



Environmental Protection Agency

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

5/23/2011

Certified Mail

Bill Rupert
BP-Husky Refining LLC
4001 Cedar Point Road
P.O. Box 696
Oregon, OH 43697

Yes	TOXIC REVIEW
No	PSD
Yes	SYNTHETIC MINOR TO AVOID MAJOR NSR
Yes	CEMS
Yes	MACT/GACT
Yes	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED

RE: DRAFT AIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0448020007
Permit Number: P0106444
Permit Type: Administrative Modification
County: Lucas

Dear Permit Holder:

A draft of the Ohio Administrative Code (OAC) Chapter 3745-31 Air Pollution Permit-to-Install for the referenced facility has been issued for the emissions unit(s) listed in the Authorization section of the enclosed draft permit. This draft action is not an authorization to begin construction or modification of your emissions unit(s). The purpose of this draft is to solicit public comments on the permit. A public notice will appear in the Ohio EPA Weekly Review and the local newspaper, Toledo Blade. A copy of the public notice and the draft permit are enclosed. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Issued Air Pollution Control Permits" link. Comments will be accepted as a marked-up copy of the draft permit or in narrative format. Any comments must be sent to the following:

Andrew Hall
Permit Review/Development Section
Ohio EPA, DAPC
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

and Toledo Department of Environmental Services
348 South Erie Street
Toledo, OH 43604

Comments and/or a request for a public hearing will be accepted within 30 days of the date the notice is published in the newspaper. You will be notified in writing if a public hearing is scheduled. A decision on issuing a final permit-to-install will be made after consideration of comments received and oral testimony if a public hearing is conducted. Any permit fee that will be due upon issuance of a final Permit-to-Install is indicated in the Authorization section. Please do not submit any payment now. If you have any questions, please contact Toledo Department of Environmental Services at (419)936-3015.

Sincerely,

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

Cc: U.S. EPA Region 5 -Via E-Mail Notification
TDES; Michigan; Indiana; Canada



Permit Strategy Write-Up

1. Check all that apply:

Synthetic Minor Determination

Netting Determination

2. Source Description:

The PTI (04-01394) was issued on April 28, 2005 for the installation of two new boilers (B034, B035) at the Toledo Refinery of BP-Husky to replace the existing Power (B020) and Riley (B004) boilers. These new sources use ultra-low NOx burners. This project complies with the USEPA consent decree (United States, et al v. BP Exploration & Oil, et al Northern District of Indiana, Hammond Division, Civil Action No. 2:96 CV 095 RL) that requires the Power (B020) and Riley (B004) boilers at the refinery either be shutdown or upgraded to achieve NOx emissions performance of at least 0.04 lbNOx/mmbtu. The Power (B020) and Riley (B004) boilers have been shut down and the new boilers (East and West Alstom boilers) were installed and are currently in service.

BP-Husky is requesting a revision to the NOx limits in the permit for the East and West Alstom Boilers because the furnace's "next-generation" ultra-low NOx burners have not performed as efficiently as expected. BP-Husky requests that the short-term NOx emissions limits for these boilers be increased from 6.35 pounds per hour (based on 0.018 lb/ NOx/mmBTU) to new limits of 12.71 pounds per hour (based on 0.036 lbNOx/mmBTU) for each boiler. The combine NOx emissions limit of 33.9 tons per year is requested to be increased to 38.5 tons per year NOx per 12-month rolling period, which would allow annual performance of 0.020 lbNOx/mmBTU and combined firing rate of 430 mmBTU, in order to avoid PSD.

The emission factor of 0.036 lb/mmBTU for the new requested short-term NOx emissions limit is based on the RACT/BACT/LAER Clearinghouse database survey in the original BAT analysis in the original application. This factor is also consistent with the highest NOx performance level achieved in the Alstom boiler on a short-term basis. Estimated NOx emissions using this factor and the boiler's rated capacity of 353 mm/BTU is 12.71 lbNOx/hr.

3. Facility Emissions and Attainment Status:

The existing facility is a major source for all criteria pollutants and a major source of HAPs.

Table with 3 columns: Pollutant, Significant Net Emission Increase Levels, and Attainment Status. Rows include PM10, SO2, VOC, and NOx with their respective emission levels and attainment statuses.



4. Source Emissions:

Summary of PTI 04-01394 Project Emissions							
Emissions Unit	NOx	SO2	PM10	CO	VOC	H2SO4	HAPs
New Sources							
B034 & B035(new)	37.77	22.00	14.03	205.29	16.67	2.02	5.68
Total	37.77	22.00	14.03	205.29	16.67	2.02	5.68
PSD/NSR Significance Levels	40	40	15	100	40	7	
Above Significance Levels	No	No	No	Yes	No	No	
Netting is required for CO to avoid PSD							

Contemporaneous Changes			
Project	Year of Change	CO, tons/yr	Description
Shutdown of Power Boiler	2005	-42.66	
Shutdown of Riley Boiler	2005	-67.725	
Contemporaneous Subtotal		-110.4	
PSD/NNSR Netting Analysis: Summary of Project Emissions + Contemporaneous Emissions, Tons/yr SO2			
Total PTI Emissions + Contemporaneous Emissions		94.89	
PSD/NSR Significance Level		100	
Above Significance Levels? PSD/NSR Triggered?		No	

5. Conclusion:

The net emission increase associated with this Permit to Install will not result in a significant net emissions increase, and is, therefore, not subject to PSD review.

