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

7/13/2009

Certified Mail
Facility ID: 0165000132
Permit Number: P0083839
County: Pickaway

Michael Kovach
Darby Plant
12509 Adkins Rd
Mount Sterling, OH 43143

RE: FINAL AIR POLLUTION CONTROL TITLE V PERMIT
Permit Type: Initial

Dear Permit Holder:

Enclosed is the Title V permit that allows you to operate the facility in the manner indicated in the permit. Because this permit may contain several conditions and restrictions, we urge you to read it carefully.

The issuance of this Title V permit is a final action of the Director and may be appealed to the Environmental Review Appeals Commission ("ERAC") under Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and describe the action complained of and the grounds for the appeal. The appeal must be filed with the ERAC within thirty (30) days after notice of the Director's action. A filing fee of $70.00 must be submitted to the ERAC with the appeal, although the ERAC, has discretion to reduce the amount of the filing fee if you can demonstrate (by affidavit) that payment of the full amount of the fee would cause extreme hardship. If you file an appeal of this action, you must notify Ohio EPA of the filing of the appeal (by providing a copy to the Director) within three (3) days of filing your appeal with the ERAC. Ohio EPA requests that a copy of the appeal also be provided to the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the ERAC at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. If you have any questions regarding this permit, please contact the Ohio EPA DAPC, Central District Office. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page http://www.epa.state.oh.us/dapc.

Sincerely,

Michael W. Ahern

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

Cc: U.S. EPA Region 5 *Via E-Mail Notification*
Ohio EPA DAPC, Central District Office

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

FINAL

Title V Permit to Control Air Pollution
OAC Chapter 3745-77

Darby Plant

Facility ID:	0165000132
Permit Number:	P0083839
Permit Type:	Initial
Issued:	7/13/2009
Effective:	8/3/2009
Expiration:	8/3/2014

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Title V Permit to Control Air Pollution
OAC Chapter 3745-77
Darby Plant

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 23

1. Emissions Unit Group - Combustion Turbines: P001, P002, P003, P004, P005, P006,..... 24

Authorization

Facility ID: 0165000132
Facility Description: Electric services
Application Number(s): A0014257, A0014258
Permit Number: P0083839
Permit Description: Natural gas or No. 2 fuel oil fired combustion turbines for electrical power generation.
Permit Type: Initial
Issue Date: 7/13/2009
Effective Date: 8/3/2009
Expiration Date: 8/3/2014
Superseded Permit Number:

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

Darby Plant
12509 Adkins Road
Mt. Sterling, OH 43143-9061

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

Ohio EPA DAPC, Central District Office
50 West Town Street, 6th Floor
P.O. Box 1049
Columbus, OH 43216-1049
(614)728-3778

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 Ohio EPA DAPC, Central District Office. 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 Ohio EPA DAPC, Central District Office.
(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) 4.

2. The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.

3. Nitrogen Oxides (NO_X) Budget Trading Program OAC Chapter 3745-14

   a) Facility Code – 0165000132

   b) The following regulated emissions units are subject to the applicable requirements specified in OAC Chapter 3745-14 listed below:

      Emissons Units

      P001 - Natural gas or number two fuel oil-fired, simple cycle, combustion turbine having a nominal capacity of 1,115.2 MMBTU/hr;
      P002 - Natural gas or number two fuel oil-fired, simple cycle, combustion turbine having a nominal capacity of 1,115.2 MMBTU/hr;
      P003 - Natural gas or number two fuel oil-fired, simple cycle, combustion turbine having a nominal capacity of 1,115.2 MMBTU/hr;
      P004 - Natural gas or number two fuel oil-fired, simple cycle, combustion turbine having a nominal capacity of 1,115.2 MMBTU/hr;
      P005 - Natural gas or number two fuel oil-fired, simple cycle, combustion turbine having a nominal capacity of 1,115.2 MMBTU/hr;
      P006 - Natural gas or number two fuel oil-fired, simple cycle, combustion turbine having a nominal capacity of 1,115.2 MMBTU/hr;

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

      [Authority for term: OAC rule 3745-14-01(C)(1)(a)]

   d) NO_X allowances for units commencing operation on the dates specified in OAC rule 3745-14-01(C)(1)(a)(iii) shall be allocated in accordance with the provisions of OAC rule 3745-14-05(C)(1)(a)(ii).

      [Authority for term: OAC rule 3745-14-05(B)(2)]

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

      [Authority for term: OAC rules 3745-14-01(E)(1)(a)(i), 3745-14-01(E)(1)(a)(i), and 3745-14-03(B)(1)]

f) Beginning May 31, 2004, the owners and operators of each NO_X budget source and each NO_X budget unit at the source shall hold NO_X allowances available for compliance deductions under paragraph (E) of OAC rule 3745-14-06, as of the NO_X allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_X 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.

[Authority for term: OAC rules 3745-14-01(E)(3)(a) and 3745-14-03(E)(3)(c)]

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

[Authority for term: OAC rule 3745-14-01(E)(3)(d)]

h) A NO_X 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 NO_X allowance was allocated.

[Authority for term: OAC rule 3745-14-01(E)(3)(e)]

i) Each ton of NO_X emitted in excess of the NO_X 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 NO_X budget unit that has excess emissions in any control period shall surrender the NO_X 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.

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

j) When recorded by the Administrator pursuant to OAC rules 3745-14-06 and 3745-14-07, every allocation, transfer, or deduction of a NO_X allowance to or from a NO_X 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 NO_X budget permit of the NO_X budget unit by operation of law without any further review.

