6-3 (Preventive Maintenance Plan)

The source is subject to 326 IAC 1-6-3.

326 IAC 2-2 (Prevention of Significant Deterioration (PSD)) and 326 IAC 2-3 (Emission Offset)

PSD and Emission Offset applicability is discussed under the Permit Level Determination – PSD and Emission Offset section.

326 IAC 2-4.1 (Major Sources of Hazardous Air Pollutants (HAP))

The operation of the one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, will emit less than ten (10) tons per year for a single HAP and less than twenty-five (25) tons per year for a combination of HAPs. Therefore, 326 IAC 2-4.1 does not apply.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting) because it is located in Lake County and its emissions of VOC or NO_x are greater than 25 tons per year. Therefore, pursuant to 326 IAC 2-6-3(a)(1), annual reporting is required. An emission statement shall be submitted in accordance with the compliance schedule in 326 IAC 2-6-3 and every year thereafter. The emission statement shall contain, at a minimum, the information specified in 326 IAC 2-6-4.

326 IAC 2-7-6(5) (Annual Compliance Certification)

The U.S. EPA Federal Register 79 FR 54978 notice does not exempt Title V Permittees from the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D), but the submittal of the Title V annual compliance certification to IDEM satisfies the requirement to submit the Title V annual compliance certifications to EPA. IDEM does not intend to revise any permits since the requirements of 40 CFR 70.6(c)(5)(iv) or 326 IAC 2-7-6(5)(D) still apply, but Permittees can note on their Title V annual compliance certifications that submission to IDEM has satisfied reporting to EPA per Federal Register 79 FR 54978. This only applies to Title V Permittees and Title V compliance certifications.

326 IAC 5-1 (Opacity Limitations)

This source is subject to the opacity limitations specified in 326 IAC 5-1-2(2).

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

Pursuant to 326 IAC 6-4 (Fugitive Dust Emissions Limitations), the source 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.

326 IAC 12 (New Source Performance Standards)

See Federal Rule Applicability Section of this TSD.

326 IAC 20 (Hazardous Air Pollutants)

See Federal Rule Applicability Section of this TSD.

State Rule Applicability – Individual Facilities

Combustion Turbine Generator

326 IAC 3-5 (Continuous Emission Monitoring System)

The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is subject to the monitoring requirements of 326 IAC 3-5 because it is a fossil fuel-fired steam generator of greater than one hundred million (100,000,000) British thermal units (Btu) per hour heat input capacity. The Permittee shall install, calibrate, maintain, and operate all necessary continuous emission monitoring systems (CEMS) and related equipment for NO_x emissions.

326 IAC 6-2 (Particulate Emissions from Indirect Heating Units)

The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is not subject to the requirements of 326 IAC 6-2, because it is not a source of indirect heating.

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

Pursuant to 326 IAC 1-2-59, the one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is exempt from the requirements of 326 IAC 6-3, since liquid and gaseous fuels and combustion air are not considered as part of the process weight rate.

326 IAC 6.8 (Particulate Matter Limitations for Lake County)

Pursuant to 326 IAC 6.8-1-2(b)(3), particulate matter emissions from the one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, shall not exceed one-hundredth (0.01) grain per dry standard cubic foot (dscf).

326 IAC 7-1.1 (Sulfur Dioxide Emissions Limitations)

The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is not subject to the requirements of 326 IAC 7-1.1-1, because it has unlimited SO₂ potential emissions of less than twenty-five (25) tons/year, and ten (10) pounds/hour.

326 IAC 8-1-6 (New Facilities: General Reduction Requirements)

The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is not subject to the requirements of 326 IAC 8-1-6, because it has unlimited VOC potential emissions of less than twenty-five (25) tons per year.

326 IAC 10-1 (Nitrogen Oxide Control in Clark and Floyd Counties)

The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is not subject to the requirements of 326 IAC 10-1, because, although it has the potential to emit greater than or equal to one hundred (100) tons per year or more of NO_x, this facility is not located in Clark or Floyd County.