6. Please provide additional notes or comments as necessary:

None

7. Total Permit Allowable Emissions Summary (for informational purposes only):

<u>Pollutant</u>	<u>Tons Per Year</u>
<u>CO</u>	<u>205.29 (94.89 increase)</u>
<u>NOx</u>	<u>37.77</u>
<u>PM10</u>	<u>14.03</u>
<u>SO2</u>	<u>22.00</u>
<u>VOC</u>	<u>16.67</u>

PUBLIC NOTICE
Issuance of Draft Air Pollution Permit-To-Install
BP-Husky Refining LLC

Issue Date: 5/23/2011
Permit Number: P0106444
Permit Type: Administrative Modification
Permit Description: Administrative modification to revise NOx limits for the Alstom boilers
Facility ID: 0448020007
Facility Location: BP-Husky Refining LLC
4001 Cedar Point Road, P.O. Box 696
Oregon, OH 43697
Facility Description: Petroleum Refineries

The Director of the Ohio Environmental Protection Agency, 50 West Town Street, Columbus Ohio, has issued a draft action of an air pollution control permit-to-install (PTI) for an air contaminant source at the location identified above on the date indicated. Installation of the air contaminant source may proceed upon final issuance of the PTI. Comments concerning this draft action, or a request for a public meeting, must be sent in writing no later than thirty (30) days from the date this notice is published. All comments, questions, requests for permit applications or other pertinent documentation, and correspondence concerning this action must be directed to Peter Park at Toledo Department of Environmental Services, 348 South Erie Street, Toledo, OH 43604 or (419)936-3015. The permit can be downloaded from the Web page: www.epa.ohio.gov/dapc



DRAFT

Division of Air Pollution Control
Permit-to-Install
for
BP-Husky Refining LLC

Facility ID:	0448020007
Permit Number:	P0106444
Permit Type:	Administrative Modification
Issued:	5/23/2011
Effective:	To be entered upon final issuance



Division of Air Pollution Control
Permit-to-Install
for
BP-Husky Refining LLC

Table of Contents

Authorization 1
A. Standard Terms and Conditions 3
1. Federally Enforceable Standard Terms and Conditions 4
2. Severability Clause 4
3. General Requirements 4
4. Monitoring and Related Record Keeping and Reporting Requirements 5
5. Scheduled Maintenance/Malfunction Reporting 6
6. Compliance Requirements 6
7. Best Available Technology 7
8. Air Pollution Nuisance 7
9. Reporting Requirements 7
10. Applicability 8
11. Construction of New Sources(s) and Authorization to Install 8
12. Permit-To-Operate Application 9
13. Construction Compliance Certification 9
14. Public Disclosure 9
15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 10
16. Fees 10
17. Permit Transfers 10
18. Risk Management Plans 10
19. Title IV Provisions 10
B. Facility-Wide Terms and Conditions 11
C. Emissions Unit Terms and Conditions 18
1. Emissions Unit Group - Alstom Boilers: B034, B035, 19

Authorization

Facility ID: 0448020007
Facility Description: Toledo Refinery
Application Number(s): A0039661
Permit Number: P0106444
Permit Description: Administrative modification to revise NOx limits for the Alstom boilers
Permit Type: Administrative Modification
Permit Fee: \$2,250.00 *DO NOT send payment at this time, subject to change before final issuance*
Issue Date: 5/23/2011
Effective Date: To be entered upon final issuance

This document constitutes issuance to:

BP-Husky Refining LLC
4001 Cedar Point Road
P.O. Box 696
Oregon, OH 43697

of a Permit-to-Install for the emissions unit(s) identified on the following page.

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

Toledo Department of Environmental Services
348 South Erie Street
Toledo, OH 43604
(419)936-3015

The above named entity is hereby granted a Permit-to-Install for the emissions unit(s) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally
Director



Authorization (continued)

Permit Number: P0106444

Permit Description: Administrative modification to revise NOx limits for the Alstom boilers

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Group Name: Alstom Boilers

Emissions Unit ID:	B034
Company Equipment ID:	East Alstom Boiler
Superseded Permit Number:	04-01394
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	B035
Company Equipment ID:	West Alstom Boiler
Superseded Permit Number:	04-01394
General Permit Category and Type:	Not Applicable

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.2.a), Severability Clause
 - (2) Standard Term and Condition A.3.c) through A. 3.e) General Requirements
 - (3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements
 - (4) Standard Term and Condition A.9., Reporting Requirements
 - (5) Standard Term and Condition A.10., Applicability
 - (6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install
 - (7) Standard Term and Condition A.14., Public Disclosure
 - (8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
 - (9) Standard Term and Condition A.16., Fees
 - (10) Standard Term and Condition A.17., Permit Transfers

2. Severability Clause

- a) 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.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they 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 and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. 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 re-issuance, or modification.

- 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, revoked, or revoked and reissued, for cause. 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 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.

4. 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, 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.
- 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, 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.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
 - (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Toledo Department of Environmental Services.

Effective Date: To be entered upon final issuance

- (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Toledo Department of Environmental Services. The written 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. See A.15. below if no deviations occurred during the quarter.
 - (3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the Toledo Department of Environmental Services every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
 - (4) This permit is for an emissions unit located at a Title V facility. 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 are true, accurate, and complete.
- d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

5. 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, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Toledo Department of Environmental Services in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

6. Compliance Requirements

- a) The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.
- b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this 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.

- c) 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 ORC section 3704.08.
 - (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.
- d) The permittee shall submit progress reports to the Toledo Department of Environmental Services 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.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. 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.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Toledo Department of Environmental Services.
- b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from state-only required emission

limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Toledo Department of Environmental Services. 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.)

10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

11. Construction of New Sources(s) and Authorization to Install

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.
- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., the emissions unit 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) by submitting a certification from the authorized 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 authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as "permanently shut down" in Ohio EPA's "Air Services" along with the date the emissions unit(s) was permanently

Effective Date: To be entered upon final issuance

removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).

- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., emissions unit 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). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.
- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

14. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

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

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 quarterly (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. 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. The permittee shall pay all applicable permit-to-install fees within 30 days after the issuance of any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in Air Services once the transfer is legally completed. The change must be submitted through Air Services within thirty days of the ownership transfer date.

18. Risk Management Plans

If the permittee is required to 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"), the permittee shall comply with the requirement to register such a plan.

