State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

1/5/2009

Certified Mail
Facility ID: 1409010078
Permit Number: P0096496
County: Butler

John Funke
CINCINNATI GAS & ELECTRIC CO., DICKS CREEK
Duke Energy
P.O. Box 960, Mail Drop EX552
Cincinnati, OH 45201

RE: PRELIMINARY PROPOSED AIR POLLUTION TITLE V PERMIT
Permit Type: Renewal

Dear Permit Holder:

Enclosed is the Ohio EPA Preliminary Proposed Title V permit that was issued in draft form on 9/4/2008. The comment period for the Draft permit has ended. We are now ready to submit this permit to U.S. EPA for approval.

We are submitting this for your review and comment. If you do not agree with the Preliminary Proposed Title V permit as written, you now have the opportunity to raise your concerns. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page http://www.epa.state.oh.us/dapc in Microsoft Word and Adobe Acrobat format. Comments will be accepted as a marked-up copy of the permit or in narrative format. Any comments must be sent to the following within 14 days of your receipt of this letter:

Andrew Hall
Permit Review/Development Section
Ohio EPA, DAPC
50 West Town Street, Suite 700
Columbus, Ohio 43215

and

Hamilton County Dept. of Environmental Services
250 William Howard Taft Pkwy.
Cincinnati, OH 45219-2660

If you believe that it is necessary to have an informal conference with us, then, as part of your written comments, you should request a conference concerning the written comments.

If comments are not submitted within 14 days of your receipt of this letter, we will forward the proposed permit to U.S. EPA for approval. All comments received will be carefully considered before proceeding with the proposed permit.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: Hamilton County Dept. of Environmental Services

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

PRELIMINARY PROPOSED

Air Pollution Title V Permit

for

CINCINNATI GAS & ELECTRIC CO., DICKS CREEK

Facility ID: 1409010078
Permit Number: P0096496
Permit Type: Renewal
Issued: 1/5/2009
Effective: To be entered upon final issuance
Expiration: To be entered upon final issuance

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Air Pollution Title V Permit
for
CINCINNATI GAS & ELECTRIC CO., DICKS CREEK

Table of Contents

Authorization 1
A. Standard Terms and Conditions 2
1. Federally Enforceable Standard Terms and Conditions 3
2. Monitoring and Related Record Keeping and Reporting Requirements 3
3. Scheduled Maintenance 6
4. Risk Management Plans 6
5. Title IV Provisions 6
6. Severability Clause 7
7. General Requirements 7
8. Fees 8
9. Marketable Permit Programs 8
10. Reasonably Anticipated Operating Scenarios 8
11. Reopening for Cause 8
12. Federal and State Enforceability 9
13. Compliance Requirements 9
14. Permit Shield 10
15. Operational Flexibility 10
16. Emergencies 11
17. Off-Permit Changes 11
18. Compliance Method Requirements 12
19. Insignificant Activities or Emissions Levels 12
20. Permit to Install Requirement 12
21. Air Pollution Nuisance 12
22. Permanent Shutdown of an Emissions Unit 12
23. Title VI Provisions 13
24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only 13
25. Records Retention Requirements Under State Law Only 13
26. Inspections and Information Requests 13
27. Scheduled Maintenance/Malfunction Reporting 14
28. Permit Transfers 14

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 14

B. Facility-Wide Terms and Conditions..... 15

C. Emissions Unit Terms and Conditions 22

1. B006, Unit 1 Black Start No. 2 Fuel Oil……..23
2. Emissions Unit Group-Combustion Turbines: B001, B003, B004, B005……..27
3. Emissions Unit Group – Natural Gas Fired Boilers: Y001, Y002……...32

Authorization

Facility ID: 1409010078
Facility Description:
Application Number(s): A0028117, A0028118
Permit Number: P0096496
Permit Description: Title V renewal application
Permit Type: Renewal
Issue Date: 1/5/2009
Effective Date: To be entered upon final issuance
Expiration Date: To be entered upon final issuance
Superseded Permit Number: P0096495

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

CINCINNATI GAS & ELECTRIC CO., DICKS CREEK
632 Todhunter Road
Monroe, OH 45050-1029

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Hamilton County Dept. of Environmental Services
250 William Howard Taft Pkwy.
Cincinnati, OH 45219-2660
(513)946-7777

The above named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Hamilton County Dept. of Environmental Services. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months (540 days) and no later than 6 months (180 days) prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions

(2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions

(3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting

(4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
(Authority for term: ORC 3704.036(A))

2. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.
(Authority for term: OAC rule 3745-77-07(A)(3)(b)(i))

b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.
(Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii))

c) The permittee shall submit required reports in the following manner:

(1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:

Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c).