326 IAC 21 (Acid Deposition Control)

The one (1) natural gas-fired combustion turbine generator, identified as Turbine-1, is not subject to the requirements of 326 IAC 21, because, pursuant to 40 CFR 72.6(b)(3), it does not currently serve a generator that produces electricity for sale. This regulation applies to electric utility generating units that supply greater than 1/3 their potential electrical output and greater than 219,000 MWe-hrs (25MW) actual electrical output on an annual basis to any utility power distribution system for sale.

Natural Gas-fired Combustion Units

326 IAC 6-2 (Particulate Emissions from Indirect Heating Units)

The thirty-six (36) space heaters are not subject to the requirements of 326 IAC 6-2, because each is a source of direct heating.

326 IAC 6-3 (Particulate Emission Limitations for Manufacturing Processes)

The thirty-six (36) space heaters are exempt from the requirements of 326 IAC 6-3-2, since liquid and gaseous fuels and combustion air are not considered as part of the process weight rate, pursuant to 326 IAC 1-2-59.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The thirty-six (36) space heaters are not subject to the requirements of 326 IAC 7-1.1, because the unlimited SO₂ potential emissions are less than twenty-five (25) tons/year, and ten (10) pounds/hour.

326 IAC 8-1-6 (New Facilities; General Reduction Requirements)

The thirty-six (36) space heaters are not subject to the requirements of 326 IAC 8-1-6, because the unlimited VOC potential emissions are less than twenty-five (25) tons per year.

326 IAC 9-1 (Carbon Monoxide Emission Limits)

The thirty-six (36) space heaters are not subject to 326 IAC 9-1-1 because there is no applicable emission limits for the source under 326 IAC 9-1-2.

Compliance Determination and Monitoring Requirements

Permits issued under 326 IAC 2-7 are required to assure that sources can demonstrate compliance with all applicable state and federal rules on a continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a continuous demonstration. When this occurs, IDEM, OAQ, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, Compliance Determination Requirements are included in the permit. The Compliance Determination Requirements in Section D of the permit are those conditions that are found directly within state and federal rules and the violation of which serves as grounds for enforcement action.

If the Compliance Determination Requirements are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also in Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

Compliance Determination Requirements

There are no compliance determination requirements applicable to the source.

Compliance Monitoring Requirements

There are no compliance monitoring requirements applicable to the source.

Compliance Testing Requirements

The compliance testing requirements applicable to the source are as follows:

Summary of Testing Requirements				
Emission Unit	Control Device	Timeframe for Testing (or Date of Last Valid Demonstration)	Pollutant	Frequency of Testing
Turbine-1	N/A	No later than 60 days after achieving maximum capacity, but not later than 180 days after initial startup	PM, PM10, PM2.5, NOx, VOC, CO	One-time emission factor verification test

A one-time testing requirement for PM, PM10, PM2.5, NOx, VOC, and CO is to verify the uncontrolled potentials to emit of these criteria pollutants from the natural gas-fired combustion turbine generator, since the source is using alternative emission factors to estimate PM, PM10, PM2.5, NOx, VOC, and CO emissions from this operation.

Conclusion and Recommendation

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

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant. An application for the purposes of this review was received on July 24, 2018.

The operation of this stationary combined heat and power facility shall be subject to the conditions of the attached Part 70 Operating Permit No. T089-40252-00514.

IDEM Contact

- (a) Questions regarding this proposed permit can be directed to Andrew Belt at the Indiana Department Environmental Management, Office of Air Quality, Permits Branch, 100 North Senate Avenue, MC 61-53 IGCN 1003, Indianapolis, Indiana 46204-2251 or by telephone at (317) 232-3217 or toll free at 1-800-451-6027 extension 2-3217.
- (b) A copy of the findings is available on the Internet at: <http://www.in.gov/ai/appfiles/idem-caats/>
- (c) For additional information about air permits and how the public and interested parties can participate, refer to the IDEM Air Permits page on the Internet at: <http://www.in.gov/idem/airquality/2356.htm>; and the Citizens' Guide to IDEM on the Internet at: <http://www.in.gov/idem/6900.htm>.