19. 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.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.
2. Nitrogen Oxides (NOx) Budget Trading Program OAC Chapter 3745-14
 - a) Facility Code - 0448020007
 - b) The following regulated emissions units are subject to the applicable requirements specified in OAC Chapter 3745-14 and the annual NOx allowance allocations listed below:
 - c) Emissions Units
B034 and B035
 - d) The emissions units identified in 2.c) are NOx budget units under OAC rule 3745-14-01(C)(1)(b).
[OAC rule 3745-14-01(C)(1)]
 - e) NOx allowances for units commencing operation on the dates specified in OAC rule 3745-14-05(C)(4) shall be allocated from the new source set-aside in accordance with the provisions of OAC rule 3745-14-05(C)(4)(d).
[OAC rule 3745-14-05(C)(4)]
 - f) The NOx authorized account representative shall submit a complete NOx budget permit application in accordance with the deadlines specified in paragraphs (B)(2) and (B)(3) of OAC rule 3745-14-03. The NOx authorized account representative shall also submit, in a timely manner, any supplemental information that the Director determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.
[OAC rules 3745-14-01(E)(1)(a)(i), 3745-14-01(E)(1)(a)(ii), and 3745-14-03(B)(1)]
 - g) Beginning May 31, 2004, the owners and operators of each NOx budget source and each NOx budget unit at the source shall hold NOx allowances available for compliance deductions under paragraph (E) of OAC rule 3745-14-06, as of the NOx allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NOx emissions for the control period from the unit, as determined in accordance with OAC rule 3745-14-08, plus any amount necessary to account for actual utilization under paragraph (C)(5) of OAC rule 3745-14-05 for the control period.
[OAC rules 3745-14-01(E)(3)(a) and 3745-14-01(E)(3)(c)]
 - h) NOx allowances shall be held in, deducted from, or transferred among NOx allowance tracking system accounts in accordance with OAC rules 3745-14-05, 3745-14-06, 3745-14-07, and 3745-14-09.
[OAC rule 3745-14-01(E)(3)(d)]

Effective Date: To be entered upon final issuance

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

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

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

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

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

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

- l) Except as provided below, the Director shall revise the NOx budget permit, as necessary, in accordance with OAC rule 3745-77-08. Each NOx budget permit is deemed to incorporate automatically the definitions of terms under paragraph (B) of OAC rule 3745-14-01 and, when recorded by the Administrator, in accordance with OAC rules 3745-14-06 and 3745-14-07, every allocation, transfer, or deduction of a NOx allowance to or from the compliance accounts of the NOx budget units covered by the permit or the overdraft account of the NOx budget source covered by the permit.

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

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

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

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

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

of the submission of a new account certificate or representation changing the NOx authorized account representative;

- (2) all emission monitoring information, in accordance with OAC rule 3745-14-08;
- (3) copies of all reports, compliance certifications, and other submissions and all records made or required under the NOx budget trading program; and
- (4) copies of all documents used to complete a NOx budget permit application and any other submission under the NOx budget trading program or to demonstrate compliance with the requirements of the NOx budget trading program.

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

- o) The permittee, and to the extent applicable, the NOx authorized account representative of the NOx 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 "NOx budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in OAC rule 3745-14-01(B).

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

- p) 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.

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

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

[OAC rule 3745-14-01(E)(4)(b)]

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

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

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

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

- s) 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.

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

- t) The NOx authorized account representative shall submit to the Administrator a compliance certification in support of each quarterly report based on a reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The compliance certification shall state that:
- (1) the monitoring data submitted were recorded in accordance with the applicable requirements of OAC rule 3745-14-08 and 40 CFR Part 75, including the quality assurance procedures and specifications; and
 - (2) for a unit with add-on NOx emission controls and for all hours where data are substituted in accordance with 40 CFR Part 75.34(a)(1), the add-on emission control were operating within the range of parameters listed in the quality assurance program under Appendix B of 40 CFR Part 75 and the substitute values do not systematically underestimate the NOx emissions.

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

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

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

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

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

- (1) identification of each NOx budget unit;
- (2) at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under paragraph (E) of OAC rule 3745-14-06 for the control period;
- (3) at the NOx authorized account representative's option, for units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with OAC rule 3745-14-08, the percentage of allowances that is to be deducted from each unit's compliance account under paragraph (E)(5) of OAC rule 3745-14-06; and
- (4) the compliance certification under paragraph (A)(3) of OAC rule 3745-14-04.

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

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

- (1) whether the unit was operated in compliance with the NOx budget emission limitation;
- (2) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with OAC rule 3745-14-08;
- (3) whether all the NOx emissions from the unit, or group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with OAC rule 3745-14-08, and if conditional data were reported, the permittee shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report submissions have been made; and
- (4) whether the facts that form the basis for certification under OAC rule 3745-14-08 of each monitor at the unit or group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under OAC rule 3745-14-08, if any, have changed. If a change is required to be reported under Section v)(4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor re-certification.

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

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

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

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

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

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

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

- 3. The following emissions units contained in this permit are subject to 40 CFR Part 60, Subpart Db, 40 CFR Part 60, Subpart J, 40 CFR Part 60, Subpart A, and 40 CFR Part 63, Subpart DDDDD: B034 and B035. The complete NSPS and MACT requirements, including the MACT General Provisions may be accessed via the internet from the electronic Code of Federal Regulations (e-CFR) website <http://ecfr.gpoaccess.gov> or by contacting the appropriate Ohio EPA district or local air agency.

C. Emissions Unit Terms and Conditions

Effective Date: To be entered upon final issuance

1. Emissions Unit Group -Alstom Boilers: B034, B035,

EU ID	Operations, Property and/or Equipment Description
B034	East Alston Boiler - 353 mmBtu/hr heater fired with refinery fuel gas and/or natural gas with ultra lowNOx burners
B035	West Alston Boiler - 353 mmBtu/hr heater fired with refinery fuel gas and/or natural gas with ultra lowNOx burners

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) d)(17).