[Authority for term: OAC rule 3745-14-01(E)(3)(h)]

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

Each NO_X 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 NO_X allowance to or from the compliance accounts of the NO_X budget units covered by the permit or the overdraft account of the NO_X budget source covered by the permit.

[Authority for term: OAC rules 3745-14-03(D)(2) and 3745-14-03(E)(1)]

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

[Authority for term: OAC rule 3745-14-08(A)(5)]

m) The owners and operators of the NO_X 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 NO_X authorized account representative for the NO_X 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 NO_X 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 NO_X budget trading program; and

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

[Authority for term: OAC rules 3745-14-01(E)(5)(a)(i) through (iv)]

n) The permittee, and to the extent applicable, the NO_X authorized account representative of the NO_X budget unit, shall comply with the monitoring and reporting requirements as provided in OAC rule 3745-14-08 and in 40 CFR Part 75, Subpart H. For purposes of complying with such requirements the definitions in OAC rule 3745-14-01(B) and in 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be replaced by the terms "NO_X budget unit," "NO_X authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in OAC rule 3745-14-01(B).

[Authority for term: 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)]

o) The permittee shall comply with the monitoring plan requirements of 40 CFR Part 75.62, except that the monitoring plan is only required to include information required by 40 CFR Part 75, Subpart H.

[Authority for term: OAC rule 3745-14-08(E)(2)(a)]

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

[Authority for term: OAC rule 3745-14-01(E)(5)(b)]

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

"I am authorized to make this submission on behalf of the owners and operators of the NO_X budget sources or NO_X 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 NO_X authorized account representative for a NO_X 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.

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

r) The NOx authorized account representative shall submit quarterly reports covering the period May 1 through September 30 of each year and including the data described in 40 CFR 75.74(c)(6). The NOx authorized account representative shall submit such quarterly reports, beginning with the calendar quarter covering May 1 through June 30, 2003. The NOx authorized account representative shall submit each quarterly report to the Administrator within thirty days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR Part 75, Subpart H.

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

s) The NO_X 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 NO_X 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 NO_X emissions.

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

t) The NO_X authorized account representative for a NO_X 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 NO_X 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.

[Authority for term: OAC rules 3745-14-08(D) and 3745-14-08(E)(3)]

u) For each control period in which one or more NO_X budget units at a source are subject to the NO_X budget emission limitation, the NO_X 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 NO_X 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 NO_X budget emission limitation for the control period covered by the report:

(1) identification of each NO_X budget unit;

(2) at the NO_X authorized account representative's option, the serial numbers of the NO_X 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 NO_X authorized account representative's option, for units sharing a common stack and having NO_X 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.

[Authority for term: OAC rules 3745-14-04(A)(1) and 3745-14-04(A)(2)]

v) In the compliance certification report under 3.u)(4), the NO_X authorized account representative shall certify, based upon reasonable inquiry of those persons with the primary responsibility for operating the source and the NO_X budget units at the source in compliance with the NO_X budget trading program, whether each NO_X 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 NO_X budget trading program applicable to the unit, including all the following:

(1) whether the unit was operated in compliance with the NO_X 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 NO_X emissions to the unit, in accordance with OAC rule 3745-14-08;

(3) whether all the NO_X 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.v)(4), 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.

[Authority for term: OAC rule 3745-14-04(A)(3)]

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

[Authority for term: OAC rule 3745-14-03(B)(3)(a)]

x) 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 NO_X budget emission limitation under paragraph (E)(3) of OAC rule 3745-14-01.

[Authority for term: OAC rule 3745-14-01(E)(2)(b)]

y) The permittee shall develop and maintain a written quality assurance/quality control plan for each continuous NO_X monitoring system designed to ensure continuous valid and representative readings of NO_X 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 NO_X monitoring system must be kept on-site and available for inspection during regular office hours.

[Authority for term: OAC rules 3745-14-08(A)(2)(c) and 3745-14-08(A)(2)(d)]

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

a) F001-unpaved roadways (PTI #01-08156)

b) T001-fuel oil tank (PTI #01-08156)

OAC rule 3745-31-03 sources (exemption or permit by rule):

a) B001-fire pump (04/01) (PBR06729)

b) B002-gas preheater (04/01) (exempt pursuant to 3745-31-03)

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 the

identified 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 federally-approved versions of OAC Chapters 3745-17, 3745-18, and/or 3745-21.

C. Emissions Unit Terms and Conditions

1. Emissions Unit Group - Combustion Turbines: P001, P002, P003, P004, P005, P006,

EU ID	Operations, Property and/or Equipment Description
P001	Natural gas-fired combustion turbine w/ No. 2 oil backup; 1,115.2 MMBtu/hr (80 MW) nominal capacity
P002	Natural gas-fired combustion turbine w/ No. 2 oil backup; 1,115.2 MMBtu/hr (80 MW) nominal capacity
P003	Natural gas-fired combustion turbine w/ No. 2 oil backup; 1,115.2 MMBtu/hr (80 MW) nominal capacity
P004	Natural gas-fired combustion turbine w/ No. 2 oil backup; 1,115.2 MMBtu/hr (80 MW) nominal capacity
P005	Natural gas-fired combustion turbine w/ No. 2 oil backup; 1,115.2 MMBtu/hr (80 MW) nominal capacity
P006	Natural gas-fired combustion turbine w/ No. 2 oil backup; 1,115.2 MMBtu/hr (80 MW) nominal capacity