In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) constitutes a violation of an emission limitation (or control requirement) and, therefore, is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).

In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis.

Any scheduled maintenance, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures taken, shall be promptly made to the appropriate Ohio EPA District Office or local air agency. Except as provided below, the written reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation.

These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule.

If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition.

See A.29 below if no deviations occurred during the quarter.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2)c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.19, A.20, A.21, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally enforceable requirements not specifically addressed by permit or rule for the insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule.

In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation.

These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above.

If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.
(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b))

(4) Each written report shall be signed by a responsible official certifying that, "based on information and belief formed after reasonable inquiry, the statements and information in the report (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete."
(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))

(5) Reports of any required monitoring and/or record keeping information shall be submitted to Hamilton County Dept. of Environmental Services.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

3. Scheduled Maintenance

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

4. Risk Management Plans

If applicable, the permittee shall develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq. ("Act"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

a) a compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or

b) as part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

(Authority for term: OAC rule 3745-77-07(A)(4))

5. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.
(Authority for term: OAC rule 3745-77-07(A)(5))

6. Severability Clause

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
(Authority for term: OAC rule 3745-77-07(A)(6))

7. General Requirements

a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.

b) 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 federally enforceable terms and conditions of this permit.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with Standard Term and Condition A.11 below. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

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

e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

f) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:

(1) the permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on the permanent shutdown and removal of one or more emissions units identified in this permit; or

(2) the permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable ; or

(3) a combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminent sources once this permit ceases to be enforceable. The permittee

shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.
(Authority for term: OAC rule 3745-77-01(W), OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77(A)(7))

8. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78.
(Authority for term: OAC rule 3745-77-07(A)(8))

9. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.
(Authority for term: OAC rule 3745-77-07(A)(9))

10. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.
(Authority for term: OAC rule 3745-77-07(A)(10))

11. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.

c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.

d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

(Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D))

12. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

(Authority for term: OAC rule 3745-77-07(B))

13. Compliance Requirements

a) Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the

Director (the appropriate Ohio EPA District Office or local air agency) and the Administrator of the U.S. EPA in the following manner and with the following content:

(1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted (i.e., postmarked) on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

(a) An identification of each term or condition of this permit that is the basis of the certification.

(b) The permittee's current compliance status.

(c) Whether compliance was continuous or intermittent.

(d) The method(s) used for determining the compliance status of the source currently and over the required reporting period.

(e) Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.

(3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

(Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L))

14. Permit Shield

a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

(Authority for term: OAC rule 3745-77-07(F))

15. Operational Flexibility

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the appropriate Ohio EPA District Office or local air agency with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the appropriate District Office of the Ohio EPA or local air agency as

soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).
(Authority for term: OAC rules 3745-77-07(H)(1) and (2))

16. Emergencies

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.
(Authority for term: OAC rule 3745-77-07(G))

17. Off-Permit Changes

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.

b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as insignificant emissions levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.

c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).

d) The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.
(Authority for term: OAC rule 3745-77-07(I))

18. Compliance Method Requirements

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Fed. Reg. 8314, Feb. 24, 1997), in the context of any future proceeding.
(This term is provided for informational purposes only.)

19. Insignificant Activities or Emissions Levels

Each IEU that has one or more applicable requirements shall comply with those applicable requirements.
(Authority for term: OAC rule 3745-77-07(A)(1))

20. Permit to Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.
(Authority for term: OAC rule 3745-77-07(A)(1))

21. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.
(Authority for term: OAC rule 3745-77-07(A)(1))

22. Permanent Shutdown of an Emissions Unit

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the responsible official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the responsible official that the emissions unit was permanently shut down.

After the date on which an emissions unit is permanently shut down (i.e., that has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01(O)), rendering existing permit terms and conditions irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law.