**TSD Appendix A: Emissions Calculations
Emissions Summary**

Company Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
TV Administrative Permit No.: T089-40252-00614
Reviewer: Andrew Belt

Uncontrolled Potential to Emit (PTE)									
Emission Units	PM	PM10	PM2.5	SO2	NOx	VOC	CO	Total HAPs	Highest Single HAP*
	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)	(tons/yr)
Combustion Turbine Generator (Turbine-1)	13.14	13.14	13.14	8.83	135.21	6.20	31.46	2.67	1.84
Space Heaters	0.12	0.47	0.47	0.04	6.18	0.34	5.19	0.12	4.64E-03
Total:	13.26	13.61	13.61	8.87	141.39	6.54	36.65	2.79	1.85

Notes:

*Highest Single HAP = Formaldehyde

**TSD Appendix A: Emissions Calculations
Combustion Turbine Generator (Turbine-1)**

Company Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
TV Administrative Permit No.: T089-40252-00614
Reviewer: Andrew Belt

Assumptions

Unit	Limitation	Units
Operating Hours	8760.00	Hours
MMBtu/hr	592.82	
Number of Starts	365.00	Events
Start Time	26.00	Minutes
Number of Shutdowns	365.00	Events
Shutdown Time	17.00	Minutes

Startup/Shutdown Emissions

Pollutant	Emissions (lb/event)		Emissions (lb/min)	
	Startup	Shutdown	Startup	Shutdown
PM/PM10/PM2.5	0.30	0.20	0.01	0.01
SO ₂	0.87	0.57	0.03	0.03
NO _x	10.30	8.30	0.40	0.49
VOC	1.20	0.20	0.05	0.01
CO	21.40	5.10	0.82	0.30

Emissions Including Startup/Shutdown Operation

Pollutant	Emissions (lb/hr)			Emissions (tons/yr)		Total Emissions (With Starts)	Total Emissions (No Starts)
	Normal Operation	Startup ^A	Shutdown ^B	Normal Operation Only	Startup/Shutdown		
PM/PM10/PM2.5	3.00	2.00	2.35	12.05	0.79	12.84	13.14
SO ₂	2.02	2.02	2.02	8.09	0.74	8.83	8.83
NO _x	30.87	27.79	30.42	123.94	10.62	134.56	135.21
VOC	1.40	1.99	1.20	5.62	0.58	6.20	6.13
CO	6.26	24.95	9.59	25.15	6.30	31.46	27.44

Notes:

^A Start up lb/hr is 26 minutes of startup emissions and 34 minutes of normal operation

^B Shutdown lb/hr is 17 minutes of shutdown emissions and 43 minutes of normal operation

PM, PM10, PM2.5, NO_x, VOC, and CO emission factors were provided by preliminary vendor data.

SO₂ emission factor is from AP-42 Section 3.1 (Stationary Gas Turbines), Updated 4/2000.

Methodology:

Startup Emissions (lb/min) = Startup (lb/event) / Start Time (minutes)

Shutdown Emissions (lb/min) = Shutdown (lb/event) / Shutdown Time (minutes)

Startup Emissions (lb/hr) = Startup Emissions (lb/event) + Normal Operation Emissions (lb/hr) x (60 minutes - Start Time (minutes)) / 60 minutes

Shutdown Emissions (lb/hr) = Shutdown Emissions (lb/event) + Normal Operation Emissions (lb/hr) x (60 minutes - Shutdown Time (minutes)) / 60 minutes

Normal Operation Emissions (tons/yr) = Normal Operation (lb/hr) x (8,760 hrs - (Number of Starts (events) x Number of Shutdowns (events))) x 1 ton/2,000 lbs

Startup/Shutdown Emissions (tons/yr) = (Startup Emissions (lb/hr) x Number of Starts (events)) + (Shutdown Emissions (lb/hr) x Number of Shutdowns (events)) x 1 ton/2,000 lbs

Total Emissions (With Starts) (tons/yr) = Normal Operation (lb/hr) x (8,760 hrs - (Number of Starts (events) x Number of Shutdowns (events))) + (Startup Emissions (lb/hr) x Number of Starts (events)) + (Shutdown Emissions (lb/hr) x Number of Shutdowns (events)) x 1 ton/2,000 lbs