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 3745-31-05(D) (PTI 01-08718)	245 tons per year (TPY) nitrogen oxides (NO_x) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006. 199.4 TPY carbon monoxide (CO) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006. 11.7 TPY sulfur dioxide (SO_2) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006. 6.1 TPY volatile organic compounds (VOC)* emissions as a rolling, 12-month

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		summation combined from emissions units P001, P002, P003, P004, P005 and P006. *For purposes of avoiding both federal 112(g) and state of Ohio OAC rule 3745-31-28 regulations, the permittee has submitted emissions data that supports that all Hazardous Air Pollutants (HAPs) are less than VOC emissions.
b.	40 CFR Part 75	See b)(2)i, c)(6), d)(2), d)(3), d)(6), d)(7), d)(8), e)(3), e)(4), and f)(1)a. for the specific operational restrictions, monitoring, record keeping, and reporting requirements.
c.	OAC rule 3745-17-11(B)(4)	0.040 lb of particulate emissions/MMBtu actual heat input.
d.	OAC rule 3745-31-05(A)(3) (PTI 01-08718)	NO_x emissions shall not exceed 178.5 lbs/hour at all operating loads and 15 ppm_{vd} at 15% oxygen at full load when firing natural gas, based on a one-hour average as determined through data from the NO_x continuous emission monitoring system (CEMS). Compliance with the 15 ppm_{vd} limit is required only when the unit operates at full load for the entire clock-hour of the averaging period. NO_x emissions shall not exceed 269.0 lbs/hour at all operating loads and 42 ppm_{vd} at 15% oxygen at full load when firing number 2 fuel oil, based on a one-hour average as determined through data from the NO_x CEMS. Compliance with the 42 ppm_{vd} limit is required only when the unit operates at full load for the entire clock-hour of the averaging period. 245 TPY of NO_x emissions combined from emissions units P001, P002, P003, P004, P005 and P006. CO emissions shall not exceed 301.0 lbs/hour when firing natural gas. CO emissions shall not exceed 1093 lbs/hour when firing number 2 fuel oil. 0.06 lb of SO_2 emissions/MMBtu actual

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		heat input The permittee shall combust number 2 fuel oil that contains equal to or less than 0.05 percent, by weight, sulfur. 2.0 lb/hour of SO_2 emissions when firing natural gas. 61.0 lbs/hour of SO_2 emissions when firing number 2 fuel oil. 2.0 lbs/hour of VOC emissions when firing natural gas. 5.5 lbs/hour of VOC emissions when firing number 2 fuel oil. 10.0 lbs/hour of OC emissions when firing natural gas. 11.0 lbs/hour of OC emissions when firing number 2 fuel oil. 30.4 TPY OC emissions combined from emissions units P001, P002, P003, P004, P005 and P006. 5.0 lbs/hour of particulate emissions when firing natural gas. 10.0 lbs/hour of particulate emissions when firing number 2 fuel oil. 15.8 TPY of particulate emissions combined from emissions units P001, P002, P003, P004, P005 and P006. The requirements of this rule also include compliance with the requirements of OAC rules 3745-17-11(B)(4), 3745-23-06(B), and 3745-21-08(B). For purposes of avoiding both federal 112(g) and state of Ohio OAC rule 3745-31-28 regulations, the permittee has submitted emissions data that supports

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		that all Hazardous Air Pollutants (HAPs) are less than VOC emissions.
e.	OAC rule 3745-17-07(A) OAC rule 3745-18-06(F) 40 CFR Part 60, Subpart GG	The emission limitations from these rules are less stringent than the emission limitations established pursuant to OAC rule 3745-31-05(A)(3) and 3745-31-05(D).
f.	OAC rule 3745-23-06(B) OAC rule 3745-21-08(B)	The emission limitations from these rules are less stringent than the emission limitations established pursuant to OAC rule 3745-31-05(A)(3) and 3745-31-05(D). See b)(2)j. and b)(2)k.

(2) Additional Terms and Conditions

a. Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated through the use of dry low NO_x combustor to reduce nitrogen oxides emissions to 15 ppm_{vd} (at full load) when burning natural gas and use of water injection to reduce nitrogen oxides emissions to 42 ppm_{vd} (at full load) when burning number 2 fuel oil, and the 245 TPY NO_x allowable.

b. In accordance with OAC rules 3745-31-05(A)(3), the permittee shall use natural gas as the primary fuel and number two fuel oil with a maximum sulfur content of 0.05 percent by weight, as the back-up fuel.

c. In lieu of the requirements of 40 CFR Part 60.334(a) (Subpart GG) to install and operate a continuous monitoring system to monitor the ratio of water to fuel being fired in each turbine, the permittee shall install and operate a NO_x continuous emissions monitoring system for this emissions unit.

d. In lieu of monitoring the nitrogen content of the natural gas being fired in the turbine as required by 40 CFR 60 Subpart GG (section 60.334(b)), the permittee shall install and operate systems to continuously monitor and record emissions of NOx from this emissions unit.

e. In lieu of the excess emissions reports required under 40 CFR Part 60.334, the permittee shall submit excess emissions reports from this emissions unit in accordance with this permit.

f. In lieu of the test methods and procedures required under 40 CFR Part 60.335, the permittee shall follow the testing and Continuous Emissions Monitoring requirements for this emissions unit in accordance with this permit.

g. “Start-up” shall be defined as the time necessary to bring a turbine on line from a no load condition to synchronization and shall not exceed a maximum of 30 minutes. Shutdown periods shall not exceed 30 minutes.

h. "Full load" shall be defined as all periods when the hourly average electrical output exceeds 72 MW.

i. In lieu of monitoring the exhaust stack gas flow rate as required by 40 CFR Part 60, Appendix B - Performance Specification 6, the permittee shall use a certified NO_x continuous emissions monitoring system in conjunction with a fuel flow monitor as described in 40 CFR Part 75, and certified CO continuous emissions monitoring system in conjunction with a fuel flow monitor (in a manner similar to that used for NO_x) to meet these requirements. The relative accuracy requirements of Performance Specification 6 shall apply to the NO_x and CO continuous emissions monitoring systems.

j. The permittee has satisfied the "latest available control techniques and operating practices" required pursuant to OAC paragraph 3745-23-06(B) by committing to comply with the best available technology requirements established pursuant to OAC paragraph 3745-31-05(A)(3) in this permit-to-install.

