



State of Ohio Environmental Protection Agency

Street Address:

Lazarus Gov. Center  
122 S. Front Street  
Columbus, OH 43215

TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center  
P.O. Box 1049  
Columbus, OH 43216-1049

June 12, 2003

**CERTIFIED MAIL**

0200401000 - Ashtabula Plant  
0247080487 - West Lorain  
0448020006 - Bay Shore Plant  
1677010022 - Gorge Plant  
1741160017 - W. H. Sammis Plant

0243160009 - Eastlake Plant  
0320010043 - Richland Peaking  
Station  
1318000245 - Lake Shore Plant

0247080049 - Edgewater Plant  
1707130015 - R. E. Burger Plant  
1741180018 - Toronto Plant

RE: Draft Title IV Chapter 3745-103 permits  
First Energy  
Daniel V. Steen, P.E.  
76 South Main St.  
Akron, Ohio 44308

Dear Mr. Steen:

You are hereby notified that the Ohio Environmental Protection Agency has prepared the enclosed drafts of the Title IV permits for the facilities referenced above. The purpose of these drafts is to solicit public comments concerning the issuance of final permits. A public notice concerning each draft will appear in the Ohio EPA Weekly Review and the major newspaper in the county where each facility is located. Comments concerning these draft permits and/or requests for a public hearing must be submitted within 30 days of the date of publication in the newspaper. Comments or requests for public hearing should be submitted to :

Dana Thompson  
Ohio EPA  
Division of Air Pollution Control  
P.O. Box 1049  
Columbus, Ohio 43216-1049

You will be notified in writing if a public hearing is scheduled.

A decision on issuance of each final Title IV permit will be made after consideration of written public comments and oral testimony (if a public hearing is conducted). After the comment period, you will be provided a copy of each preliminary proposed Title IV permit and an opportunity to comment prior to submittal of the proposed Title IV permit to USEPA.

If you have any questions about these draft Title IV permits, please contact Dana Thompson at (614) 644-3701.

Sincerely yours,

Michael Ahern, Manager  
Permit Issuance and Data Management Section  
Division of Air Pollution Control

cc: Cecilia Mijares, U.S. EPA Region 5  
Thomas Maslany, U.S. EPA Region 3  
John F. Slade, Bureau of Air Quality, Pennsylvania DEP  
Elizabeth Warner, Southwest Regional Office, Pennsylvania DEP

Jim Orlemann, DAPC Engineering  
Robert Miller, U.S.EPA Clean Air Markets Division  
M. Gail Twymon, First Energy

December 31, 2002

CERTIFIED MAIL: 7000 0600 0026 3626 8659

Ms. Cecilia Mijares  
U.S. EPA – Region V (AR-18J)  
77 West Jackson Boulevard  
Chicago, IL 60604-3507

CERTIFIED MAIL: 7000 0600 0026 3626 8680

✓ Mr. Charles Branch  
Ohio EPA  
Lazarus Government Center  
P. O. Box 1049  
Columbus, OH 43216-1049

CERTIFIED MAIL: 7000 0600 0026 3626 8666

Mr. John F. Slade  
Bureau of Air Quality  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17105

CERTIFIED MAIL: 7000 0600 0026 3626 8697

Mr. Robert Miller  
U.S. EPA  
Clean Air Markets Division  
1200 Pennsylvania Avenue, NW  
Mail Code 6204N  
Washington, DC 20460

CERTIFIED MAIL: 7000 0600 0026  
3626 8673

Mr. Thomas Maslany  
U.S. EPA-Region III (3WP00)  
1650 Arch Street  
Philadelphia, PA 19103-2029

CERTIFIED MAIL: 7000 0600 0026  
3626 8703

Ms. Elizabeth Warner  
Southwest Regional Office  
Pennsylvania DEP  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Dear Sir or Madam:

On October 2, 2002 I submitted to you two completed EPA Forms 7610-29, "Phase II NOx Averaging Plan" for the calendar year 2003. One of the two plans included Bruce Mansfield Unit 3. Robert Miller of the Clean Air Markets Division and Elizabeth Warner of PaDEP independently contacted Dale Canary, FirstEnergy's Manager of Environmental Control, and informed him that we had incorrectly identified the Title IV annual NOx emission rate limit for Bruce Mansfield Unit 3 as 0.50 lb NOx/mmBtu in the NOx averaging plan. The correct limit should be 0.46 lb NOx/mmBtu.

