Commonwealth of Pennsylvania
Department of Environmental Protection
Air Quality Program
Southwest Region

PHASE II Acid Rain Permit

Issued to: Mitchell
Operated by: Allegheny Energy Supply Company, L.L.C.
ORIS: 3181
Effective: January 1, 2013 through December 31, 2017

Acid Rain Permit Contents

1. ***Statement of Basis***
2. ***Unit Specific Requirements and Allowances***
3. ***Additional Permit Requirements (25 Pa. Code §127.531)***
4. ***Phase II Permit Application (Attached)***
5. ***Phase II NO_x Averaging Plan (Attached)***

Mark Wayner (SHM)

Mark Alan Wayner, PE
Regional Air Program Manager
Southwest Region

11.30.12

Date Issued

PHASE II Acid Rain Permit

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Statement of Basis

Statutory and Regulatory Authority

In accordance with Section 6.5 of the Air Pollution Control Act, 35 P.S. §4006.5, the Pennsylvania Department of Environmental Protection issues this permit pursuant to Pennsylvania Code Title 25 Chapter 127, Subchapter G, Section 127.531.

Unit Specific SO_2 Allowance Allocations & NO_x Requirements

		2013	2014	2015	2016	2017
Unit 1	*SO_2 Allowances (tons per year)*	*0*	*0*	*0*	*0*	*0*
	NO_x Limit	N/A				

		2013	2014	2015	2016	2017
Unit 2	*SO_2 Allowances (tons per year)*	*1*	*1*	*1*	*1*	*1*
	NO_x Limit	N/A				

		2013	2014	2015	2016	2017
Unit 3	*SO_2 Allowances (tons per year)*	*0*	*0*	*0*	*0*	*0*
	NO_x Limit	N/A				

Barbara R. Hatch, PE
Acid Rain Permit Reviewer

Signature *Date* 11/30/12

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Unit Specific SO_2 Allowance Allocations & NO_x Requirements

		2013	2014	2015	2016	2017
Unit 33	*SO_2 Allowances (tons per year)*	*3103*	*3103*	*3103*	*3103*	*3103*
	NO_x Limit	Pursuant to 40 CFR 76.11, DEP approves a NO_x emissions averaging plan for this unit, effective from calendar years 2013 through 2017. Under the Phase II NO_x Averaging Plan this unit is in compliance with the Acid Rain emission limitation for NO_x under the plan only if the following requirements are met: a) This unit's NO_x emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.36 lb/mmBtu and this unit shall not have an annual heat input less than 8,025,000 mmBtu; or b) In accordance with 40 CFR 76.11(d)(1)(ii)(A), the actual Btu-weighted annual average NO_x emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. In addition to the described NO_x compliance plan, this unit shall comply with all other applicable requirements of 40 CFR Part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.				

Barbara R. Hatch, PE
Acid Rain Permit Reviewer

Signature

11/30/12
Date

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Additional Permit Requirements:

1. *In accordance with 25 Pa. Code §127.531(f), this permit prohibits the following:*

   a) *Annual emissions of sulfur dioxide in excess of the number of allowances to emit sulfur dioxide that the owner or operator or designated representative holds for the unit.*

   b) *Exceeding applicable emission rates or standards, including ambient air quality standards.*

   c) *The use of an allowance prior to the year for which it is allocated.*

   d) *Contravention of other provisions of the permit.*

2. *In accordance with 25 Pa. Code §127.531(g), this permit prohibits the emission of sulfur dioxide which exceeds any allowances that the source lawfully holds under Title IV of the Clean Air Act or the regulations thereunder.*

   a) *A permit revision will not be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, if the increases do not require a permit revision under another applicable requirement.*

   b) *A limit will not be placed on the number of allowances held by the source. The source may not, however, use allowances as a defense to noncompliance with another applicable requirement.*

   c) *An allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the Clean Air Act.*

3. *The source shall comply with all of the requirements in the attached Phase II Acid Rain Permit Application.*

Barbara R. Hatch, PE
Acid Rain Permit Reviewer

Signature

11/30/12
Date

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258

Acid Rain Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: X New ☐ Revised

STEP 1

Identify the source by plant name, State, and ORIS code.

Plant Name	State	ORIS Code
Mitchell Power Station	PA	3181

STEP 2

Enter the unit ID# for every affected unit at the affected source in column "a." For new units, enter the requested information in columns "c" and "d."

a	b	c	d
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	New Units Commence Operation Date	New Units Monitor Certification Deadline
1	Yes		
2	Yes		
3	Yes		
33	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		

Mitchell Power Station
Plant Name (from Step 1)

STEP 3

Read the standard requirements

Permit Requirements

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

Monitoring Requirements

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

Sulfur Dioxide Requirements

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

STEP 3, Cont'd.

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

Excess Emissions Requirements

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

Recordkeeping and Reporting Requirements

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

Liability

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

Mitchell Power Station
Plant Name (from Step 1)

Step 3, Cont'd.