Total Emissions (No Starts) (tons/yr) = Normal Operation Emissions (lb/hr) x 8,760 hrs/yr x 1 ton/2,000 lbs

**TSD Appendix A: Emissions Calculations
Combustion Turbine Generator (Turbine-1) HAPs**

Company Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
TV Administrative Permit No.: T089-40252-00614
Reviewer: Andrew Belt

Hours of Operation

Combined Cycle Hours = 8,760 hours per year

Fuel Usage

1,020 MMBtu/MMcf

Natural Gas	MMBtu/hr	MMCF/hr
Combustion Turbine =	593	0.581

Project HAPs	
HAP	Maximum Potential Emissions
	tpy
Formaldehyde	1.84
Toluene	0.34
Xylene	0.17
TOTAL Project HAPs	2.67

		Natural Gas - Internal Combustion		
Chemical	CAS	Emission Factor ^A	Combustion Turbine	
		(lb/MMBtu)	(lb/hr)	(tons/yr)
Acetaldehyde	75-07-0	4.0E-05	0.02	0.10
Acrolein	107-02-8	6.4E-06	3.8E-03	0.02
Benzene	71-43-2	1.2E-05	7.1E-03	0.03
1,3-Butadiene	106-99-0	4.3E-07	2.5E-04	1.1E-03
Ethyl benzene	100-41-4	3.2E-05	0.02	0.08
Formaldehyde	500-00-0	7.1E-04	0.42	1.84
Lead	7439-92-1	ND	0.00	0.00
Naphthalene	91-20-3	1.3E-06	7.7E-04	3.4E-03
PAH		2.2E-06	1.3E-03	5.7E-03
Propylene Oxide	75-56-9	2.9E-05	0.02	0.08
Toluene	108-88-3	1.3E-04	0.08	0.34
Xylene	1330-20-7	6.4E-05	0.04	0.17
TOTAL			0.61	2.67

Notes:

^A HAP emission factors are from AP-42 Section 3.1 (Stationary Gas Turbines), Updated 4/2000.

Methodology:

Emissions (lbs/hr) = Emission Factor (lb/MMBtu) x Fuel Usage (MMBtu/hr)

Emissions (tons/yr) = Emissions (lbs/hr) x 8,760 hrs/yr x 1 ton/2,000 lbs

Appendix A: Emissions Calculations
Natural Gas Combustion Only
MM BTU/HR <100

Company Name: DTE Gary, LLC
Source Address: One North Broadway, Gary, Indiana 46402
TV Administrative Permit No.: T089-40252-00614
Reviewer: Andrew Belt

Heat Input Capacity MMBtu/hr	HHV mmBtu mmscf	Potential Throughput MMCF/yr
14.4	1020	123.7

	Pollutant						
Emission Factor in lb/MMCF	PM* 1.9	PM10* 7.6	direct PM2.5* 7.6	SO2 0.6	NOx 100 **see below	VOC 5.5	CO 84
Potential Emission in tons/yr	0.12	0.47	0.47	0.04	6.18	0.34	5.19

*PM emission factor is filterable PM only. PM10 emission factor is filterable and condensable PM10 combined.

PM2.5 emission factor is filterable and condensable PM2.5 combined.

**Emission Factors for NOx: Uncontrolled = 100, Low NOx Burner = 50, Low NOx Burners/Flue gas recirculation = 32

Methodology

All emission factors are based on normal firing.