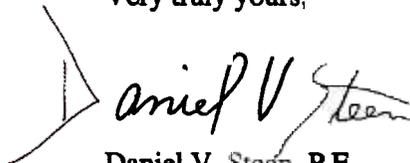
Several years ago we had petitioned the Agency and were granted "Early Election Unit" status for Bruce Mansfield Unit 3. The emission rate limit was changed at that time from 0.46 to 0.50 lb NOx/mmBtu. What we failed to realize is that the early election unit limit of 0.50 was applicable to stand-alone unit NOx compliance and could not be applied if Unit 3 was included in a NOx averaging plan. The Part 76 NOx regulations require that the original 0.46 lb NOx/mmBtu annual NOx emission rate be utilized in the NOx averaging plan.

Therefore, I am submitting to you a revised NOx averaging plan for calendar year 2003, which incorporates the lower NOx emission rate limit (0.46) for Bruce Mansfield Unit 3. We have changed the alternative contemporaneous annual emissions limitation (ACEL) to 0.46 as well.

Review of our past NOx averaging plans revealed that we made the same error for the plans submitted for calendar years 2001 and 2002. Therefore, I am also submitting to you today revised NOx averaging plans for years 2001 and 2002, which incorporates the lower NOx emission rate limit (0.46) for Bruce Mansfield Unit 3. We have changed the alternative contemporaneous annual emissions limitation (ACEL) to 0.46 as well. Compliance is not an issue because we significantly overcomplied in those years. Had we used actual emission rates for ACEL and actual heat input mmBtu for the plan for year 2001 rather than the original projections we would show a 0.47 Btu-weighted annual emission rate averaged over the units compared to the 0.52 Btu-weighted annual average emission rate limit.

We regret any inconvenience this may cause. Should you require any further information regarding this matter, please call Dale A. Canary at (330) 384-5744.

Very truly yours,



Daniel V. Steen, P.E.  
Designated Representative

DAK/DWC  
Enclosure

- c: RLEvans
- DAKAnary
- JLParks
- FJStarheim
- MGTwymon
- DJWeber



- w/enclosure



Year 2003

# Phase II NO<sub>x</sub> Averaging Plan

For more information, see instructions and refer to 40 CFR 76.11

Page 1

This submission is:  New  Revised

Page 1 of 3

## STEP 1

Identify the units participating in this averaging plan by plant name, State, and boiler ID# from NADB. In column (a), fill in each unit's applicable emission limitation from 40 CFR 76.5, 76.6, or 76.7. In column (b), assign an alternative contemporaneous annual emissions limitation (ACEL) in lb/mmBtu to each unit. In column (c), assign an annual heat input limitation in mmBtu to each unit. Continue to page 3 if necessary.

Plant Name	State	ID#	(a) Emission Limitation	(b) ACEL	(c) Annual Heat Input Limit
Bruce Mansfield	PA	1	0.50	0.50	62,174,568
Bruce Mansfield	PA	2	0.50	0.50	44,133,273
Bruce Mansfield	PA	3	0.46	0.46	50,174,106
Edgewater	OH	11	0.80	0.80	0
Edgewater	OH	12	0.80	0.80	0
Edgewater	OH	13	0.50	0.50	0
Gorge	OH	25	0.50	0.50	0
Gorge	OH	26	0.50	0.50	0
R. E. Burger	OH	1	0.84	0.84	0

## STEP 2

Use the formula to enter the Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan and the Btu-weighted annual average emission rate for the same units if they are operated in compliance with 40 CFR 76.5, 76.6, or 76.7. The former must be less than or equal to the latter.

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan

Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7

0.49910

≤

0.49910

$$\frac{\sum_{i=1}^n (R_{Li} \times HI_i)}{\sum_{i=1}^n HI_i}$$

≤

$$\frac{\sum_{i=1}^n [R_{1i} \times HI_i]}{\sum_{i=1}^n HI_i}$$

Where,

- R<sub>Li</sub> = Alternative contemporaneous annual emission limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;
- R<sub>1i</sub> = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;
- HI<sub>i</sub> = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;
- n = Number of units in the averaging plan

**STEP 3**

Mark one of the two options and enter dates.

This plan is effective for calendar year 2003 through calendar year 2003 unless notification to terminate the plan is given.