Liability, Cont'd.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:
(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
(2) Limiting the number of allowances a unit can hold; *provided,* that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Read the certification statement, sign, and date

Certification

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

Leo C. Rajter, Vice President Generation Operations Name	
Signature	Date 6/26/07

Allegheny Energy

Environment, Health & Safety

800 Cabin Hill Drive
Greensburg, PA 15601

CERTIFIED MAIL

June 22, 2007

Washington County Commissioners
Courthouse Square
100 West Beau Street
Washington, PA 15301

RE: County Notification
Phase II Acid Rain Permit Renewal Application
Allegheny Energy
Mitchell Power Station
Acid Rain Permit AR-63-016

Dear Sir/Madam:

Pursuant to 25 Pa Code 127.413, Allegheny Energy is hereby providing notice that we have submitted an application to the Pennsylvania Department of Environmental Protection (PADEP) for renewal of the Phase II Acid Rain Permit for the Mitchell Power Station located in Union Township, Washington County.

A 30-day comment period begins with receipt of this letter. If you have any questions concerning this notice or the renewal application you can contact me by telephone at 724-838-6133 or you can contact the PADEP, Southwest Regional Office, Bureau of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222 (412-442-4000).

Sincerely,

Mark A. Sowa

Mark A. Sowa
Manager, Air Quality

Allegheny Energy

Environment, Health & Safety

800 Cabin Hill Drive
Greensburg, PA 15601

CERTIFIED MAIL

June 22, 2007

Union Township Board of Supervisors
Union Township Municipal Building
3904 Finleyville-Elrama Road
Finleyville, PA 15332

RE: Municipal Notification
Phase II Acid Rain Permit Renewal Application
Allegheny Energy
Mitchell Power Station
Acid Rain Permit AR-63-016

Dear Sir/Madam:

Pursuant to 25 Pa Code 127.413, Allegheny Energy is hereby providing notice that we have submitted an application to the Pennsylvania Department of Environmental Protection (PADEP) for renewal of the Phase II Acid Rain Permit for the Mitchell Power Station located in Union Township, Washington County.

A 30-day comment period begins with receipt of this letter. If you have any questions concerning this notice or the renewal application you can contact me by telephone at 724-838-6133 or you can contact the PADEP, Southwest Regional Office, Bureau of Air Quality Control, 400 Waterfront Drive, Pittsburgh, PA 15222 (412-442-4000).

Sincerely,

Mark A. Sowa
Manager, Air Quality

3/26/2012

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258

EPA

Phase II NO_x Averaging Plan

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

This submission is: ☐ New ☒ Revised

STEP 1

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

Plant Name	State	ID#	(a) Emission Limitation	(b) ACEL	(c) Annual Heat Input Limit
Albright	WV	1	0.50	0.68	8,357,000
Albright	WV	2	0.50	0.46	509,000
Albright	WV	3	0.45	0.40	2,589,000
Armstrong	PA	1	0.50	0.40	2,979000
Armstrong	PA	2	0.50	0.40	2,983,000
Fort Martin	WV	1	0.45	0.35	21,000,000
Fort Martin	WV	2	0.68	0.35	20,300,000
Harrison	WV	1	0.50	0.42	28,100,000
Harrison	WV	2	0.50	0.42	34,100,000

STEP 2

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

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan		Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7
0.48	≤	0.57

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

Where,

R_{Li} = Alternative contemporaneous annual emission limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;

R_{1i} = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;

HI_i = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;

n = Number of units in the averaging plan

6/26/2012

Albright, Armstrong, Ft. Martin, Harrison, Hatfield's Ferry, Mitchell, Pleasants, Rivesville, R. Paul Smith, Willow Island
Plant Name (from Step 1)

STEP 3

Mark one of the two options and enter dates.

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

☒ Treat this plan as ☒ identical plans, each effective for one calendar year for the following calendar years: 2013, 2014, 2015, 2016 and 2017 unless notification to terminate one or more of these plans is given.

STEP 4

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

Special Provisions

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO_x under the plan only if the following requirements are met:

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

Liability

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

Termination

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

Certification

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

Name: Raymond L. Evans, Designated Representative	
Signature: Raymond L. Evans	Date: 6-26-12

6/26/2012

Albright, Armstrong, Ft. Martin, Harrison, Hatfield's Ferry, Mitchell, Pleasants, Rivesville, R. Paul Smith, Willow Island
Plant Name (from Step 1)

STEP 1

Continue the identification of units from Step 1, page 1, here.

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
Harrison	WV	3	0.50	0.42	34,000,000
Hatfield's Ferry	PA	1	0.68	0.58	28,500,000
Hatfield's Ferry	PA	2	0.68	0.58	27,600,000
Hatfield's Ferry	PA	3	0.68	0.58	30,800,000
Mitchell	PA	33	0.45	0.36	8,025,000
Pleasants	WV	1	0.50	0.37	34,000,000
Pleasants	WV	2	0.50	0.37	26,500,000
Rivesville	WV	7	0.80	0.95	5,598,000
Rivesville	WV	8	0.80	0.67	73,000
R. Paul Smith	MD	9	0.50	0.80	3,749,000
R. Paul Smith	MD	11	0.45	0.41	867,000
Willow Island	WV	1	0.80	0.58	2,152,000
Willow Island	WV	2	0.86	0.96	14,060,000