MMBtu = 1,000,000 Btu

MMCF = 1,000,000 Cubic Feet of Gas

Emission Factors are from AP 42, Chapter 1.4, Tables 1.4-1, 1.4-2, 1.4-3, SCC #1-02-006-02, 1-01-006-02, 1-03-006-02, and 1-03-006-03

Potential Throughput (MMCF) = Heat Input Capacity (MMBtu/hr) x 8,760 hrs/yr x 1 MMCF/1,020 MMBtu

Emission (tons/yr) = Throughput (MMCF/yr) x Emission Factor (lb/MMCF)/2,000 lb/ton

Hazardous Air Pollutants (HAPs)

	HAPs - Organics					
	Benzene	Dichlorobenzene	Formaldehyde	Hexane	Toluene	Total - Organics
Emission Factor in lb/MMcf	2.1E-03	1.2E-03	7.5E-02	1.8E+00	3.4E-03	
Potential Emission in tons/yr	1.3E-04	7.4E-05	4.6E-03	0.11	2.1E-04	0.12

	HAPs - Metals					
	Lead	Cadmium	Chromium	Manganese	Nickel	Total - Metals
Emission Factor in lb/MMcf	5.0E-04	1.1E-03	1.4E-03	3.8E-04	2.1E-03	
Potential Emission in tons/yr	3.1E-05	6.8E-05	8.7E-05	2.3E-05	1.3E-04	3.4E-04
						Total HAPs
						0.12
						Worst HAP
						0.11

Methodology is the same as above.

The five highest organic and metal HAPs emission factors are provided above.

Additional HAPs emission factors are available in AP-42, Chapter 1.4.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

October 3, 2018

Mr. Rob Sanch
DTE Gary, LLC
414 South Main Street, Suite 600
Ann Arbor, MI 48014

Re: Public Notice
DTE Gary, LLC
Permit Level:
Title V Administrative Operating Permit
Permit Number: 089-40252-00614

Dear Mr. Sanch:

Enclosed is a copy of your draft Title V Administrative Operating Permit, Technical Support Document, emission calculations, and the Public Notice which will be printed in your local newspaper.

The Office of Air Quality (OAQ) has prepared two versions of the Public Notice Document. The abbreviated version will be published in the newspaper, and the more detailed version will be made available on the IDEM's website and provided to interested parties. Both versions are included for your reference. The OAQ has requested that the Post Tribune in Merrillville, Indiana and The Times in Munster, Indiana publish the abbreviated version of the public notice no later than October 5, 2018. You will not be responsible for collecting any comments, nor are you responsible for having the notice published in the newspaper.

OAQ has submitted the draft permit package to the Gary Public Library and Cultural Center, 220 West 5th Avenue in Gary, Indiana. As a reminder, you are obligated by 326 IAC 2-1.1-6(c) to place a copy of the complete permit application at this library no later than ten (10) days after submittal of the application or additional information to our department. We highly recommend that even if you have already placed these materials at the library, that you confirm with the library that these materials are available for review and request that the library keep the materials available for review during the entire permitting process.

Please review the enclosed documents carefully. This is your opportunity to comment on the draft permit and notify the OAQ of any corrections that are needed before the final decision. Questions or comments about the enclosed documents should be directed to Andrew Belt, Indiana Department of Environmental Management, Office of Air Quality, 100 N. Senate Avenue, Indianapolis, Indiana, 46204 or call (800) 451-6027, and ask for extension (317) 232-3217 or dial (317) 232-3217.

Sincerely,

Vivian Haun

Vivian Haun
Permits Branch
Office of Air Quality

Enclosures
PN Applicant Cover Letter 1/9/2017



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

ATTENTION: PUBLIC NOTICES, LEGAL ADVERTISING

October 2, 2018

The Post Tribune
1433 E. 83rd Avenue
Merrillville, IN 46410

BILLED ACCOUNT NUMBER: CU00411904

Enclosed, please find one Indiana Department of Environmental Management Notice of Public Comment for DTE Gary, LLC, Lake County Indiana.

Since our agency must comply with requirements which call for a Notice of Public Comment, we request that you print this notice one time, no later than October 5, 2018.

Please send the invoice, notarized form, clippings showing the date of publication to Bo Liu, at the Indiana Department of Environmental Management, Accounting, Room N1340, 100 North Senate Avenue, Indianapolis, Indiana, 46204.

To ensure proper payment, please reference account # 100174737.

We are required by the Auditor's Office to request that you place the Federal ID Number on all claims. If you have any conflicts, questions, or problems with the publishing of this notice or if you do not receive complete public notice information for this notice, please call Vivian Haun at 800-451-6027 and ask for extension 3-6878 or dial 317-233-6878.