On February 14, 2005, OAC rule 3745-23-06 was rescinded and is no longer part of State regulations. However, that rule revision has not yet been approved by the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the U.S. EPA approves Ohio's requested revision to the SIP, the requirement to satisfy the "latest available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

k. The permittee has satisfied the "best available control techniques and operating practices" required pursuant to OAC paragraph 3745-21-08(B) by committing to comply with the best available technology requirements established pursuant to OAC paragraph 3745-31-05(A)(3) in this permit-to-install.

On November 5, 2002, OAC rule 3745-21-08 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. On June 24, 2003, that rule revision was submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP); however, that rule revision has not yet been approved by the U.S. EPA. Therefore, until the U.S. EPA approves the revisions to OAC rule 3745-21-08, the requirement to satisfy the "best available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

c) Operational Restrictions

(1) This emissions unit has been in operation for more than 12 months and, as such, the permittee has existing records to generate the rolling, 12 month summation of the NO_x emissions, upon issuance of this permit. The emissions of NO_x from emissions units P001, P002, P003, P004, P005, and P006 shall not exceed 245 tons per year, based upon a rolling, 12 month summation of the monthly emissions.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

(2) This emissions unit has been in operation for more than 12 months and, as such, the permittee has existing records to generate the rolling, 12 month summation of the CO emissions, upon issuance of this permit. The emissions of CO from emissions units

P001, P002, P003, P004, P005, and P006 shall not exceed 199.4 tons per year, based upon a rolling, 12 month summation of the monthly emissions.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

(3) This emissions unit has been in operation for more than 12 months and, as such, the permittee has existing records to generate the rolling, 12 month summation of the SO_2 emissions, upon issuance of this permit. The emissions of SO_2 from emissions units P001, P002, P003, P004, P005, and P006 shall not exceed 11.7 tons per year, based upon a rolling, 12 month summation of the monthly emissions.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

(4) This emissions unit has been in operation for more than 12 months and, as such, the permittee has existing records to generate the rolling, 12 month summation of the VOC emissions, upon issuance of this permit. The emissions of VOC from emissions units P001, P002, P003, P004, P005, and P006 shall not exceed 6.1 tons per year, based upon a rolling, 12 month summation of the monthly emissions.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

(5) The maximum annual operating hours for emissions units P001, P002, P003, P004, P005 and P006 shall not exceed 5084 while burning natural gas and 300 while burning number two fuel oil, based upon a rolling, 12-month summation of the operating hours.

The permittee may combust 3.34 additional hours of natural gas for every hour of fuel oil not combusted, up to 6086 hours annually of natural gas combustion.

This emissions unit has been in operation for more than 12 months and, as such, the permittee has existing records to generate the rolling, 12 month summation of the hours of operation, upon issuance of this permit.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

(6) The quality of the oil burned in this emissions unit shall meet a sulfur content that is sufficient to comply with the allowable sulfur dioxide emission limitation specified in this permit.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

(7) The permittee shall burn only pipeline quality natural gas, and/or number two fuel oil in this emissions unit.

[Authority for Term: OAC rule 3745-77-07(A)(1) and PTI #01-08718]

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain monthly records of the following information:

a. The amount of number two fuel oil burned, in gallons.

b. The amount of natural gas burned, in cubic feet.

c. The summation of the operating hours from emissions units P001, P002, P003, P004, P005, and P006 combined when burning natural gas.

d. The summation of the operating hours from emissions units P001, P002, P003, P004, P005, and P006 combined when burning number two fuel oil.

e. The rolling, 12-month summation of the operating hours for emissions units P001, P002, P003, P004, P005, and P006, combined when burning natural gas.

f. The rolling, 12-month summation of the operating hours for emissions units P001, P002, P003, P004, P005, and P006, combined when burning number two fuel oil.

g. The summation of the NO_x emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

h. The rolling, 12-month summation of the NO_x emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

i. The summation of the CO emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

j. The rolling, 12-month summation of the CO emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

k. The summation of the SO_2 emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

l. The rolling, 12-month summation of the SO_2 emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

m. The summation of the VOC emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

n. The rolling, 12-month summation of the VOC emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

o. The summation of the OC emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

p. The summation of the particulate emissions for emissions units P001, P002, P003, P004, P005, and P006 combined, in tons.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

(2) The permittee shall maintain records of the oil burned in this emissions unit in accordance with either Alternative 1 or Alternative 2 described below.

a. Alternative 1:

For each shipment of oil received for burning in this emissions unit, the permittee shall collect or require the oil supplier to collect a representative grab sample of oil and maintain records of the total quantity of oil received, the permittee's or oil

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 oil 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 oil that is burned in this emissions unit for each day when the emissions unit is in operation. If additional fuel oil 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 fuel oil burned in this emissions unit. A representative grab sample of oil 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 oil 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 rule 3745-77-07(C)(1) and PTI #01-08718]