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operation(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 are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-07(A)	Visible particulate emissions shall not exceed 20% opacity as a 6-minute average, unless otherwise specified by the rule.
b.	OAC rule 3745-17-10(B)	See b)(2)a.
c.	OAC rule 3745-18-54(W)(1)	See b)(2)a.
d.	OAC rule 3745-21-07(B)	See b)(2)d.
e.	OAC rule 3745-31-05(A)(3) (PTI 04-10394 issued 4/28/2005)	38.48 pounds per hour and 168.53 tons per rolling, 12-month period of carbon monoxide (CO) 12.71 pound per hour and 30.92 tons per rolling, 12-month period of nitrogen oxides (NO _x) 2.63 pound per hour and 11.52 tons per rolling, 12-month period of PM ₁₀ emissions 7.80 pound per hour and 22.00 tons sulfur dioxide (SO ₂) per rolling, 12-month period 1.90 pound per hour and 8.34 ton per rolling, 12-month period of volatile organic

Effective Date: To be entered upon final issuance

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		compounds (VOC) 0.36 pound per hour and 1.01 ton per rolling, 12 month period of sulfuric acid mist (H2SO4) See b)(2)b.
f.	OAC rule 3745-14	See b)(2)i.
g.	OAC rule 3745-31-05(D)	See b)(2)e.
h.	40 CFR Part 60, Subpart Db	0.10 pound of NOx (expressed as NO2) per mmBtu heat input See b)(2)g.
i.	40 CFR Part 60, Subpart J	See b)(2)c.
j.	40 CFR Part 63, Subpart DDDDD	See b)(2)f.
k.	40 CFR Part 60, Subpart A	See b)(2)h. and j.

(2) Additional Terms and Conditions

- a. The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
- b. The requirements of this rule also include compliance with the requirements of 40 CFR Part 60, Subpart J.
- c. The permittee shall not burn in this emissions unit any refinery fuel gas that has a volume-weighted, rolling, 3-hour average H₂S concentration greater than 230 milligrams per dry standard cubic meter (0.10 grain per dry standard cubic foot) or a rolling 3-hour average SO₂ concentration of 20 parts per million by volume, dry basis, adjusted to 0% excess air, depending on which monitoring system is chosen.

[40 CFR 60.104(a)(1)]
- d. The permittee has satisfied the "latest available control techniques and operating practices" required pursuant to OAC rules 3745-21-07(B) by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3) in this permit to install.

On February 18, 2008, OAC rule 3745-21-07 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. However, that rule revision has not yet been submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions OAC rule 3745-21-07, the requirement to satisfy the "best available techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

Effective Date: To be entered upon final issuance

- e. The combined CO, NO_x, PM₁₀, SO₂, and VOC emissions from B034 and B035 shall not respectively exceed 205.29, 37.67, 14.03, 22.0, and 16.67 tons per rolling 12-month period.
- f. This emissions unit is subject to a case-by-case MACT determination pursuant to section 112(j) of the clean Air Act (CAA) due to the June 8, 2007 D.C Circuit Court of Appeals decision to vacate the Boiler MACT (40 CFR Part 63, Subpart DDDDD).

If notified by the Ohio EPA or U.S. EPA, the permittee shall submit an application for a revision to this Permit to Install that meets the requirements of 40 CFR 63.52(a)(2) pertaining to case-by-case MACT determinations. The 30-day clock for submittal of a 112(j) application does not begin until such notification is made by Ohio EPA or U.S. EPA.

- g. The permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart Db.
- h. The permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart A and 40 CFR Part 63, Subpart A.
- i. See Section B.2. of this permit for the requirements of OAC Chapter 3745-14 applicable to this unit.
- j. Within 180 days of the effective date of this permit, the permittee shall develop and maintain 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). Except as allowed below, the plan shall follow the requirements of 40 CFR Part 60, Appendix F and 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.

The plan shall include the requirement to conduct relative accuracy test audits for the continuous NO_x monitoring system in accordance with the frequencies required pursuant to 40 CFR Part 60 and 40 CFR Part 75; or may follow relative accuracy test audit frequency requirements for monitoring systems subject to 40 CFR 75, Appendix B, in lieu of frequencies required in 40 CFR Part 60. In either case, results shall be recorded and reported in units of the applicable standard(s) in accordance with 40 CFR Part 60.

The plan shall include the requirement to conduct quarterly cylinder gas audits or relative accuracy audits pursuant to 40 CFR Part 60, and linearity checks pursuant to 40 CFR Part 75; however, linearity checks completed pursuant to 40 CFR Part 75, Appendix B, may be substituted for the quarterly cylinder gas or relative accuracy audits required per 40 CFR Part 60.

c) Operational Restrictions

- (1) The permittee shall only burn natural gas and/or refinery fuel gas in this emissions unit.
- (2) The combined heat input to two boilers (B034 and B035) shall be limited to a maximum firing rate of 3,766,800 mmBtu/yr based on a rolling, 12-month summation of the monthly firing rate.
- (3) Start-up of one of the two boilers (B034 & B035) can occur prior to shut down of the Riley and Power boilers. However, the permittee shall permanently remove from service both the Riley and Power boilers prior to starting up the second boiler to obtain emissions reductions of 2.88 tons SO₂ per year and 42.66 tons CO per year from the Riley Boiler (B004) and 4.83 tons SO₂ per year and 67.72 tons CO per year from the Power Boiler (B020).
- (4) The permittee shall operate and maintain equipment to continuously monitor and record the NO_x emissions from this emissions unit when combusting natural gas and/or refinery fuel gas.

d) Monitoring and/or Recordkeeping Requirements

- (1) For each day during which the permittee burns a fuel other than refinery fuel gas or natural gas, the permittee shall maintain a record of the type, quantity, and heating value in Btu/dscf of the fuel burned.
- (2) The permittee shall calibrate, maintain and operate a continuous monitoring system for measurement of the H₂S content in the fuel gas before being burned in this fuel gas combustion device or a continuous monitoring system for measuring the SO₂ and O₂ concentrations in the stack.
 - a. The H₂S monitoring device shall continuously monitor and record the concentration (dry basis) of H₂S in fuel gases before being burned in any fuel gas combustion device. The SO₂ monitoring device shall continuously monitor and record the concentration (dry basis) of the SO₂ and O₂ content of the stack gas before it is exhausted to the atmosphere.
 - b. The span value for this instrument is 425 mg/dscm H₂S or 50 ppm SO₂ and 10% oxygen.
 - c. Fuel gas combustion devices having a common source of fuel gas may be monitored at only one location, if monitoring at this location accurately represents the concentration of H₂S in the fuel gas being burned.
 - d. The performance evaluations for this H₂S monitor shall use Performance Specification 7. Method 11, 15, 15A, or 16 shall be used for conducting the relative accuracy evaluations. Performance evaluations for an SO₂ monitor shall use Performance Specification 2. Methods 6 or 6C and 3 or 3A shall be used for conducting the relative accuracy evaluations.