Sincerely,

Vivian Haun

Vivian Haun
Permit Branch
Office of Air Quality

Permit Level: Title V Administrative Operating Permit
Permit Number: 089-40252-00614

Enclosure
PN Newspaper.dot 1/9/2017



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

ATTENTION: PUBLIC NOTICES, LEGAL ADVERTISING

October 2, 2018

The Times
601 West 45th Avenue
Munster, IN 46321

Enclosed, please find one Indiana Department of Environmental Management Notice of Public Comment for DTE Gary, LLC, Lake County, Indiana.

Since our agency must comply with requirements which call for a Notice of Public Comment, we request that you print this notice one time, no later than October 5, 2018.

Please send the invoice, notarized form, clippings showing the date of publication to Bo Liu, at the Indiana Department of Environmental Management, Accounting, Room N1340, 100 North Senate Avenue, Indianapolis, Indiana, 46204.

To ensure proper payment, please reference account # 100174737.

We are required by the Auditor's Office to request that you place the Federal ID Number on all claims. If you have any conflicts, questions, or problems with the publishing of this notice or if you do not receive complete public notice information for this notice, please call Vivian Haun at 800-451-6027 and ask for extension 3-6878 or dial 317-233-6878.

Sincerely,

Vivian Haun

Vivian Haun
Permit Branch
Office of Air Quality

Permit Level: Title V Administrative Operating Permit
Permit Number: 089-40252-00614

Enclosure
PN Newspaper.dot 1/9/2017



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

October 3, 2018

To: Gary Public Library and Cultural Center

From: Jenny Acker, Branch Chief
Permits Branch
Office of Air Quality

Subject: **Important Information to Display Regarding a Public Notice for an Air Permit**

Applicant Name: DTE Gary, LLC
Permit Number: 089-40252-00614

Enclosed is a copy of important information to make available to the public. This proposed project is regarding a source that may have the potential to significantly impact air quality. Librarians are encouraged to educate the public to make them aware of the availability of this information. The following information is enclosed for public reference at your library:

- Notice of a 30-day Period for Public Comment
- Request to publish the Notice of 30-day Period for Public Comment
- Draft Permit and Technical Support Document

You will not be responsible for collecting any comments from the citizens. Please refer all questions and request for the copies of any pertinent information to the person named below.

Members of your community could be very concerned in how these projects might affect them and their families. **Please make this information readily available until you receive a copy of the final package.**

If you have any questions concerning this public review process, please contact Joanne Smiddie-Brush, OAQ Permits Administration Section at 1-800-451-6027, extension 3-0185. Questions pertaining to the permit itself should be directed to the contact listed on the notice.

Enclosures
PN Library 1/9/2017



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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

Notice of Public Comment

October 3, 2018
DTE Gary, LLC
089-40252-00614

Dear Concerned Citizen(s):

You have been identified as someone who could potentially be affected by this proposed air permit. The Indiana Department of Environmental Management, in our ongoing efforts to better communicate with concerned citizens, invites your comment on the draft permit.

Enclosed is a Notice of Public Comment, which has been placed in the Legal Advertising section of your local newspaper. The application and supporting documentation for this proposed permit have been placed at the library indicated in the Notice. These documents more fully describe the project, the applicable air pollution control requirements and how the applicant will comply with these requirements.

If you would like to comment on this draft permit, please contact the person named in the enclosed Public Notice. Thank you for your interest in the Indiana's Air Permitting Program.