No emissions unit certified by the responsible official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.
(Authority for term: OAC rule 3745-77-01)

23. Title VI Provisions

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

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

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

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

(Authority for term: OAC rule 3745-77-01(H)(11))

24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or record keeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (i) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. In identifying each deviation, the permittee shall specify the applicable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

25. Records Retention Requirements Under State Law Only

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

26. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports

pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.
(Authority for term: OAC rule 3745-77-07(C))

27. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

28. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.
(Authority for term: OAC rule 3745-77-01(C))

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

a) where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or

b) where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potentials to emit; or

c) where the company's responsible official has certified that an emissions unit has been permanently shut down.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) None

2. The following insignificant emissions units are located at this facility:

   a) B007 - emergency No. 2 fuel oil generator;

   b) L001 – non-halogenated cold cleaner;

   c) T004 (formerly Z001)– 4,000 gallon Internal Fixed Roof waste oil storage tank;

   d) T005 (formerly Z002)– 1,000 gallon waste oil storage tank;

   e) T006 (formerly Z003)– 2,000 gallon lube oil tank, and

   Each insignificant emissions unit at this facility must comply with all applicable state and federal regulations, as well as any emission limitations and/or control requirements contained within a permit to install for the emissions unit. Insignificant emissions units listed above that are not subject to specific permit to install requirements are subject to one or more applicable requirements contained in the SIP-approved versions of OAC Chapters 3745-17, 3745-18, and 3745-21.

3. Nitrogen Oxides (NOx) Budget Trading Program

   a) OAC Chapter 3745-14

      Office of Regulatory Information System Facility Code – 7158

   b) The following regulated electrical generating units are subject to the applicable requirements specified in OAC Chapter 3745-14 and the annual NOx allowance allocations listed below:

.	Annual Allowance for Calendar Years 2004 and 2005	Annual Allowance for Calendar Years 2006 and 2007
Emissions Unit		
B001	None	None

   c) The emissions units identified in 3.b) above are NOx budget units under OAC rule 3745-14-01(C)(1).

      [OAC rule 3745-14-01(C)(1)(a)(i)]

   d) The NOx authorized account representative shall submit a complete NOx budget permit application in accordance with the deadlines specified in paragraphs (B)(2) and (B)(3) of OAC rule 3745-14-03. The NOx authorized account representative shall also submit, in a timely manner, any supplemental information that the Director determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.

      [OAC rules 3745-14-01(E)(1)(a)(i), 3745-14-01(E)(1)(a)(ii), and 3745-14-03(B)(1)]

e) Beginning May 31, 2004, the owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under paragraph (E) of OAC rule 3745-14-06, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with OAC rule 3745-14-08, plus any amount necessary to account for actual utilization under paragraph (C)(5) of OAC rule 3745-14-05 for the control period.

[OAC rules 3745-14-01(E)(3)(a) and 3745-14-01(E)(3)(c)]

f) NOx allowances shall be held in, deducted from, or transferred among NOx allowance tracking system accounts in accordance with OAC rules 3745-14-05, 3745-14-06, 3745-14-07, and 3745-14-09.

[OAC rule 3745-14-01(E)(3)(d)]

g) A NOx allowance shall not be deducted, in order to comply with the requirement under paragraph (E)(3)(a) of OAC rule 3745-14-01, for a control period in a year prior to the year for which the NOx allowance was allocated.

[OAC rule 3745-14-01(E)(3)(e)]

h) Each ton of NOx emitted in excess of the NOx budget emission limitation, as defined in OAC rule 3745-14-01(B)(2)(yy), shall constitute a separate violation of OAC Chapter 3745-14, the Clean Air Act, and applicable Ohio law. The owners and operators of a NOx budget unit that has excess emissions in any control period shall surrender the NOx allowances required for deduction under paragraph (E)(4)(a) of OAC rule 3745-14-06 and pay any fine, penalty, or assessment or comply with any other remedy imposed under paragraph (E)(4)(c) of OAC rule 3745-14-06.

[OAC rules 3745-14-01(E)(3)(b), 3745-14-01(E)(4)(a) and 3745-14-01(E)(4)(b)]

i) When recorded by the Administrator pursuant to OAC rules 3745-14-06 and 3745-14-07, every allocation, transfer, or deduction of a NOx allowance to or from a NOx budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, any NOx budget permit of the NOx budget unit by operation of law without any further review.

[OAC rule 3745-14-01(E)(3)(h)]

j) Except as provided below, the Director shall revise the NOx budget permit, as necessary, in accordance with OAC rule 3745-77-08.

Each NOx budget permit is deemed to incorporate automatically the definitions of terms under paragraph (B) of OAC rule 3745-14-01 and, when recorded by the Administrator, in accordance with OAC rules 3745-14-06 and 3745-14-07, every allocation, transfer, or deduction of a NOx allowance to or from the compliance accounts of the NOx budget units covered by the permit or the overdraft account of the NOx budget source covered by the permit.

[OAC rules 3745-14-03(D)(2) and 3745-14-03(E)(1)]

k) The owner or operator of a NOx budget unit shall comply with the prohibitions under OAC rule 3745-14-08(A)(5).