- (3) The permittee must automatically check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once daily in accordance with a written procedure. The zero and span must, as a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of 40 CFR Part 60. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified.
- (4) Monitors that automatically adjust the data to the corrected calibration values (e.g., microprocessor control) must be programmed to record the unadjusted concentration measured in the calibration drift (CD) prior to resetting the calibration, if performed, or record the amount of adjustment.
- (5) If either the zero (or low-level) or high-level CD result exceeds twice the applicable drift specification in Appendix B of 40 CFR part 60 for five, consecutive, daily periods, the CEMS is out-of-control. If either the zero (or low-level) or high-level CD result exceeds four times the applicable drift specification in 40 CFR Part 60, Appendix B during any CD check, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action. Following corrective action, repeat the CD checks.
- (6) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required in 40 CFR 60.13(d), all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows: the continuous monitoring system for measuring emissions shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15- minute period.
- (7) One-hour averages shall be computed from four or more data points equally spaced over each 1-hour period. Data recorded during periods of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph. An arithmetic or integrated average of all data may be used. The data may be recorded in reduced or non-reduced form (e.g., ppm pollutant and percent O₂ or ng/J of pollutant). All excess emissions shall be converted into units of the standard. After conversion into units of the standard, the data may be rounded to the same number of significant digits as used in the applicable subparts to specify the emission limit.
- (8) The permittee must implement a quality control program. As a minimum, each quality control program must include written procedures which should describe in detail, complete, step-by-step procedures and operations for each of the following activities:
 - a. Calibration of CEMS.
 - b. CD determination and adjustment of CEMS.
 - c. Preventive maintenance of CEMS (including spare parts inventory).
 - d. Data recording, calculations, and reporting.
 - e. Accuracy audit procedures including sampling and analysis methods.

f. Program of corrective action for malfunctioning CEMS.

As described in Section 5.2 of 40 CFR Part 60, Appendix F Procedure 1, whenever excessive inaccuracies occur for two consecutive quarters, the source permittee must revise the current written procedures or modify or replace the CEMS to correct the deficiency causing the excessive inaccuracies.

- (9) The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records.
- (10) The permittee shall monitor and record the daily and monthly average firing rate in terms of standard cubic feet per hour, mmBtu/hr, and mmBtu/month for this emission unit. Each month, the permittee shall add the monthly firing total rate to the total firing rate for the previous 11 months to determine the rolling, 12-month summation of the monthly firing rate. Also during the first 12 calendar months of operation, the permittee shall record the cumulative firing rate for each calendar month.
- (11) The permittee shall monitor and record the daily and monthly average firing rate in terms of standard cubic feet per hour, mmBtu/hr and mmBtu/month for B034 and B035 combined. Each month, the permittee shall add the monthly total firing rate to the total firing rate for the previous 11 months to determine the rolling, 12 month summation of the monthly firing rate. Also during the first 12 calendar months of operation, the permittee shall record the cumulative firing rate for each calendar month.
- (12) Prior to the installation of the continuous NO_x monitoring system, the permittee shall submit information detailing the proposed location of the sampling site in accordance with the siting requirements in 40 CFR Part 60, Appendix B, Performance Specifications 2 for approval by the Ohio EPA, Central Office.

Each continuous monitoring system consists of all the equipment used to acquire and record data in units of all applicable standard(s), and includes the sample extraction and transport hardware, sample conditioning hardware, analyzers, and data processing hardware and software.

- (13) The permittee shall install, operate, and maintain equipment to continuously monitor and record NO_x emissions from this emissions unit in units of the applicable standard(s). As stated under 40 CFR 60.48b(b)(2), this monitoring system may be used to determine the compliance of 40 CFR 60.48b except that the permittee shall also meet the requirements of 60.49b. The continuous monitoring and recording equipment shall comply with the requirements specified in 40 CFR Parts 60 and Part 75, if applicable.

The permittee shall maintain records of data obtained by the continuous NO_x monitoring system including, but not limited to:

- a. emissions of NO_x in parts per million on an instantaneous (one-minute) basis;
 - b. emissions of NO_x in pounds per hour, pounds per million Btu, and in all units of the applicable standard(s) in the appropriate averaging period;
 - c. results of quarterly cylinder gas audits or linearity checks if applicable;
 - d. results of daily zero/span calibration checks and the magnitude of manual calibration adjustments;
 - e. results of required relative accuracy test audit(s), including results in units of the applicable standard(s);
 - f. hours of operation of the emissions unit, continuous NO_x monitoring system, and control equipment;
 - g. the date, time, and hours of operation of the emissions unit without the control equipment and/or the continuous NO_x monitoring system;
 - h. the date, time, and hours of operation of the emissions unit during any malfunction of the control equipment and/or the continuous NO_x monitoring system; as well as,
 - i. the reason (if known) and the corrective actions taken (if any) for each such event in (g) and (h).
- (14) The permittee shall maintain records of the following information for each steam generating unit operating day:
- a. Calendar date;
 - b. The 30-day average NO_x emission rates (ng/J or lb/MMBtu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceding 30 steam generating unit operating days;
 - c. Identification of the steam generating unit operating days when the calculated 30-day average NO_x emission rates are in excess of the NO_x emissions standards under §60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken;
 - d. Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken;
 - e. Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data;
 - f. Identification of "F" factor used for calculations, method of determination, and type of fuel combusted;