(3) Continuous NO_x Monitoring

a. The permittee shall operate and maintain equipment to continuously monitor and record NO_x emissions from this emissions unit in units of the applicable standard(s). Such continuous monitoring and recording equipment shall comply with the applicable requirements specified in 40 CFR Part 60 and Part 75.

b. Each continuous monitoring system consists of all of the equipment used to acquire and record data and includes the sample extraction and transport hardware, sample conditioning hardware, analyzers, and data processing hardware and software.

c. The permittee shall maintain on-site documentation from the USEPA or the Ohio EPA that the continuous NO_X monitoring system has been certified in accordance with the applicable requirements specified in 40 CFR Part 60 and Part 75. The letter of certification shall be made available to the Director upon request.

d. The permittee shall maintain records of all data obtained by the continuous NO_x monitoring system including, but not limited to, parts per million NO_x on an instantaneous (one-minute) basis, emissions of NO_x in units of the applicable standard in the appropriate averaging period (e.g., hourly), results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.

e. The permittee shall develop a written quality assurance/quality control plan for the continuous NO_X monitoring system designed to ensure continuous valid and representative readings of NO_X emissions in units of the applicable standard(s). The plan shall follow the applicable requirements of 40 CFR Part 60, Appendix F and 40 CFR Part 75, Appendix B. The quality assurance/quality control plan and a logbook documenting the activities related to the continuous NO_X monitoring system must be kept on site and available for inspection during regular office hours.

f. The permittee may conduct the relative accuracy test audits for the continuous NOx monitoring system in accordance with the frequencies required for monitoring systems subject to 40 CFR Part 75, Appendix B; however, the permittee is still required to provide the audit results in units of the applicable standard(s) in accordance with 40 CFR Part 60. Cylinder gas audits may be conducted in accordance with the frequencies specified in 40 CFR Part 75, Appendix B for linearity checks. In addition, linearity checks conducted pursuant to 40 CFR Part 75, Appendix B may be used in place of quarterly cylinder gas audits, as required in 40 CFR Part 60.

g. 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.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, 40 CFR Part 75, and PTI #01-08718]

(4) Continuous CO Monitoring

a. The permittee shall operate and maintain equipment to continuously monitor and record CO from this emissions unit in units of the applicable standard(s). Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 60.13.

b. Each continuous monitoring system consists of all the equipment used to acquire and record data and includes the sample extraction and transport hardware, sample conditioning hardware, analyzers, and data processing hardware and software.

c. The permittee shall maintain on-site documentation from the USEPA or the Ohio EPA that the continuous CO monitoring system has been certified in accordance with 40 CFR Part 60. The letter of certification shall be made available to the Director upon request.

d. The permittee shall maintain records of all data obtained by the continuous CO monitoring system including, but not limited to, emissions of CO in units of the

applicable standard in the appropriate averaging period (e.g., hourly), results of daily zero/span calibration checks, and magnitude of manual calibration adjustments.

e. The permittee shall develop a written quality assurance/quality control plan for the continuous CO monitoring system designed to ensure continuous valid and representative readings of CO emissions in units of the applicable standard(s). The plan shall follow the applicable requirements of 40 CFR Part 60, Appendix F. The quality assurance/quality control plan and a logbook documenting the activities related to the continuous CO monitoring system must be kept on site and available for inspection during regular office hours.

f. The permittee may conduct the relative accuracy test audits for the continuous CO monitoring system in accordance with the frequencies required for monitoring systems subject to 40 CFR Part 75, Appendix B; however, the permittee is still required to provide the audit results in units of the applicable standard(s), in accordance with 40 CFR Part 60. Cylinder gas audits may be conducted in accordance with the frequencies specified in 40 CFR Part 75, Appendix B for linearity checks. In addition, linearity checks conducted pursuant to 40 CFR Part 75, Appendix B, may be used in place of quarterly cylinder gas audits, as required in 40 CFR Part 60.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, and PTI #01-08718]

(5) For each day during which the permittee burns a fuel other than pipeline quality natural gas, and/or number two fuel oil, 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) and PTI #01-08718]

(6) The permittee shall install, operate and maintain equipment to continuously monitor and record the actual fuel flow to this emissions unit when the emissions unit is in operation. Such continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Part 75. If the fuel flow monitoring and/or recording equipment is (are) not in service when the emissions unit is in operation, the permittee shall comply with the appropriate missing data procedures specified in 40 CFR Part 75.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 75, and PTI #01-08718]

(7) The permittee shall install, operate and maintain equipment to continuously monitor and record the percent oxygen in the stack serving this emissions unit when the emissions unit is in operation. The monitoring and recording equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, with any modifications deemed necessary by the permittee.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 75, and PTI #01-08718]

(8) The permittee shall maintain hourly records of the total actual heat input values for this emissions unit, in MMBTU/hr. The total actual heat input values shall be determined using the applicable procedures specified in 40 CFR Part 75, Appendix F, Section 5.2.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 75, and PTI #01-08718]

e) Reporting Requirements

(1) The permittee shall submit quarterly reports which identify each period during which an exemption for ice-fog provided in 40 CFR 60.332(f) is in effect. The report shall include the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time when the air pollution control system was reactivated. These reports shall be postmarked by April 30, July 30, October 30, and January 30 and shall cover the previous calendar quarter.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, and PTI #01-08718]

(2) The permittee shall submit quarterly deviation (excursion) reports that identify the following:

a. The cumulative NO_x, CO, SO_2, and VOC emission rates from emissions units P001, P002, P003, P004, P005, and P006 combined.

b. The rolling, 12-month summation of the NO_x, CO, SO_2, and VOC emission limitations for emissions units P001, P002, P003, P004, P005, and P006 combined.

c. All exceedances of the maximum allowable cumulative operating hours levels.

d. The rolling, 12-month operating hours limitation.