Treat this plan as  identical plans, each effective for one calendar year for the following calendar years: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ unless notification to terminate one or more of these plans is given.

**STEP 4**

Read the special provisions and certification, enter the name of the designated representative, and sign and date.

**Special Provisions**

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO<sub>x</sub> under the plan only if the following requirements are met:

- (i) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
  - (a) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan,
  - (b) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan, or
- (ii) If one or more of the units does not meet the requirements of (i), the designated representative shall demonstrate, in accordance with 40 CFR 76.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
- (iii) If there is a successful group showing of compliance under 40 CFR 76.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (i).

Liability

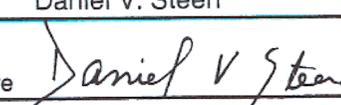
The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. 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.

Name	Daniel V. Steen	
Signature		Date 12-30-02



November 1, 2002

NOV 14 2002

**CERTIFIED MAIL:**

Cecilia Mijares  
U. S. EPA – Region V (AR-18J)  
77 W. Jackson Boulevard  
Chicago, IL 60604-3507

**CERTIFIED MAIL:**

Charles Branch  
Ohio EPA  
Lazarus Government Center  
P. O. Box 1049  
Columbus, OH 43216-1049

**CERTIFIED MAIL:**

John F. Slade  
Bureau of Air Quality  
Rachel Carson State Office  
Building  
400 Market Street  
Harrisburg, PA 17105

**CERTIFIED MAIL:**

Brian J. McLean  
U. S. EPA  
Acid Rain Program (6204J)  
1200 Pennsylvania Avenue,  
NW  
Washington, DC 2001

**CERTIFIED MAIL:**

Thomas Maslany  
U. S. EPA-Region III  
(3WP00)  
1650 Arch Street  
Philadelphia, PA 19103-2029

**CERTIFIED MAIL:**

Elizabeth Warner  
Southwest Regional Office  
Pennsylvania DEP  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Dear Sir or Madam:

Enclosed please find applications for renewal of the Acid Rain Permits for the following First Energy facilities:

Ohio Edison Company

R. E. Burger	8 boilers
Edgewater	5 boilers
Gorge	2 boilers
W. H. Sammis	7 boilers
Toronto	3 boilers

Cleveland Electric Illuminating

Ashtabula	5 boilers
Eastlake	5 boilers
Lake Shore	5 boilers

Toledo Edison

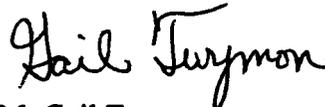
Bay Shore	4 boilers
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Included with this submittal is:

- The Acid Rain Permit Application form
- Phase II NOx Averaging Plan
- Phase II NOx Compliance Plan

This information is being submitted in accordance with 40 CFR 72.30-72.31. If you should have any questions or require additional information, please contact me at (330) 761-4487.

Sincerely,

A handwritten signature in black ink that reads "Gail Twymon". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

M. Gail Twymon  
Technical Specialist

MGT  
Enclosures



### Permit Requirements

**STEP 3**

Read the  
standard  
requirements

- (1) The designated representative of each affected source and each affected unit at the source shall:
  - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
  - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
  - (ii) Have an Acid Rain Permit.

### Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

### Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
  - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another affected unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
  - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
  - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
  - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

**Nitrogen Oxides Requirements** The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

**Excess Emissions Requirements**

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
  - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
  - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

**Recordkeeping and Reporting Requirements**

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
  - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
  - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
  - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

**Liability**

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

**Liability, Cont'd.**

- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO<sub>x</sub> averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

**Effect on Other Authorities**

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

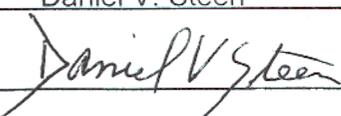
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

**STEP 4**

Read the certification statement, sign, and date

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. 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.

Name	Daniel V. Steen	
Signature		Date October 29, 2002



# Phase II NO<sub>x</sub> Compliance Plan

For more information, see instructions and refer to 40 CFR 76.9

This submission is:  New  Revised

**STEP 1**  
Indicate plant name, State, and ORIS code from NADB, if applicable

R. E. Burger Plant Name		OH State	2864 ORIS Code
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**STEP 2**

Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB, if applicable. Indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.