Effective Date: To be entered upon final issuance

- g. Identification of the times when the pollutant concentration exceeded full span of the CEMS;
 - h. Description of any modifications to the CEMS that could affect the ability of the CEMS to comply with Performance Specification 2 or 3; and
 - i. Results of daily CEMS drift tests and quarterly accuracy assessments as required under appendix F, Procedure 1 of this part.
- (15) The permittee shall maintain records of the monthly CO, NO_x, PM₁₀, SO₂, and VOC emissions from this emissions unit. Each month the permittee shall add the monthly CO, NO_x, PM₁₀, SO₂, and VOC emissions total to the total for the previous 11 months to determine the rolling, 12-month summation of emissions. Also during the first 12 calendar months of operation, the permittee shall record the cumulative emissions of CO, NO_x, PM₁₀, SO₂, and VOC for each calendar month.
- (16) The permittee shall maintain records of the monthly CO, NO_x, PM₁₀, SO₂, and VOC emissions from B034 and B035 combined for each calendar month. Also during the first 12 calendar months of operation, the permittee shall record the cumulative CO, NO_x, PM₁₀, SO₂, and VOC emissions from B034 and B035 combined for each calendar month.
- (17) The permit to install for the emissions units (B034) and (B035) was evaluated based on the actual materials and the design parameters of the emissions unit's exhaust system, as specified by the permittee in the permit to install application. The Ohio EPA's "Review of New Sources of Air Toxic Emissions" policy ("Air Toxic Policy") was applied for each pollutant emitted by this emissions unit using data from the permit to install application and the SCREEN 3.0 model (or other Ohio EPA approved model). The predicted 1-hour maximum ground-level concentration from the use of the SCREEN 3.0 model was compared to the Maximum Acceptable Ground-Level Concentration (MAGLC). The following summarizes the results of the modeling for the "worst case" pollutant(s) for the each emissions unit:

Pollutant: Hexane

TLV (mg/m³): 180

Maximum Hourly Emission Rate (lbs/hr): 1.27

Predicted 1-Hour Maximum Ground-Level

Concentration (ug/m³): 1.47

MAGLC (ug/m³): 4286

Physical changes to or changes in the method of operation of the emissions unit after its installation or modification could affect the parameters used to determine whether or not the "Air Toxic Policy" is satisfied. Consequently, prior to making a change that could impact such parameters, the permittee shall conduct an evaluation to determine that the "Air Toxic Policy" will still be satisfied. If, upon evaluation, the permittee determines that

Effective Date: To be entered upon final issuance

the "Air Toxic Policy" will not be satisfied, the permittee will not make the change. Changes that can affect the parameters used in applying the "Air Toxic Policy" include the following:

- a. changes in the composition of the materials used (typically for coatings or cleanup materials), or the use of new materials, that would result in the emission of a compound with a lower Threshold Limit Value (TLV), as indicated in the most recent version of the handbook entitled "American Conference of Governmental Industrial Hygienists (ACGIH)," than the lowest TLV value previously modeled;
- b. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any pollutant with a listed TLV that was proposed in the application and modeled; and
- c. physical changes to the emissions unit or its exhaust parameters (e.g., increased/ decreased exhaust flow, changes in stack height, changes in stack diameter, etc.).

If the permittee determines that the "Air Toxic Policy" will be satisfied for the above changes, the Ohio EPA will not consider the change(s) to be a "modification" under OAC rule 3745-31-01(VV)(1)(a)(ii), and a modification of the existing permit to install will not be required. If the change(s) is (are) defined as a modification under other provisions of the modification definition (other than (VV)(1)(a)(ii)), then the permittee shall obtain a final permit to install prior to the change.

The permittee shall collect, record, and retain the following information when it conducts evaluations to determine that the changed emissions unit will still satisfy the "Air Toxic Policy:"

- a. description of the parameters changed (composition of materials, new pollutants emitted, change in stack/exhaust parameters, etc.);
- b. documentation of its evaluation and determination that the changed emissions unit still satisfies the "Air Toxic Policy"; and
- c. where computer modeling is performed, a copy of the resulting computer model runs that show the results of the application of the "Air Toxic Policy" for the change.

e) Reporting Requirements

- (1) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than refinery fuel gas and/or natural gas was burned in this emissions unit. Each report shall be submitted to the Toledo Division of Environmental Services within 30 days after the deviation occurs.
- (2) The permittee shall submit quarterly deviation/excursion reports that identify:
 - a. each period in which the firing rates for B034 and B35 identified in Section c)(2) were exceeded;

Effective Date: To be entered upon final issuance

- b. each period in which combined CO emission limitation under b((1)e. was exceeded;
- c. each period in which combined NO_x emission limitation under b)(1)e. was exceeded;
- d. each period in which combined PM₁₀ emission limitation under b((1)e. was exceeded;
- e. each period in which combined SO₂ emission limitation under b)(1)e. was exceeded; and,
- f. each period in which combined VOC emission limitation under b)(1)e. was exceeded;

These reports shall be submitted to the Toledo Division of Environmental Services by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarter. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter.

- (3) The permittee shall submit an H₂S or SO₂ excess emissions and monitoring systems performance report and/or a summary report form to the Toledo Division of Environmental Services quarterly, or except when the Administrator of USEPA, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the emissions unit. All reports shall be postmarked by the 30th day following the end of each three-month period. Excess emissions are each rolling 3-hour average H₂S concentration greater than 0.10 grain per dry standard cubic foot of fuel gas burned or a rolling 3-hour average SO₂ concentration of 20 ppmv, dry basis, adjusted to 0% excess air. Written reports of excess emissions shall include the following information:
- a. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.
 - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.
 - c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.
 - d. When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