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

(3) The permittee shall submit, on a quarterly basis, copies of the permittee's or oil supplier's analyses for each shipment of number two fuel oil which is received for burning in this emissions unit. The permittee's or oil supplier's analyses shall document the sulfur content (percent) and heat content (Btu/gallon) for each shipment of oil. The following information shall also be included with the copies of the permittee's or oil supplier's analyses:

a. The total quantity of oil received in each shipment (gallons).

b. The weighted* average sulfur content (percent by weight) for the oil received during each calendar month.

c. The weighted* average heat content (Btu/gallon) of the oil received during each calendar month.

d. The weighted* average SO_2 emission rate (lbs/MMBtu of actual heat input) of the oil combusted during each calendar month (the SO2 emission rate shall be calculated as specified in OAC rule 3745-18-04(F)).

* In proportion to the quantity of oil received in each shipment during each calendar month.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

(4) Continuous NOx Emissions Monitoring

a. Pursuant to OAC rules 3745-15-04,and ORC sections 3704.03(I) and 3704.031 and 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the Ohio EPA Central District Office documenting the date, commencement and completion time, duration, magnitude, reason (if known), and corrective actions taken (if any), of all instances of NO_x values in excess of the applicable limits specified in the terms and conditions of this permit (178.5 lbs/hour at all operating loads and 15 ppm_{vd} at 15% oxygen at full load when burning natural gas and 269.0 lbs/hour at all operating loads and 42 ppm_{vd} at 15% oxygen at full load when burning number two fuel oil). These reports shall also contain the total NO_x emissions for the calendar quarter (in tons).

b. The permittee shall submit reports within 30 days following the end of each calendar quarter to the Ohio EPA Central District Office documenting any continuous NO_x monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report.

c. If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit, control equipment, and/or monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line also shall be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, 40 CFR Part 75, and PTI #01-08718]

(5) Continuous CO Emissions Monitoring

a. Pursuant to OAC rules 3745-15-04, and ORC sections 3704.03(I) and 3704.031 and 40 CFR Parts 60.7 and 60.13(h), the permittee shall submit reports within 30 days following the end of each calendar quarter to the Ohio EPA Central District Office documenting the date, commencement and completion times, duration, magnitude, reason (if known), and corrective actions taken (if any) of all instances of CO values in excess of any applicable limits specified in the terms and conditions of this permit (301 lbs/hour when burning natural gas, and 1093 lbs/hour when burning number two fuel oil). These reports shall also contain the total CO emissions for the calendar quarter (in tons).

b. The permittee shall submit reports within 30 days following the end of each calendar quarter to the Ohio EPA Central District Office documenting any continuous CO monitoring system downtime while the emissions unit was on line (date, time, duration and reason) along with any corrective action(s) taken. The permittee shall provide the emissions unit operating time during the reporting period and the date, time, reason and corrective action(s) taken for each time period of emissions unit and control equipment malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report.

c. If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect along with the emissions unit operating time during the reporting period and the date, time, reason, and corrective action(s) taken for each time period of emissions unit, control equipment, and/or monitoring system malfunctions. The total operating time of the emissions unit and the total operating time of the analyzer while the emissions unit was on line shall also be included in the quarterly report. These quarterly excess emission reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall address the data obtained during the previous calendar quarter.

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, and PTI #01-08718]

(6) Pursuant to NSPS, the permittee is hereby advised of the requirement to report the following at the appropriate times:

a. Construction date (no later than 30 days after such date);

b. Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);

c. Actual start-up date (within 15 days after such date); and,

d. Date of performance testing (at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
P.O. Box 1049
Columbus, Ohio 43216-1049

and

Ohio EPA, Central District Office
Division of Air Pollution Control
Lazarus Government Center, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

[Authority for Term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60 (Subpart GG), and PTI #01-08718]

(7) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than pipeline quality natural gas and/or number two 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) and PTI #01-08718]

(8) The permittee shall submit annual reports which specify the total NO_x, CO, particulate, SO_2, OC, and VOC emissions from this emissions unit for the previous calendar year. These reports shall be submitted by January 31 of each year.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

(9) The permittee shall also submit annual reports that specify the total particulate, NO_x and OC emissions for emissions units P001, P002, P003, P004, P005 and P006 combined for the previous calendar year. These reports shall be submitted by January 31 of each year.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

f) Testing Requirements

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

a. Emission Limitation: 245 tons per year (TPY) nitrogen oxides (NO_x) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006.

Applicable Compliance Method: Compliance shall be based upon record keeping as specified in d)(1). and shall be determined through the use of CEMs as specified in d)(3).

The monthly NO_x emissions shall be added to the total NO_x emissions from the previous eleven months to determine the rolling, 12-month summation of NO_x emissions.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

b. Emission Limitation: 199.4 TPY carbon monoxide (CO) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006.

Applicable Compliance Method: Compliance shall be based upon record keeping as specified in d)(1). and shall be determined through the use of CEMs as specified in d)(4).

The monthly CO emissions shall be added to the total CO emissions from the previous eleven months to determine the rolling, 12-month summation of CO emissions.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

c. Emission Limitation: 11.7 TPY sulfur dioxide (SO_2) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006.