ID# 1	ID# 2	ID# 3	ID# 4	ID# 5	ID# 6
Type WB					

(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for Phase I dry bottom wall-fired boilers)

<input type="checkbox"/>					
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(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase I tangentially fired boilers)

<input type="checkbox"/>					
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(c) EPA-approved early election plan under 40 CFR 76.8 through 12/31/07 (also indicate above emission limit specified in plan)

<input type="checkbox"/>					
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(d) Standard annual average emission limitation of 0.46 lb/mmBtu (for Phase II dry bottom wall-fired boilers)

<input type="checkbox"/>					
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(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for Phase II tangentially fired boilers)

<input type="checkbox"/>					
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(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)

<input type="checkbox"/>					
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(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)

<input type="checkbox"/>					
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(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)

<input type="checkbox"/>					
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(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)

<input checked="" type="checkbox"/>					
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(j) NO<sub>x</sub> Averaging Plan (Include NO<sub>x</sub> Averaging form)

<input checked="" type="checkbox"/>					
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(k) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)

<input type="checkbox"/>					
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(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO<sub>x</sub> Averaging (check the NO<sub>x</sub> Averaging Plan box and include NO<sub>x</sub> Averaging form)

<input type="checkbox"/>					
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# Phase II NO<sub>x</sub> Compliance Plan

For more information, see instructions and refer to 40 CFR 76.9

This submission is:  New  Revised

**STEP 1**  
Indicate plant name, State, and ORIS code from NADB, if applicable

R. E. Burger Plant Name	OH State	2864 ORIS Code
----------------------------	-------------	-------------------

**STEP 2**

Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB, if applicable. Indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.

ID# 7	ID# 8	ID#	ID#	ID#	ID#
Type DBW	Type DBW	Type	Type	Type	Type

(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for Phase I dry bottom wall-fired boilers)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase I tangentially fired boilers)

<input type="checkbox"/>					
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(c) EPA-approved early election plan under 40 CFR 76.8 through 12/31/07 (also indicate above emission limit specified in plan)

<input type="checkbox"/>					
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(d) Standard annual average emission limitation of 0.46 lb/mmBtu (for Phase II dry bottom wall-fired boilers)

<input type="checkbox"/>					
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(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for Phase II tangentially fired boilers)

<input type="checkbox"/>					
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(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)

<input type="checkbox"/>					
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(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)

<input type="checkbox"/>					
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(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)

<input type="checkbox"/>					
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(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)

<input type="checkbox"/>					
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(j) NO<sub>x</sub> Averaging Plan (include NO<sub>x</sub> Averaging form)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-------------------------------------	-------------------------------------	--------------------------	--------------------------	--------------------------	--------------------------

(k) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)

<input type="checkbox"/>					
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(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO<sub>x</sub> Averaging (check the NO<sub>x</sub> Averaging Plan box and include NO<sub>x</sub> Averaging form)

<input type="checkbox"/>					
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Plant Name (from Step 1) R. E. Burger

STEP 2, cont'd.

ID#	ID#	ID#	ID#	ID#	ID#
Type	Type	Type	Type	Type	Type

- (m) EPA-approved common stack apportionment method pursuant to 40 CFR 75.17 (a)(2)(i)(C), (a)(2)(iii)(B), or (b)(2)
- (n) AEL (include Phase II AEL Demonstration Period, Final AEL Petition, or AEL Renewal form as appropriate)
- (o) Petition for AEL demonstration period or final AEL under review by U.S. EPA or demonstration period ongoing
- (p) Repowering extension plan approved or under review

STEP 3  
Read the standard requirements and certification, enter the name of the designated representative, sign &

Standard Requirements

General. This source is subject to the standard requirements in 40 CFR 72.9 (consistent with 40 CFR 76.8(e)(1)(i)). These requirements are listed in this source's Acid Rain Permit.