- (4) The summary report form shall contain the information and be in the format shown in Figure 1 of 40 CFR 60.7 unless otherwise specified by the Administrator of USEPA. One summary report form shall be submitted for each pollutant monitored at each affected facility.
- a. If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) need not be submitted unless requested by the Administrator of USEPA.
 - b. If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in 40 CFR 60.7(c) shall both be submitted.
- (5) The permittee shall submit a quarterly report for each CEMS containing the accuracy results from Section 6 and the CD assessment results from Section 4 of 40 CFR Part 60, Appendix F Procedure 1. Report the drift and accuracy information as a Data Assessment Report (DAR), and include one copy of this DAR for each quarterly audit with the report of emissions required under the applicable subparts of this part. As a minimum, the DAR must contain the following information:
- a. Permittee name and address.
 - b. Identification and location of monitors in the CEMS.
 - c. Manufacturer and model number of each monitor in the CEMS.
 - d. Assessment of CEMS data accuracy and date of assessment as determined by a Relative Accuracy Test Audit (RATA), Relative Accuracy Audit (RAA), or Cylinder Gas Audit (CGA) described in Section 5 of 40 CFR Part 60, Appendix F Procedure 1 including the relative accuracy for the RATA, the Accuracy (A) for the RAA or CGA, the Reference Method (RM) results, the cylinder gases certified values, the CEMS responses, and the calculations results as defined in Section 6 of 40 CFR Part 60, Appendix F Procedure 1. If the accuracy audit results show the CEMS to be out-of-control, the CEMS operator shall report both the audit results showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.
 - e. Results from USEPA performance audit samples described in Section 5 of 40 CFR Part 60, Appendix F Procedure 1 and the applicable RM's.
 - f. Summary of all corrective actions taken when CEMS was determined out-of-control, as described in Sections 4 and 5 of 40 CFR Part 60, Appendix F Procedure 1.

An example of a DAR format is shown in Figure 1 of 40 CFR Part 60, Appendix F Procedure 1.

- (6) The permittee shall comply with the following quarterly reporting requirements for the emissions unit and its continuous NO_x monitoring system:
- a. Pursuant to the monitoring, record keeping, and reporting requirements for continuous monitoring systems contained in 40 CFR 60.7 and 60.13(h) and the requirements established in this permit, the permittee shall submit reports within 30 days following the end of each calendar quarter to the Toledo Division of Environmental Services, documenting all instances of NO_x emissions in excess of any applicable limit specified in this permit, 40 CFR Part 60, OAC Chapters 3745-14 and 3745-23, and any other applicable rules or regulations. The report shall document the date, commencement and completion times, duration, and magnitude of each exceedance, as well as the reason (if known) and the corrective actions taken (if any) for each exceedance. Excess emissions shall be reported in units of the applicable standard(s). If there are no excess emissions during the calendar quarter, the permittee shall submit a statement to that effect.
 - b. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall include the following:
 - i. the facility name and address;
 - ii. the manufacturer and model number of the continuous NO_x and other associated monitors;
 - iii. the location of the continuous NO_x monitor;
 - iv. the exceedance report as detailed in (a) above;
 - v. the total NO_x emissions for the calendar quarter (tons);
 - vi. the total operating time (hours) of the emissions unit;
 - vii. the total operating time of the continuous NO_x monitoring system while the emissions unit was in operation;
 - viii. results and date of quarterly cylinder gas audits or linearity checks if applicable;
 - ix. results and date of the relative accuracy test audit(s), including results in units of the applicable standard(s), (during appropriate quarter(s));
 - x. the results of any relative accuracy test audit showing the continuous NO_x monitor out-of-control and the compliant results following any corrective actions;
 - xi. the date, time, and duration of any/each malfunction* of the continuous NO_x monitoring system, emissions unit, and/or control equipment;

Effective Date: To be entered upon final issuance

- xii. the date, time, and duration of any downtime* of the continuous NO_x monitoring system and/or control equipment while the emissions unit was in operation; and
- xiii. the reason (if known) and the corrective actions taken (if any) for each event in b.xi and b.xii.

Each report shall address the operations conducted and data obtained during the previous calendar quarter. Data substitution procedures from 40 CFR 75 are not to be used for showing compliance with the short term OAC 3745-31-05(A)(3) rule-based or NSPS-based limitation(s) in this permit.

each downtime and malfunction event shall be reported regardless if there is an exceedance of any applicable limit

- (7) This emissions unit is subject to the applicable provisions of Subparts Db and J of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60. The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

Pursuant to the 40 CFR Part 60.7, 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 (if required, 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

Toledo Division of Environmental Services

348 South Erie Street

(8) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

f) Testing Requirements

(1) Compliance with the emissions limitation(s) in b)(1) shall be determined in accordance with the following methods:

a. Emission Limitation:

20% opacity as a 6-minute average

Applicable Compliance Method:

If required, compliance shall be demonstrated based upon the procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(1).

b. Emission Limitation:

0.10 grain H₂S per dry standard cubic foot of fuel gas burned as a volume-weighted, rolling, 3-hour average or 20 parts per million SO₂, in the stack gas, as a volume weighted dry basis, adjusted to 0% excess air, rolling, 3-hour average

Applicable Compliance Method:

Compliance shall be demonstrated based upon the monitoring and record keeping requirements of d). If required, compliance shall also be demonstrated based upon the methods and procedures of 40 CFR 60.106(e)(1) or 40 CFR 60.106(f)(1).

c. Emission Limitation:

7.80 pound per hour SO₂

Applicable Compliance Method:

Allowable emissions are based on operation at maximum capacity with a maximum H₂S concentration of 0.10 gr/dscf or 20 ppmv SO₂ dry basis, adjusted to 0% excess air. Therefore compliance with the 0.10 grain H₂S per dry standard cubic foot of fuel gas burned as a volume-weighted, rolling, 3-hour average emission limitation or 20 ppmv SO₂ dry basis, adjusted to 0% excess air constitutes compliance with the hourly SO₂ emission limitation.

d. Emission Limitation:

22.00 tons per rolling, 12-month period of SO₂

Effective Date: To be entered upon final issuance

Applicable Compliance Method:

Compliance shall be based on CEM data used to calculate the SO₂ emissions under d)(15).

e. Emission Limitation:

22 tons per rolling, 12-month period of SO₂ from B034 and B035 combined.