[OAC rule 3745-14-08(A)(5)]

l) The owners and operators of the NOx budget unit shall keep on site at the source each of the following documents for a period of five years from the date the document is created: (This period may be extended for cause, at any time prior to the end of five years, in writing by the Director or Administrator.)

(1) the account certificate of representation for the NOx authorized account representative for the NOx budget unit and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with paragraph (D) of OAC rule 3745-14-02, provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate or representation changing the NOx authorized account representative;

(2) all emission monitoring information, in accordance with OAC rule 3745-14-08;

(3) copies of all reports, compliance certifications, and other submissions and all records made or required under the NOx budget trading program; and

(4) copies of all documents used to complete a NOx budget permit application and any other submission under the NOx budget trading program or to demonstrate compliance with the requirements of the NOx budget trading program.

[OAC rule 3745-14-01(E)(5)(a)(i) through (iv)]

m) The permittee shall operate and maintain equipment to continuously estimate and record nitrogen oxides emissions from these emissions units in units of the applicable standard(s). Such continuous estimating and recording equipment shall comply with the requirements specified in 40 CFR Part 75, Appendix E.

The permittee shall comply with the initial and re-certification procedures of 40 CFR Part 75.

The permittee shall maintain records of the following data obtained by the continuous nitrogen oxides estimating system: emissions of nitrogen oxides in lb/mmBtu actual heat input on an hourly average basis and emissions of nitrogen oxides in lbs/hr.

Whenever the monitoring system fails to meet the quality assurance or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

[OAC rules 3745-14-01(E)(2)(a), 3745-14-01(E)(5)(a)(ii), 3745-14-08(A)(2)(a) through (A)(2)(d), 3745-14-08(B)(1), and 3745-14-08(C)(1)]

n) The permittee shall comply with the monitoring plan requirements of 40 CFR Part 75.62, except that the monitoring plan shall also include all of the information required by Subpart H of 40 CFR Part 75.

[OAC rule 3745-14-08(E)(2)(a)]

o) The NOx authorized account representative of the NOx budget unit shall submit the reports and compliance certifications required under the NOx budget trading program, including those under OAC rules 3745-14-04 and 3745-14-08, to the Director and Administrator.

[OAC rule 3745-14-01(E)(5)(b)]

p) Each submission under the NOx budget trading program shall be submitted, signed, and certified by the NOx authorized account representative for each NOx budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NOx authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

If the NOx authorized account representative for a NOx budget unit subject to an acid rain emission limitation who signed and certified any submission that is made under Subpart F or G of 40 CFR Part 75 and which includes data and information required under OAC rule 3745-14-08 or Subpart H of 40 CFR Part 75 is not the same person as the designated representative or the alternate designated representative for the unit under 40 CFR Part 72, then the submission shall also be signed by the designated representative or the alternate designated representative.

[OAC rules 3745-14-02(A)(5) and 3745-14-08(E)(1)(b)]

q) The NOx authorized account representative shall submit quarterly reports that include all of the data and information required in Subpart H of 40 CFR Part 75 for each NOx budget unit (or group of units using a common stack) and the data and information in Subpart G of 40 CFR Part 75. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30 and October 30 of each year and shall be submitted in the manner specified in Subpart H of 40 CFR Part 75 and 40 CFR Part 75.64.

[OAC rules 3745-14-08(E)(4)(a) and 3745-14-08(E)(4)(c)(i)]

r) The NOx authorized account representative shall submit to the Administrator a compliance certification in support of each quarterly report based on a reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The compliance certification shall state that:

(1) the monitoring data submitted were recorded in accordance with the applicable requirements of OAC rule 3745-14-08 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(2) for a unit with add-on NOx emission controls and for all hours where data are substituted in accordance with 40 CFR Part 75.34(a)(1), the add-on emission control were operating within the range of parameters listed in the quality assurance program under Appendix B

of 40 CFR Part 75 and the substitute values do not systematically underestimate the NOx emissions.

[OAC rule 3745-14-08(E)(4)(d)(i) and (ii)]

s) The NOx authorized account representative for a NOx budget unit shall submit written notice of monitoring system certification and re-certification test dates to the Director and the Administrator in accordance with 40 CFR Part 75.61. The NOx authorized account representative shall submit a certification application to the Administrator, U.S. EPA, Region V Office, and the Director within forty-five days after completing all initial or re-certification tests required under paragraph (B) of OAC rule 3745-14-08, including the information required under Subpart H of 40 CFR Part 75.