Special Provisions for Early Election Units

Nitrogen Oxides. A unit that is governed by an approved early election plan shall be subject to an emissions limitation for NO<sub>x</sub> as provided under 40 CFR 76.8(a)(2) except as provided under 40 CFR 76.8(e)(3)(iii).  
Liability. The owners and operators of a unit governed by an approved early election plan shall be liable for any violation of the plan or 40 CFR 76.8 at that unit. The owners and operators shall be liable, beginning January 1, 2000, for fulfilling the obligations specified in 40 CFR Part 77.  
Termination. An approved early election plan shall be in effect only until the earlier of January 1, 2008 or January 1 of the calendar year for which a termination of the plan takes effect. If the designated representative of the unit under an approved early election plan fails to demonstrate compliance with the applicable emissions limitation under 40 CFR 76.5 for any year during the period beginning January 1 of the first year the early election takes effect and ending December 31, 2007, the permitting authority will terminate the plan. The termination will take effect beginning January 1 of the year after the year for which there is a failure to demonstrate compliance, and the designated representative may not submit a new early election plan. The designated representative of the unit under an approved early election plan may terminate the plan any year prior to 2008 but may not submit a new early election plan. In order to terminate the plan, the designated representative must submit a notice under 40 CFR 72.40(d) by January 1 of the year for which the termination is to take effect. If an early election plan is terminated any year prior to 2000, the unit shall meet, beginning January 1, 2000, the applicable emissions limitation for NO<sub>x</sub> for Phase II units with Group 1 boilers under 40 CFR 76.7. If an early election plan is terminated on or after 2000, the unit shall meet, beginning on the effective date of the termination, the applicable emissions limitation for NO<sub>x</sub> for Phase II units with Group 1 boilers under 40 CFR 76.7.

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. 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.

Name Daniel V. Steen	
Signature <i>Daniel V Steen</i>	Date 10-2-02



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## TITLE IV ACID RAIN PERMIT - DRAFT PERMIT

Effective Date:

Facility ID: 0607130015 B005

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

R.E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700

of a Title IV Acid Rain Permit for:

Unit #1

### General Terms & Conditions

#### 1. Statement of Basis

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

#### 2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 1	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	1233	1233	1233	1233	1233

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### **3. Nitrogen Oxides (NOx) Requirements**

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NOx emissions averaging plan for this unit, effective for calendar year 2003, and a NOx standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NOx emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.84 lb/mmBtu**. Under the standard plan, this unit's annual average NOx emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(3) of rule 3745-103-58 of the Administrative Code, of **0.84 lb/mmBtu for wet bottom boilers..**

Under the averaging plan, the actual Btu-weighted annual average NOx emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NOx emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NOx compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NOx compliance plan and requirements covering excess emissions.

The requirements in this permit are designed to meet Title IV of the Clean Air Act and the corresponding regulations of U.S. EPA and Ohio EPA. This source is also required to meet any applicable requirements of 3745-14-01 through 3745-14-11 of the Ohio Administrative Code.

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

### **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

None.

### **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

**ATTACHED.**

### **6. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

Ohio EPA, DAPC  
Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Director



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**TITLE IV ACID RAIN PERMIT - DRAFT PERMIT**

Effective Date:

Facility ID: 0607130015 B006

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

R.E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700

of a Title IV Acid Rain Permit for:

Unit #2

**General Terms & Conditions****1. Statement of Basis**

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

**2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations**

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 2	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	1206	1206	1206	1206	1206

## Draft Title IV Acid Rain Permit for R.E. BURGER

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### 3. Nitrogen Oxides (NO<sub>x</sub>) Requirements

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.84 lb/mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(3) of rule 3745-103-58 of the Administrative Code, of **0.84 lb/mmBtu for wet bottom boilers.**

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

The requirements in this permit are designed to meet Title IV of the Clean Air Act and the corresponding regulations of U.S. EPA and Ohio EPA. This source is also required to meet any applicable requirements of 3745-14-01 through 3745-14-11 of the Ohio Administrative Code.

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

### **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

Repowering extension plans has been approved and activated.

### **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

**ATTACHED.**

### **6. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

Ohio EPA, DAPC  
Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Director



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**TITLE IV ACID RAIN PERMIT - DRAFT PERMIT**

Effective Date:

Facility ID: 0607130015 B007

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

**R. E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700**

of a Title IV Acid Rain Permit for:

Unit #3

**General Terms & Conditions****1. Statement of Basis**

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

**2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations**

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 3	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	1246	1246	1246	1246	1246

## Draft Title IV Acid Rain Permit for R. E. BURGER

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### 3. Nitrogen Oxides (NO<sub>x</sub>) Requirements

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.84 lb/mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(3) of rule 3745-103-58 of the Administrative Code, of **0.84 lb/mmBtu for wet bottom boilers**.

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

The requirements in this permit are designed to meet Title IV of the Clean Air Act and the corresponding regulations of U.S. EPA and Ohio EPA. This source is also required to meet any applicable requirements of 3745-14-01 through 3745-14-11 of the Ohio Administrative Code.