Applicable Compliance Method:

Compliance shall be based on CEM data used to calculate the SO₂ emissions under d)(16).

f. Emission Limitation:

38.48 pounds per hour CO

Applicable Compliance Method:

Multiply the vendor supplied emission factor of 0.109 lb/mmBtu times the maximum firing rate (353 mmBtu/hr). If required, the permittee shall demonstrate compliance using Methods 1 through 4 and 10 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

g. Emission Limitation:

168.53 tons per rolling, 12-month period CO

Applicable Compliance Method:

Annual allowable emissions are based on operation at maximum capacity for 8760 hours per year. Compliance with the hourly CO limit constitutes compliance with the annual CO limit.

h. Emission Limitation

205.29 tons per rolling, 12 month period combined CO emissions from B034 and B035

Applicable Compliance Method:

The monitoring and record keeping requirements under d)(11) and d)(16) shall serve as demonstration of compliance with this emission limitation.

i. Emission Limitation:

2.63 pound per hour PM₁₀ emissions

Effective Date: To be entered upon final issuance

Applicable Compliance Method:

Multiply the AP-42 section 1.4 particulate matter emission factor dated July 1998 of 7.6 lb/mmcf of fuel gas burned times the daily average fuel gas burned per hour times the fuel gas heating value correction factor. The heating value correction factor is equal to the ratio of the actual fuel gas heat content to the AP-42 heat content of 1020 Btu/scf. If required, compliance shall be demonstrated based upon the procedures specified in Methods 201 and 202 of 40 CFR Part 51, Appendix M. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

j. Emission Limitation:

11.52 tons per rolling, 12-month period of PM₁₀ emissions

Applicable Compliance Method:

Annual allowable emissions are based on operation at maximum capacity for 8760 hours per year. Compliance with the hourly particulate emission limit constitutes compliance with the annual particulate emission limit.

k. Emission Limitation

14.03 tons per rolling, 12 month period combined PM10 emissions from B034 and B035

Applicable Compliance Method:

The monitoring and record keeping requirements under d)(11) and d)(16) shall serve as demonstration of compliance with this emission limitation.

l. Emission Limitation:

12.71 pound per hour NO_x

Applicable Compliance Method:

Prior to the certification of the NO_x CEMS, multiply the NO_x emission factor of 0.036 lb/mmBtu based on the RACT/BACT/LAER Clearinghouse database survey in the original BAT analysis in the original application by the daily average fuel gas burned per hour to determine the hourly NO_x emissions. After the certification of the NO_x CEMS, the NO_x CEMS shall be used to demonstrate compliance.

If required, the permittee shall demonstrate compliance using methods 1 through 4 and 7 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved methods may be used with prior approval from Ohio EPA.

Effective Date: To be entered upon final issuance

m. Emission Limitation:

30.92 tons NO_x per rolling, 12-month period

Applicable Compliance Method:

The monitoring and record keeping requirements under section c)(11) and (13) shall serve as demonstration of compliance with this emission limitation.

n. Emission Limitation

37.67 tons per rolling, 12 month period combined NO_x emissions from B034 and B035

Applicable Compliance Method:

The monitoring and record keeping requirements under d)(11) and d)(13) shall serve as demonstration of compliance with this emission limitation.

o. Emission Limitation:

1.90 pound per hour VOC emissions

Applicable Compliance Method:

Multiply the AP-42 section 1.4 VOC emission factor dated July 1998 of 5.5 lb/mmcf of fuel gas burned corrected for heating value by the daily average fuel gas burned per hour. The heating value correction factor is equal to the ratio of the actual fuel gas heat content to the AP-42 heat content of 1020 Btu/scf. If required, the permittee shall demonstrate compliance using Methods 1 through 4 and 25 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods can be used with prior approval from Ohio EPA.

p. Emission Limitation:

8.34 ton per rolling, 12-month period VOC emissions

Applicable Compliance Method:

Annual allowable emissions are based upon operation at maximum capacity for 8760 hours per year. Compliance with the hourly VOC emissions limit constitutes compliance with the annual limit.

q. Emission Limitation:

16.67 tons per rolling, 12 month period combined VOC emissions from B034 and B035

Effective Date: To be entered upon final issuance

Applicable Compliance Method:

The monitoring and record keeping requirements under d)(11) and d)(13) shall serve as demonstration of compliance with this emission limitation.

r. Emission Limitation:

0.36 lb/hr H₂SO₄

Applicable Compliance Method:

The permittee establishes that 3% of the SO₂ emissions are converted to H₂SO₄. Compliance shall be demonstrated by multiplying the maximum hourly SO₂ emission rate (7.8 lb/hr) by 0.03 multiplied by the molecular weight of H₂SO₄ and divided by the molecular weight of SO₂. If required, the permittee shall demonstrate compliance using methods 1 through 8 of 40 CFR Part 60, Appendix A. Alternative U.S.EPA approved test methods can be used with prior approval from Ohio EPA.

s. Emission Limitation:

1.01 ton per year H₂SO₄

Applicable Compliance Method:

The permittee establishes that 3% of the SO₂ emissions are converted to H₂SO₄. Compliance shall be demonstrated by multiplying the maximum annual SO₂ emissions rate (22 tons/yr) by 0.03 multiplied by the molecular weight of H₂SO₄ and divided by the molecular weight of SO₂. If required, the permittee shall demonstrate compliance using methods 1 through 8 of 40 CFR Part 60, Appendix A. Alternative U.S.EPA approved test methods can be used with prior approval from Ohio EPA.

t. Emission Limitation:

0.10 lbNO_x/mmBtu (expressed as NO₂)

Applicable Compliance Method:

The NO_x CEMS data shall be used to demonstrate compliance with this emission limitation and procedures outlined in 40 CFR 60.46b(e)(3).

g) Miscellaneous Requirements

- (1) Excessive Audit Inaccuracy. If the RA, using the RATA, CGA, or RAA exceeds the criteria in section 5.2.3, the CEMS is out-of-control. If the CEMS is out-of-control, take necessary corrective action to eliminate the problem. Following corrective action, the source permittee must audit the CEMS with a RATA, CGA, or RAA to determine if the CEMS is operating within the specifications. A RATA must always be used following an out-of-control period resulting from a RATA. The audit following corrective action does not require analysis of USEPA performance audit samples. If audit results show the

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Facility ID: 0448020007

Effective Date: To be entered upon final issuance

CEMS to be out-of-control, the CEMS operator shall report both the audit showing the CEMS to be out-of-control and the results of the audit following corrective action showing the CEMS to be operating within specifications.