Applicable Compliance Method: Compliance shall be based upon record keeping as specified in d)(1). and shall be determined through a summation of the SO_2 emissions from the burning of natural gas and number 2 fuel oil as follows:

i. The monthly SO_2 emissions for emissions units P001, P002, P003, P004, P005 and P006 from the burning of natural gas shall be determined by multiplying the USEPA default value for pipeline quality natural gas (0.0006 lb SO_2/MMBtu) by the combined actual heat input for these emissions units (MMBtu/month) and then dividing by 2,000 lbs/ton.

ii. The monthly SO_2 emissions for emissions units P001, P002, P003, P004, P005 and P006 from the burning of number two fuel oil shall be determined by multiplying the operating hours while burning number two fuel oil for the month in these emissions units by the average percent sulfur of the fuel oil used during the month (or 0.05% sulfur) by the factor of 2 lbs of SO_2 per lb of sulfur, divided by the average heat content of the fuel burned during the period, by the combined actual heat input while burning number two fuel oil in these emissions units (MMBtu/hr), and then dividing by 2,000 lbs/ton.

iii. The monthly SO_2 emissions shall be added to the total SO_2 emissions from the previous eleven months to determine the rolling, 12-month summation of SO_2 emissions, using the USEPA default value for pipeline quality natural gas (0.0006 lb SO_2/MMBtu) and fuel sampling analysis for fuel oil as determined in d)(2).

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

d. Emission Limitation: 6.1 TPY volatile organic compounds (VOC) emissions as a rolling, 12-month summation combined from emissions units P001, P002, P003, P004, P005 and P006.

Applicable Compliance Method: Compliance shall be based upon record keeping as specified in d)(1) and shall be determined through a summation of the VOC emissions from the burning of natural gas and number 2 fuel oil as follows:

i. The VOC emissions for emissions units P001, P002, P003, P004, P005 and P006 from the burning of natural gas shall be determined by multiplying the operating hours while burning natural gas for the month, by the average emission rate (lbs VOC/hour) derived from the emission tests conducted in accordance with f)(2) and dividing by 2,000 lbs/ton.

ii. The VOC emissions for emissions units P001, P002, P003, P004, P005 and P006 from the burning of number two fuel oil shall be determined by multiplying the operating hours while burning number two fuel oil for the month, by the average emission rate (lbs VOC/hour) derived from the

emission tests conducted in accordance with Section f)(2)., and dividing by 2,000 lbs/ton.

iii. The monthly VOC emissions shall be added to the total VOC emissions from the previous 11 months to determine the rolling, 12-month summation of VOC emissions, using the operating hour data from Section d)(1) and the average emission rates derived from the emission tests conducted in accordance with f)(2).

The permittee has requested that if the average emissions rate (lbs/hour) derived from the emission test conducted in accordance with this term is less than the permit VOC allowable listed in term b)(1), it may apply for an air permit to install modification to increase the hours of operation. The permittee realizes that this modification might trigger the requirement to secure either an administrative or a new air permit to install.

Until such time as emissions testing are conducted in conformance with f)(2), the permittee shall use the average emission rate derived from the emission testing performed on June 22, 2001 for P001, P002, P003, and P004 and the emissions testing performed on August 7, 2002 for emissions units P005 and P006.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

e. Emission Limitation: The permittee shall combust number 2 fuel oil that contains equal to or less than 0.05 percent, by weight, sulfur.

Applicable Compliance Method: Compliance shall be based upon the fuel oil analysis and record keeping requirements specified in d)(2).

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

f. Emission Limitation: 0.040 lb of particulate emissions/MMBtu actual heat input

Applicable Compliance Method: Compliance shall be demonstrated by the manufacturer's guaranteed emissions data.

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 5 and the procedures specified in OAC rule 3745-17-03(B)(10).

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

g. Emission Limitation: NO_x emissions shall not exceed 178.5 lbs/hour at all operating loads and 15 ppm_{vd} at 15% oxygen at full load when firing natural gas, based on a one-hour average as determined through data from the NO_x continuous emission monitoring system (CEMS). Compliance with the 15 ppm_{vd} limit is required only when the unit operates at full load for the entire clock-hour of the averaging period. NO_x emissions shall not exceed 269.0 lbs/hour at all operating loads and 42 ppm_{vd} at 15% oxygen at full load when firing number 2 fuel oil, based on a one-hour average as determined through data from the NO_x

CEMS. Compliance with the 42 ppm_{vd} limit is required only when the unit operates at full load for the entire clock-hour of the averaging period.

Applicable Compliance Method: Compliance with the NO_x emission and concentration limitations may be based upon the data from the NO_x continuous emission monitoring system, the fuel flow monitoring equipment and the oxygen monitoring equipment required by this permit.

If required, the permittee shall demonstrate compliance with these emission limitations through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 4 and 7.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

h. Emission Limitation: CO emissions shall not exceed 301.0 lbs/hour when firing natural gas. CO emissions shall not exceed 1093 lbs/hour when firing number 2 fuel oil

Applicable Compliance Method: Compliance with the CO emission limitation may be based upon the data from the CO continuous emission monitoring system, and the fuel flow monitoring equipment required by this permit.

If required, the permittee shall demonstrate compliance with these emission limitations through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 4 and 10.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

i. Emission Limitation: 0.06 lb of SO_2 emissions/MMBtu actual heat input.

Applicable Compliance Method: When firing number two fuel oil, compliance shall be based upon the fuel analysis and record keeping requirements specified in d)(2) and the use of the equations specified in OAC rule 3745-18-04(F).