# Draft Title IV Acid Rain Permit for R. E. BURGER

## 4. Comments, Notes, and Justifications

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

None.

## 5. Permit Application

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

ATTACHED.

## 6. Permit Renewal

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

Ohio EPA, DAPC  
Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

OHIO ENVIRONMENTAL PROTECTION AGENCY

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Director



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## TITLE IV ACID RAIN PERMIT - DRAFT PERMIT

Effective Date:

Facility ID: 0607130015 B008

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

**R.E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700**

of a Title IV Acid Rain Permit for:

**Unit #4**

### General Terms & Conditions

#### 1. Statement of Basis

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

#### 2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 4	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	1275	1275	1275	1275	1275

## Draft Title IV Acid Rain Permit for R.E. BURGER

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### 3. Nitrogen Oxides (NO<sub>x</sub>) Requirements

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.84 lb/mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(3) of rule 3745-103-58 of the Administrative Code, of **0.84 lb/mmBtu** for **wet bottom** boilers..

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

The requirements in this permit are designed to meet Title IV of the Clean Air Act and the corresponding regulations of U.S. EPA and Ohio EPA. This source is also required to meet any applicable requirements of 3745-14-01 through 3745-14-11 of the Ohio Administrative Code.

# **Draft Title IV Acid Rain Permit for R.E. BURGER**

## **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

None.

## **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

**ATTACHED.**

## **6. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

Ohio EPA, DAPC  
Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Director



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**TITLE IV ACID RAIN PERMIT - DRAFT PERMIT**

Effective Date:

Facility ID: 0607130015 B009

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

R.E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700

of a Title IV Acid Rain Permit for:

Unit #5

**General Terms & Conditions**

**1 Statement of Basis**

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

**2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations**

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 5	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	1327	1327	1327	1327	1327

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### **3. Nitrogen Oxides (NO<sub>x</sub>) Requirements**

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.75 lb/mmBtu**, and this unit shall not have an annual heat input less than **289,985 mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(3) of rule 3745-103-58 of the Administrative Code, of **0.84 lb/mmBtu** for **wet bottom** boilers.

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

The requirements in this permit are designed to meet Title IV of the Clean Air Act and the corresponding regulations of U.S. EPA and Ohio EPA. This source is also required to meet any applicable requirements of 3745-14-01 through 3745-14-11 of the Ohio Administrative Code.

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

### **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

None

### **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

**ATTACHED.**

### **6. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

Ohio EPA, DAPC  
Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Director



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**TITLE IV ACID RAIN PERMIT - DRAFT PERMIT**

Effective Date:

Facility ID: 0607130015 B006

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

R.E. BURGER, 57246 Ferry Landing Road, Shadyside, OH 43947-9700

of a Title IV Acid Rain Permit for:

Unit #6

**General Terms & Conditions****1. Statement of Basis**

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

**2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations**

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 6	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	1325	1325	1325	1325	1325

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### **3. Nitrogen Oxides (NO<sub>x</sub>) Requirements**

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.75 lb/mmBtu**, and this unit shall not have an annual heat input less than **289,985 mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(3) of rule 3745-103-58 of the Administrative Code, of **0.84 lb/mmBtu** for **wet bottom** boilers.

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

### **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

None.

### **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

**ATTACHED.**

### **6. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

Ohio EPA, DAPC  
Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Director



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**TITLE IV ACID RAIN PERMIT - DRAFT PERMIT**

Effective Date:

Facility ID: 0607130015 B011

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

R.E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700

of a Title IV Acid Rain Permit for:

Unit #7

**General Terms & Conditions****1. Statement of Basis**

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

**2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations**

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 7	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	4647	4647	4647	4647	4647

## Draft Title IV Acid Rain Permit for R.E. BURGER

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### 3. Nitrogen Oxides (NO<sub>x</sub>) Requirements

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.55 lb/mmBtu**, and this unit shall not have an annual heat input greater than **13,226,163 mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(2) of rule 3745-103-57 of the Administrative Code, of **0.50 lb/mmBtu for dry bottom wall-fired boilers**.

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input restriction. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

The requirements in this permit are designed to meet Title IV of the Clean Air Act and the corresponding regulations of U.S. EPA and Ohio EPA. This source is also required to meet any applicable requirements of 3745-14-01 through 3745-14-11 of the Ohio Administrative Code.