[OAC rules 3745-14-08(D) and 3745-14-08(E)(3)]

t) For each control period in which one or more NOx budget units at a source are subject to the NOx budget emission limitation, the NOx authorized account representative of the source shall submit to the Director and the Administrator, by November 30 of that year, a compliance certification report for each source covering all such units.

The NOx authorized account representative shall include the following elements in the compliance certification report, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx budget emission limitation for the control period covered by the report:

(1) identification of each NOx budget unit;

(2) at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under paragraph (E) of OAC rule 3745-14-06 for the control period;

(3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with OAC rule 3745-14-08, the percentage of allowances that is to be deducted from each unit's compliance account under paragraph (E)(5) of OAC rule 3745-14-06; and

(4) the compliance certification under paragraph (A)(3) of OAC rule 3745-14-04.

[OAC rules 3745-14-04(A)(1) and 3745-14-04(A)(2)]

u) In the compliance certification report under 3.t)(4) above, the NOx authorized account representative shall certify, based upon reasonable inquiry of those persons with the primary responsibility for operating the source and the NOx budget units at the source in compliance with the NOx budget trading program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx budget trading program applicable to the unit, including all the following:

(1) whether the unit was operated in compliance with the NOx budget emission limitation;

(2) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with OAC rule 3745-14-08;

(3) whether all the NOx emissions from the unit, or group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with OAC rule 3745-14-08, and if conditional data were reported, the permittee shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report submissions have been made; and

(4) whether the facts that form the basis for certification under OAC rule 3745-14-08 of each monitor at the unit or group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under OAC rule 3745-14-08, if any, have changed.

If a change is required to be reported under 3.u)(4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor re-certification.

[OAC rule 3745-14-04(A)(3)]

v) The NOx authorized account representative shall submit a complete NOx budget permit renewal application for the NOx budget source covering the NOx budget units at the source in accordance with paragraph (E) of OAC rule 3745-77-08.

[OAC rule 3745-14-03(B)(3)(a)]

w) The emission measurements recorded and reported in accordance with OAC rule 3745-14-08 shall be used to determine compliance by the unit with the NOx budget emission limitation under paragraph (E)(3) of OAC rule 3745-14-01.

[OAC rule 3745-14-01(E)(2)(b)]

x) The permittee shall develop and maintain a written quality assurance/quality control plan for each continuous NOx monitoring system designed to ensure continuous valid and representative readings of NOx emissions in units of the applicable standard. The plan shall follow the requirements of 40 CFR Part 75, Appendix B. The quality assurance/quality control plan and a logbook dedicated to the continuous NOx monitoring system must be kept on-site and available for inspection during regular office hours.

[OAC rules 3745-14-08(A)(2)(c) and 3745-14-08(A)(2)(d)]

C. Emissions Unit Terms and Conditions

1. **B006, Unit 1 Black Start No. 2 fuel oil**

Operations, Property and/or Equipment Description:

Emergency No. 2 fuel oil generator (large bore/greater than 50 horsepower)

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-07(A)	Visible particulate emissions (PE) shall not exceed twenty percent opacity, as a six-minute average, except as specified by rule.
b.	OAC rule 3745-17-11(B)(5)(b)	0.062 lb of PE per MMBtu of actual heat input.
c.	OAC rule 3745-18-06(G)	0.5 lb of SO2/MMBtu of actual heat input. Compliance with the sulfur dioxide emission limitation shall be based upon a rolling, 30-day average of the daily sulfur dioxide emission rates in accordance with provisions listed in OAC rule 3745-18-04.

(2) Additional Terms and Conditions

a. None.

c) Operational Restrictions

(1) The quality of No. 2 fuel oil fuel burned in this emissions unit shall have a combination of heat and sulfur content which is sufficient to comply with the allowable sulfur dioxide emission limitation of 0.5 lb of SO2/MMBtu of actual heat input.

(Authority for term: OAC rule 3745-77-07(A)(1))

(2) The permittee shall burn only No. 2 fuel oil fuel in this emissions unit.

(Authority for term: OAC rule 3745-77-07(A)(1))

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain the records specified in either Option 1 or Option 2 below to document the quality of the No. 2 fuel oil fuel burned in this emission unit.

Option 1:

For each shipment of No. 2 fuel oil fuel received for burning in this emissions unit, the permittee shall maintain records of the total quantity of No. 2 fuel oil fuel received, the permittee's or No. 2 fuel oil fuel supplier's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/MMBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch, or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the No. 2 fuel oil fuel for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.

The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as D240 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter and D4294, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, or equivalent methods as approved by the Director..