Please Note: *If you feel you have received this Notice in error, or would like to be removed from the Air Permits mailing list, please contact Patricia Pear with the Air Permits Administration Section at 1-800-451-6027, ext. 3-6875 or via e-mail at PPEAR@IDEM.IN.GOV. If you have recently moved and this Notice has been forwarded to you, please notify us of your new address and if you wish to remain on the mailing list. Mail that is returned to IDEM by the Post Office with a forwarding address in a different county will be removed from our list unless otherwise requested.*

Enclosure
PN AAA Cover Letter 1/9/2017



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Governor

Bruno L. Pigott
Commissioner

AFFECTED STATE NOTIFICATION OF PUBLIC COMMENT PERIOD DRAFT INDIANA AIR PERMIT

October 3, 2018

A 30-day public comment period has been initiated for:

Permit Number: 089-40252-00614
Applicant Name: DTE Gary, LLC
Location: Gary, Lake County, Indiana

The public notice, draft permit and technical support documents can be accessed via the **IDEM Air Permits Online** site at:

<http://www.in.gov/ai/appfiles/idem-caats/>


Questions or comments on this draft permit should be directed to the person identified in the public notice by telephone or in writing to:

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

Questions or comments regarding this email notification or access to this information from the EPA Internet site can be directed to Chris Hammack at chammack@idem.IN.gov or (317) 233-2414.

Affected States Notification 1/9/2017


Mail Code 61-53

IDEM Staff	VHAUN 10/3/2018 DTE Gary LLC 089-40252-00614 DRAFT			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handing Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Rob Sanch DTE Gary LLC 414 S Main St, Suite 600 Ann Arbor MI 48104 (Source RM)										
2		Ronald Burnette Operations Manager DTE Gary LLC 414 S Main St, Suite 600 Ann Arbor MI 48104 (RO RM)										
3		Lake County Health Department-Gary 1145 W. 5th Ave Gary IN 46402-1795 (Health Department)										
4		WJOB / WZVN Radio 6405 Olcott Ave Hammond IN 46320 (Affected Party)										
5		Lowell Town Council and Town Manager PO Box 157, 501 East Main Street Lowell IN 46356 (Local Official)										
6		Craig Hogarth 7901 West Morris Street Indianapolis IN 46231 (Affected Party)										
7		Lake County Commissioners 2293 N. Main St, Building A 3rd Floor Crown Point IN 46307 (Local Official)										
8		Anthony Copeland 2006 E. 140th Street East Chicago IN 46312 (Affected Party)										
9		Barbara G. Perez 506 Lilac Street East Chicago IN 46312 (Affected Party)										
10		Mr. Robert Garcia 3733 Parrish Avenue East Chicago IN 46312 (Affected Party)										
11		Ms. Karen Krocze 8212 Madison Ave Munster IN 46321-1627 (Affected Party)										
12		Joseph Hero 11723 S Oakridge Drive St. John IN 46373 (Affected Party)										
13		Mr. Larry Davis 268 South, 600 West Hebron IN 46341 (Affected Party)										
14		Gary Public Library - Main Branch 220 West 5th Avenue Gary IN 46402 (Library)										
15		Ryan Dave 939 Cornwallis Munster IN 46321 (Affected Party)										

Total number of pieces Listed by Sender 15	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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Mail Code 61-53

IDEM Staff	VHAUN 10/3/2018 DTE Gary LLC 089-40252-00614 DRAFT			AFFIX STAMP HERE IF USED AS CERTIFICATE OF MAILING
Name and address of Sender		Indiana Department of Environmental Management Office of Air Quality – Permits Branch 100 N. Senate Indianapolis, IN 46204	Type of Mail: CERTIFICATE OF MAILING ONLY	

Line	Article Number	Name, Address, Street and Post Office Address	Postage	Handling Charges	Act. Value (If Registered)	Insured Value	Due Send if COD	R.R. Fee	S.D. Fee	S.H. Fee	Rest. Del. Fee	Remarks
1		Mark Coleman PO Box 85 Beverly Shores IN 46301-0085 (Affected Party)										
2		Robynn Andracssek Burns & McDonnell Engineering Company, Inc. 9400 Ward Parkway Kansas City MO 64114 (Consultant)										
3												
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Total number of pieces Listed by Sender 2	Total number of Pieces Received at Post Office	Postmaster, Per (Name of Receiving employee)	The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstructing insurance is \$50,000 per piece subject to a limit of \$50, 000 per occurrence. The maximum indemnity payable on Express mil merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on inured and COD mail. See International Mail Manual for limitations o coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.
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