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

### **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

None.

### **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

ATTACHED.

### **6. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. It is the permittee's responsibility to renew this permit even if no notice of its expiration is received. If you are not contacted, please contact:

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Title IV Permit Writer  
P.O. Box 1049  
Columbus, OH 43216-1049  
(614) 644-2270

**OHIO ENVIRONMENTAL PROTECTION AGENCY**

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Director



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**TITLE IV ACID RAIN PERMIT - DRAFT PERMIT**

Effective Date:

Facility ID: 0607130015 B012

Expiration Date:

SIC Code: 4911 ORIS Code: 2864

This document constitutes issuance for:

R.E. BURGER, 57246 Ferry Landing Road, Shadyside, Ohio 43947-9700

of a Title IV Acid Rain Permit for:

Unit #8

**General Terms & Conditions****Statement of Basis**

In accordance with Ohio Revised Code Section 3704 and Titles IV and V of the Clean Air Act, the Ohio Environmental Protection Agency issues this permit pursuant to Ohio Administrative Code Chapters 3745-103 and 3745-77.

**2. Sulfur Dioxide (SO<sub>2</sub>) Allowance Allocations**

Sulfur dioxide (SO<sub>2</sub>) emissions limitations for affected units in the Acid Rain Program are denoted in allowances, which represents tons of SO<sub>2</sub>. Within the Title IV Acid Rain Permit, the number of allowances by U.S. EPA to specific affected units are indicated in the below SO<sub>2</sub> Allowance Allocation Table.

SO <sub>2</sub> ALLOWANCE ALLOCATION						
YEAR		2003	2004	2005	2006	2007
UNIT 8	SO <sub>2</sub> Allowances under Table 2 of 40 CFR Section 73.10	5359	5359	5359	5359	5359

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. This situation does not necessitate a revision to the unit SO<sub>2</sub> allowance allocations identified in this permit (See 40 CFR 72.84).

### **3. Nitrogen Oxides (NO<sub>x</sub>) Requirements**

Pursuant to rules 3745-103-55 through 3745-103-67 of the Administrative Code, the Ohio EPA approves a NO<sub>x</sub> emissions averaging plan for this unit, effective for calendar year 2003, and a NO<sub>x</sub> standard emissions limitation plan for this unit, effective for calendar years 2004 through 2007. Under the averaging plan, this unit's NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of **0.55 lb/mmBtu**, and this unit shall not have an annual heat input greater than **16,408,206 mmBtu**. Under the standard plan, this unit's annual average NO<sub>x</sub> emissions rate, determined in accordance with 40 CFR Part 75, shall not exceed the applicable emission limitation, under Paragraph (A)(2) of rule 3745-103-57 of the Administrative Code, of **0.50 lb/mmBtu for dry bottom wall-fired boilers**.

Under the averaging plan, the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under rules 3745-103-57, 3745-103-58, or 3745-103-59 of the Administrative Code, except that for any early election units, the applicable emission limitations shall be under rule 3745-103-59 of the Administrative Code. If the designated representative demonstrates that the requirement of the prior sentence as set forth in paragraph (D)(1)(b)(i) of rule 3745-103-63 of the Administrative Code is met for a year under the averaging plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit. In accordance with paragraph (A)(2) of rule 3745-103-09 of the Administrative Code, approval of the averaging plan shall be final only when Pennsylvania has also approved this averaging plan.

In addition to the described NO<sub>x</sub> compliance plans, this unit shall comply with all other applicable requirements of rules 3745-103-55 through 3745-103-67 of the Administrative Code, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

### **4. Comments, Notes, and Justifications**

This section contains any statements of factual, legal, and policy considerations used in the issuance of this final Title IV Acid Rain Permit.

## **Draft Title IV Acid Rain Permit for R.E. BURGER**

None

### **5. Permit Application**

Attached as part of this permit is the permittee's Title IV Acid Rain Permit application. The application contains additional conditions, terms and limitations that must be met and that are a part of this permit. The application identifies the affected source, affected units, and specifies standard requirements (Permit Requirements, Monitoring Requirements, Sulfur Dioxide Requirements, Nitrogen Oxides Requirements, Excess Emissions Requirements, Record keeping and Reporting Requirements, Liability, and Effect on Other Authorities).

**ATTACHED.**

### **6. Permit Renewal**

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