Option 2

The permittee shall maintain records of the No. 2 fuel oil fuel burned in this emissions unit in accordance with either Alternative 1 or Alternative 2 described below.

a. Alternative 1:

For each shipment of No. 2 fuel oil fuel received for burning in this emissions unit, the permittee shall collect or require the No. 2 fuel oil fuel supplier to collect a representative grab sample of No. 2 fuel oil fuel and maintain records of the total quantity of No. 2 fuel oil fuel received, the permittee's or No. 2 fuel oil fuel supplier's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/MMBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch, or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the No. 2 fuel oil fuel for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.

b. Alternative 2:

The permittee shall collect a representative grab sample of No. 2 fuel oil fuel that is burned in this emissions unit for each day when the emissions unit is in operation. If additional No. 2 fuel oil fuel is added to the tank serving this emissions unit on a day when the emissions unit is in operation, the permittee shall collect a sufficient number of grab samples to develop a composite sample representative of the No. 2 fuel oil fuel burned in this emissions unit. A representative grab sample of No. 2 fuel oil fuel does not need to be collected on days when this emissions unit is only operated for the purpose of "test firing."

The permittee shall maintain records of the total quantity of No. 2 fuel oil fuel burned each day, except for the purpose of test firing, the permittee's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/MMBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F).

The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as ASTM methods D240 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter and D4294, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, or equivalent methods as approved by the Director.

(Authority for term: OAC rules 3745-18-04 and 3745-77-07(C)(1))

(2) For each day during which the permittee burns a fuel other than No. 2 fuel oil fuel, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit

(Authority for term: OAC rule 3745-77-07(C)(1))

e) Reporting Requirements

(1) The permittee shall notify the Hamilton County Department of Environmental Services in writing of any record that shows a deviation of the allowable sulfur dioxide emission limitation based upon the calculated sulfur dioxide emission rates from d)(1). The notification shall include a copy of such record and shall be sent to the Hamilton County Department of Environmental Services within 30 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

(2) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other No. 2 fuel oil was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

f) Testing Requirements

(1) Compliance with the emission limitation(s) in a) and b) of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

0.5 lb of SO2/MMBtu of actual heat input.

Applicable Compliance Method:

Compliance with the lb SO2/MMBtu emission limitation may be demonstrated by multiplying the emission factor of 1.01 by the sulfur content of the No. 2 fuel oil fuel oil (AP-42, Fifth Edition, Section 3.4 Large Stationary No. 2 fuel oil Engines,

Table 3.4-1, updated 10/96). The sulfur content of the No. 2 fuel oil fuel oil shall be determined by the record keeping in required d)(1).

If required the permittee shall demonstrate compliance with this emission limitation through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 4 and 6.

Compliance with the sulfur dioxide emission limitation shall be based upon a rolling, 30-day average of the daily sulfur dioxide emission rates, in accordance with the USEPA's policy entitled "Enforcement Policy for Sulfur Dioxide Emission Limitations in Ohio" and dated February 11, 1980 (45 FR 9101). The permittee may be required to perform sulfur dioxide emission tests if warranted by the USEPA's enforcement policy. In such cases, the methods and procedures specified in 40 CFR Part 60.46 shall be employed.

(Authority for term: OAC rules 3745-18-04 and 3745-77-07(C)(1))

b. Emission Limitation:

0.062 lb of PE/MMBtu of actual heat input.

Applicable Compliance Method:

Compliance may be based upon the emission factor of 0.062 lbs of PE/MMBtu specified in USEPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 3.4, Table 3.4-2 (10/96).

If required, the permittee shall demonstrate compliance with this emission limitation in accordance with the methods and procedures specified in OAC rule 3745-17-03(B)(10).

(Authority for term: OAC rules 3745-77-07(C)(1))

c. Emission Limitation:

Visible emissions shall not exceed twenty percent opacity, as a six-minute average, except as specified by rule.

Applicable Compliance Method:

If required, compliance shall be determined by visible emission evaluations performed in accordance with OAC rule 3745-17-03(B)(1).

(Authority for term: OAC 3745-77-07(C)(1))

g) Miscellaneous Requirements

(1) None.