When firing natural gas, compliance with this limitation will be assumed due to the negligible percent sulfur, by weight, in the fuel. If required, the permittee shall perform or require the supplier to perform an analysis of the natural gas for sulfur content in accordance with the appropriate ASTM methods or an equivalent method as approved by the Director, in order to demonstrate compliance with this emission limitation using the appropriate equation specified in AP-42 Table 3.1-1 (4/00).

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

j. Emission Limitation: 2.0 lb/hour of SO_2 emissions when firing natural gas. 61.0 lbs/hour of SO_2 emissions when firing number 2 fuel oil.

Applicable Compliance Method: These limits were based on the worse case sulfur content for pipeline quality natural gas and number two fuel oil and AP-42 emission factors.

When firing natural gas, compliance shall be based upon multiplying the USEPA default value for pipeline quality natural gas by the maximum heat input capacity

of this emissions unit. When firing number two fuel oil, compliance shall be based upon the fuel analysis and record keeping requirements specified in d)(2). and shall be determined by multiplying the sulfur dioxide emissions in lb(s) SO_2/MMBtu by the maximum heat input capacity of this emissions unit.

If required, the permittee shall demonstrate compliance with the hourly emission limitation when burning number two fuel oil through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 4 and 6.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

k. Emission Limitation: 2.0 lbs/hour of VOC emissions when firing natural gas. 5.5 lbs/hour of VOC emissions when firing number 2 fuel oil.

Applicable Compliance Method: Compliance shall be determined through emission tests performed in accordance with the requirements specified in f)(2)

The permittee has requested that if the average emissions rate (lbs/hour) derived from the emission test conducted in accordance with this term is less than the permit VOC allowable listed in b)(1), it may apply for an air permit to install modification to increase the hours of operation. The permittee realizes that this modification might trigger the requirement to secure either an administrative or a new air permit to install.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

l. Emission Limitation: 10.0 lbs/hour of OC emissions when firing natural gas. 11.0 lbs/hour of OC emissions when firing number 2 fuel oil.

Applicable Compliance Method: Compliance shall be based upon the record keeping requirements specified in Section d)(1). and by manufacturer's guaranteed emissions data.

If required, the permittee shall demonstrate compliance with these emission limitations through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 4 and 18 and/or Method 25 and 25A, as appropriate.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

m. Emission Limitation: 30.4 TPY OC emissions combined from emissions units P001, P002, P003, P004, P005 and P006.

Applicable Compliance Method: Compliance shall be based upon record keeping as specified in d)(1) and the manufacturer's guaranteed emissions data or Ohio EPA approved emission factors obtained from approved emissions testing.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

n. Emission Limitation: 5.0 lbs/hour of particulate emissions when firing natural gas. 10.0 lbs/hour of particulate emissions when firing number 2 fuel oil.

Applicable Compliance Method: Compliance shall be demonstrated by manufacturer's guaranteed emissions data.

If required, the permittee shall demonstrate compliance with these emission limitations through emission tests performed in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 5.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

o. Emission Limitation: 15.8 TPY of particulate emissions combined from emissions units P001, P002, P003, P004, P005 and P006.

Applicable Compliance Method: Compliance shall be based upon record keeping as specified in d)(1) and the manufacturer's guaranteed emissions data.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

p. Emission Limitation: Visible particulate emissions from the stack serving this emissions unit shall not exceed 10% opacity, as a 6-minute average.

Applicable Compliance Method: Compliance shall be determined through visible emissions observations performed in accordance with 40 CFR Part 60, Appendix A, Method 9.

[Authority for Term: OAC rule 3745-77-07(C)(1) and PTI #01-08718]

(2) The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. Emission testing shall be conducted twice during the permit term: within eight (8) calendar quarters following the issuance of this Title V permit and within eight (8) calendar quarters prior to expiration of this Title V permit.

b. This emissions testing may be performed in conjunction with Relative Accuracy Test Audit (RATA) testing performed to demonstrate compliance with 40 CFR Part 60 or 40 CFR Part 75.

c. The emission testing shall be conducted to demonstrate compliance with the VOC emission limitation and visible particulate emissions limitation.

The permittee has requested that if the average VOC mass emissions rate (lbs/hour) derived from the emission test conducted in accordance with this term is less than the permit VOC allowable listed in term b)(1), it may apply for an air permit to install modification to increase the hours of operation. The permittee realizes that this modification might trigger the requirement to secure either an administrative or a new air permit to install.

d. The following test method(s) shall be employed to demonstrate compliance with the allowable emission limitations:

i. For VOC emissions, 40 CFR Part 60, Appendix A, Methods 1 through 4 and 18, Method 25, Method 25A, or 40 CFR Part 63 Method 320.

ii. For visible particulate emissions, visible emissions observations performed in accordance with 40 CFR Part 60, Appendix A, Method 9.

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

e. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity while firing natural gas, unless otherwise specified or approved by the Ohio EPA Central District Office.

f. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA Central District Office. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA Central District Office's refusal to accept the results of the emission test(s).

g. Personnel from the Ohio EPA Central District Office shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

h. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Ohio EPA Central District Office within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Ohio EPA Central District Office.

g) Miscellaneous Requirements

(1) The quality assurance/quality control plan for the continuous nitrogen oxides monitoring system, required pursuant to 40 CFR Part 75, Appendix B, must be made available during scheduled inspections and upon request by the Ohio EPA and/or Regional Air Pollution Control Agency.