2. **Emissions Unit Group - Combustion Turbines: B001, B003, B004, B005,**

EU ID	Operations, Property and/or Equipment Description
B001	100 MW Natural Gas/No. 2 Fuel Oil Fired Gas Turbine
B003	17 MW Natural Gas/No. 2 Fuel Oil Fired Gas Turbine
B004	21 MW Natural Gas/No. 2 Fuel Oil Fired Gas Turbine
B005	21 MW Natural Gas/No. 2 Fuel Oil Fired Gas Turbine

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-07(A)	Visible particulate emissions (PE) shall not exceed twenty percent opacity, as a six-minute average, except as specified by rule.
b.	OAC rule 3745-17-11(B)(4)	0.040 lb of PE per MMBtu of actual heat input.
c.	OAC rule 3745-18-15(H)(1)	0.5 lb of SO2/MMBtu of actual heat input. Compliance with the sulfur dioxide emission limitation shall be based upon a rolling, 30-day average of the daily sulfur dioxide emission rates in accordance with provisions listed in OAC rule 3745-18-04.

(2) Additional Terms and Conditions

a. None.

c) Operational Restrictions

(1) The quality of natural gas and No.2 fuel oil burned in this emissions unit shall have a combination of heat and sulfur content which is sufficient to comply with the allowable sulfur dioxide emission limitation of 0.5 lb of SO2/MMBtu of actual heat input.

(Authority for term: OAC rule 3745-77-07(A)(1))

(2) The permittee shall burn only Natural Gas or No. 2 fuel oil in this emissions unit.

(Authority for term: OAC rule 3745-77-07(A)(1))

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain the records specified in either Option 1 or Option 2 below to document the quality of the No. 2 fuel oil burned in this emission unit.

Option 1:

For each shipment of No. 2 fuel oil fuel received for burning in this emissions unit, the permittee shall maintain records of the total quantity of No. 2 fuel oil fuel received, the permittee's or No. 2 fuel oil fuel supplier's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/MMBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch, or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the No. 2 fuel oil fuel for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.

The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as D240 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter and D4294, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, or equivalent methods as approved by the Director..

Option 2

The permittee shall maintain records of the No. 2 fuel oil fuel burned in this emissions unit in accordance with either Alternative 1 or Alternative 2 described below.

a. Alternative 1:

For each shipment of No. 2 fuel oil fuel received for burning in this emissions unit, the permittee shall collect or require the No. 2 fuel oil fuel supplier to collect a representative grab sample of No. 2 fuel oil fuel and maintain records of the total quantity of No. 2 fuel oil fuel received, the permittee's or No. 2 fuel oil fuel supplier's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/MMBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F). A shipment may be comprised of multiple tank truck loads from the same supplier's batch, or may be represented by single or multiple pipeline deliveries from the same supplier's batch, and the quality of the No. 2 fuel oil fuel for those loads or pipeline deliveries may be represented by a single batch analysis from the supplier.

b. Alternative 2:

The permittee shall collect a representative grab sample of No. 2 fuel oil fuel that is burned in this emissions unit for each day when the emissions unit is in operation. If additional No. 2 fuel oil fuel is added to the tank serving this emissions unit on a day when the emissions unit is in operation, the permittee

shall collect a sufficient number of grab samples to develop a composite sample representative of the No. 2 fuel oil fuel burned in this emissions unit. A representative grab sample of No. 2 fuel oil fuel does not need to be collected on days when this emissions unit is only operated for the purpose of "test firing." The permittee shall maintain records of the total quantity of No. 2 fuel oil fuel burned each day, except for the purpose of test firing, the permittee's analyses for sulfur content and heat content, and the calculated sulfur dioxide emission rate (in lbs/MMBtu). The sulfur dioxide emission rate shall be calculated in accordance with the formula specified in OAC rule 3745-18-04(F).

The permittee shall perform or require the supplier to perform the analyses for sulfur content and heat content in accordance with 40 CFR Part 60, Appendix A, Method 19, or the appropriate ASTM methods, such as ASTM methods D240 Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter and D4294, Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-Ray Fluorescence Spectrometry, or equivalent methods as approved by the Director.

(Authority for term: OAC rules 3745-18-04 and 3745-77-07(C)(1))

(2) For each day during which the permittee burns a fuel other than natural gas or No. 2 fuel oil , the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit

(Authority for term: OAC and 3745-77-07(C)(1))

e) Reporting Requirements

(1) The permittee shall notify the Hamilton County Department of Environmental Services in writing of any record that shows a deviation of the allowable sulfur dioxide emission limitation based upon the calculated sulfur dioxide emission rates from d)(1). The notification shall include a copy of such record and shall be sent to the Hamilton County Department of Environmental Services within 30 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

(2) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas or No. 2 fuel oil was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

f) Testing Requirements

(1) Compliance with the emission limitation(s) in a) and b) of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

0.5 lb of SO2/MMBtu of actual heat input.

Applicable Compliance Method:

When burning No. 2 fuel oil, compliance with the lb of SO2/MMBtu emission limitation may be demonstrated by multiplying the emission factor of 1.01(S) lbs of SO2/MMBtu, where S is the sulfur content of the No.2 fuel oil (AP-42, Fifth Edition, Section 3.1, Table 3.1-2a updated 4/00). The sulfur content of the No. 2 fuel oil fuel oil shall be determined by the record keeping in required d)(1)

When burning natural gas, compliance with the lb of SO2/MMBtu emission limitation may be demonstrated by multiplying the emission factor of 0.94 by the sulfur content of the Natural Gas (AP-42, Fifth Edition, Section 3.1, Table 3.1-2a updated 4/00). The sulfur content of the natural gas shall be assumed to be negligible for emission calculation purposes.

If required the permittee shall demonstrate compliance with this emission limitation through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 4 and 6.

Compliance with the sulfur dioxide emission limitation shall be based upon a rolling, 30-day average of the daily sulfur dioxide emission rates, in accordance with the USEPA's policy entitled "Enforcement Policy for Sulfur Dioxide Emission Limitations in Ohio" and dated February 11, 1980 (45 FR 9101). The permittee may be required to perform sulfur dioxide emission tests if warranted by the USEPA's enforcement policy. In such cases, the methods and procedures specified in 40 CFR Part 60.46 shall be employed.

(Authority for term: OAC rules 3745-18-04 and 3745-77-07(C)(1))

b. Emission Limitation:

0.040 lb of PE/MMBtu of actual heat input.

Applicable Compliance Method:

Compliance may be based upon the emission factors specified in USEPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 3.1, Table 3.1-2a (4/00). When burning natural gas, compliance is demonstrated by the emission factor of 0.0019 lb of PE/MMBtu of actual heat input. When burning No.2 fuel oil, compliance is demonstrated by the emission factor of 0.0043 lb of PE/MMBtu of actual heat input.

If required, the permittee shall demonstrate compliance with this emission limitation in accordance with the methods and procedures specified in OAC rule 3745-17-03(B)(10).

(Authority for term: OAC rules 3745-77-07(C)(1))

c. Emission Limitation:

Visible emissions shall not exceed twenty percent opacity, as a six-minute average, except as specified by rule.

Applicable Compliance Method:

If required, compliance shall be determined by visible emission evaluations performed in accordance with OAC rule 3745-17-03(B)(1).

(Authority for term: OAC 3745-77-07(C)(1))

g) Miscellaneous Requirements

(1) None.

3. **Emissions Unit Group - Natural Gas Fired Boilers: Y001, Y002,**

EU ID	Operations, Property and/or Equipment Description
Y001	17.5 MMBtu/hr natural gas fired boiler
Y002	17.5 MMBtu/hr natural gas fired boiler

b) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-07(A)	Visible particulate emissions (PE) shall not exceed twenty percent opacity, as a six-minute average, except as specified by rule.
b.	OAC rule 3745-17-10(B)(1)	0.020 lb of PE per MMBtu of actual heat input.

(2) Additional Terms and Conditions

a. None.

c) Operational Restrictions

(1) The permittee shall burn only natural gas in this emissions unit.

(Authority for term: OAC rule 3745-77-07(A)(1))

d) Monitoring and/or Recordkeeping Requirements

(1) For each day during which the permittee burns a fuel other than natural gas, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit

(Authority for term: OAC and 3745-77-07(C)(1))

e) Reporting Requirements

(1) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

(Authority for term: OAC rule 3745-77-07(C)(1))

f) .Testing Requirements

(1) Compliance with the emission limitation(s) in a) and b) of these terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation:

0.020 lb of PE/MMBtu of actual heat input.

Applicable Compliance Method:

Compliance may be determined by multiplying the maximum natural gas usage rate of the emissions unit (MM cu. ft/hr) by the AP-42, Fifth Edition, Section 1.4, Table 1.4-2 (revised 7/98) emission factor of 1.9 lbs of filterable PE/MM cu. ft, and then dividing by the maximum hourly heat input capacity of the emissions unit (MMBtu/hr).

If required, the permittee shall demonstrate compliance with this emission limitation in accordance with the methods and procedures specified in OAC rule 3745-17-03(B)(10).

(Authority for term: OAC rules 3745-77-07(C)(1))

b. Emission Limitation:

Visible emissions shall not exceed twenty percent opacity, as a six-minute average, except as specified by rule.

Applicable Compliance Method:

If required, compliance shall be determined by visible emission evaluations performed in accordance with OAC rule 3745-17-03(B)(1).

(Authority for term: OAC 3745-77-07(C)(1))

g) Miscellaneous Requirements

(1) None.